

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Application of)	
Fidelity Communications Services I, Inc.)	
for Review and Reversal of North)	
American Number Plan Administrator's)	Case No. _____
Decision to Withhold Numbering)	
Resources.)	

**Fidelity Communications Services I, Inc.'s Application
and Motion for Expedited Treatment**

Comes now Fidelity Communications Services I, Inc. ("FCSI" or "Company ") and files this verified application and motion for expedited treatment, pursuant to 4 CSR 240-2.060, 4 CSR 240-2.080(16) and 47 CFR 52.15(g)(3)(B)(iv), and respectfully requests that the Missouri Public Service Commission ("Commission") issue an Order that reviews and reverses the decision of the North American Numbering Plan Administrator, NeuStar, Inc. ("NANPA"), to withhold certain numbering resources from FCSI in the form of one (1) thousands-number block of numbers to service the needs of Phelps County Regional Medical Center of Rolla, Missouri ("Phelps County"). In support of this application, FCSI states as follows:

1. FCSI is a Missouri corporation with its principal office and place of business located at 64 North Clark, Sullivan, Missouri 63080. A certificate of corporate good standing was previously filed in Case No. TC-2002-1077 and is hereby incorporated by reference. FCSI is a competitive local exchange telecommunications company and is authorized to provide telecommunications service within the State of Missouri as certificated by the Commission.

2. All correspondence, pleadings, orders, decisions and communications regarding this proceeding should be sent to:

W. R. England, III
Sondra B. Morgan
312 East Capitol
P.O. Box 456
Jefferson City, MO 65102
smorgan@brydonlaw.com (e-mail)

3. Phelps County has requested 700 to 800 Direct Inward Dial ("DID") numbers to use for a new Physician's building which will be opening November 1, 2006. Most of the telephone numbers will be used by doctors who are new to the hospital and do not already have numbers. Phelps County has specifically requested that these numbers be consecutive telephone numbers, and in the 573 NPA (area code). A copy of the Letter of Intent signed by Phelps County, attached hereto and marked as **Exhibit A**, indicates its need for 700 to 800 DID numbers to be provided over PRI Circuits. FCSI has researched the available blocks in its Rolla rate center which serves Rolla, Missouri. FCSI has no available thousands-blocks available for use that meet this customer's needs. In order to best meet the needs of Phelps County, FCSI requests that the Commission grant it one (1) thousands block in the NPA-NXX assigned to the Rolla, Missouri rate center.

4. On September 14, 2006, FCSI submitted a Thousands-Block Application Form, Part 1A, for the assignment of one (1) thousands-number block necessary to meet Phelps County's request. A copy of the Application is attached hereto and is marked as **Exhibit B**. FCSI completed the application in accordance with the Industry Numbering Committee's Thousands-Block Pooling Assignment Guidelines and filled out the necessary Months to Exhaust and Utilization Certification Worksheet which is attached hereto and marked as **Exhibit C**.

5. FCSI submitted the request for one (1) thousands number block because FCSI does

not have a thousands-number block available to satisfy the request of Phelps County. FCSI is unable to use numbers from any other switch in FCSI's rate center area or in the 573 NPA to satisfy Phelps County's request.

6. On or about September 14, 2006, NANPA denied the request on the grounds that FCSI had requested more blocks than it would exhaust in six months. That decision is attached hereto and marked **Exhibit D**.

7. Under existing procedures, NANPA has asserted that it is required to accept or reject an application for resources based solely on Federal Communications Commission ("FCC") criteria. However, the FCC's March 31, 2000, Order in its Number Resources Optimization docket states that a carrier may challenge a resource denial before the appropriate state regulatory commission and a state commission may choose to reaffirm or overturn NANPA's decision to withhold numbering resources.¹ Thus, the Missouri Commission has the authority to "affirm or overturn the NANPA's decision to withhold numbering resources from the carrier based on its determination of compliance with the reporting and number resource application requirements herein."² Moreover, the FCC determined that states may overturn NANPA's decision to withhold numbering resources from the carrier where there is a verifiable need for the carrier to satisfy a specific customer request:

We also agree with WinStar that a carrier should be able to get additional numbering resources when there is a verifiable need due to the carrier's inability to satisfy a specific customer request. We therefore clarify that states may also grant relief if a carrier demonstrates that it has received a customer request for numbering resources in a given rate center that it cannot meet with its current inventory.³ The FCC

¹ Report and Order and Further Notice of Proposed Rule Making. In the Matter of Numbering Resource Optimization, CC Docket No. 99-200, March 31, 2000, Appendix A.

² Id.

³ Third Report and Order and Second Order on Reconsideration in CC Docket Number 96-98 and CC Docket Number 99-200. In the matter of Numbering Resource Optimization, Implementation of the Local Competition Provisions of the Telecommunications Act of 1996 and Telephone Number Portability, CC Docket Number 99-200, et al., December 12, 2001, paragraph 64.

explained that a “[c]arrier may demonstrate such a need by providing the state with documentation of the customer request and current proof of the utilization in the rate center.”⁴ The FCC further explained that states “may grant requests for customers seeking contiguous blocks of numbers.”⁵ Further, although the FCC declined to establish a specific timeframe for states to act on these requests, the FCC indicated “in most instances, 10 business days from receipt of request that the state determines to be sufficiently detailed and complete will be sufficient time to review and act upon safety valve requests.”⁶

8. FCSI requests that the Commission act to overturn NANPA’s decision to withhold numbering resources. The FCC permits such state commission action in order to meet specific customer demand. The Commission has overturned NANPA’s decision to withhold numbering resources in several cases.

9. FCSI does not have any pending or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates, which action, judgment, or decision has occurred within three (3) years of the date of this Application.

10. FCSI does not have any annual report or assessment fees that are overdue in Missouri.

11. FCSI seeks expedited treatment and requests that the Commission act on this request within ten (10) business days as envisioned by the FCC. Phelps County anticipates that its new Physician’s Building will open on or about November 1. In order to accomodate the hospital’s request for additional, consecutive numbers, the Commission must issue its order as soon as possible so that FCSI will have enough time to file a new request with NANPA for the release of one (1) thousands block to FCSI to meet this need. FCSI filed this request for expedited treatment as soon as it could have. Specifically, FCSI filed this pleading after NANPA rejected FCSI’s request for numbering resources and FCSI determined that it was not feasible to implement a technological

⁴ Id.

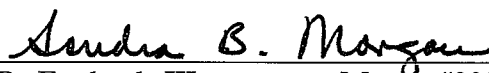
⁵ Id.

⁶ Id. at paragraph 66.

alternative.

Wherefore, FCSI respectfully requests that the Commission overturn NANPA's previous determination in this matter within ten (10) business days as envisioned by the FCC, and instruct NANPA to release the numbering resources necessary to meet the needs of Phelps County Regional Medical Center.

Respectfully submitted,



W.R. England, III Mo. #23975
Sondra B. Morgan Mo. #35482
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Jefferson City, MO 65101-0456
(573) 635-7166
(573) 634-7431 (fax)
smorgan@brydonlaw.com (e-mail)

Attorneys for
Fidelity Communications Services, Inc.

VERIFICATION OF APPLICATION

STATE OF MISSOURI)
) ss.
COUNTY OF FRANKLIN)

Dave Beier, being duly sworn upon his oath, states that he is the VP - Regulatory of Fidelity Communications Services I, Inc. and as such, is duly authorized to sign this Application and this affidavit on its behalf; that he has read the foregoing Application and exhibits thereto; that the matters and things contained in said Application and exhibits are true and correct to the best of his knowledge, information and belief.

Dave Beier

Subscribed and sworn to before me this 15 day of September, 2006.

Hannah Zelch
Notary Public

My commission expires: Aug. 8, 2009

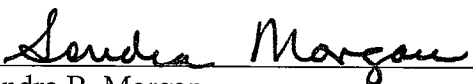


CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic transmission, sent via U.S. Mail, and/or hand-delivered this 19th day of September, 2006, to:

General Counsel
Kevin Thompson
Missouri Public Service Commission
Governor Office Building
200 Madison Street
P.O. Box 360
Jefferson City, MO 65102

Public Counsel
Michael F. Dandino
Office of the Public Counsel
Governor Office Building
200 Madison Street
P.O. Box 7800
Jefferson City, MO 65102



Sondra B. Morgan



LETTER OF INTENT

This letter serves as notification that the Phelps County Regional Medical Center located at 1000 W. 10th Street, Rolla, Missouri with it's representative, has confirmed that they have an interest in services requiring 700 to 800 DID numbers to be provided over PRI Circuits.

This agreement will be dependent upon the verification from the Phelps County Regional Medical Center.

This letter of intent does not in any way represent a contract for service, it is just a verification that the need for the additional DID numbers does exist so that formal request can be made to the Federal Communication Commission.

Fidelity Communications will proceed with the request for these additional numbers to be released to Fidelity for use by the above stated customer.

A handwritten signature in cursive script, appearing to read "Mary Croul", written over a horizontal line.


Signature of Phelps County Regional Medical Center Representative

A handwritten signature in cursive script, appearing to read "John W. Paul", written over a horizontal line.

Signature of Fidelity Communications Representative

Exhibit A

Pooling Administration System

 tedt@fidnet.com (SP)

Sign Out

Part 1A

Type of Application : New

1.1 Contact Information :

Note: If any of the contact info is incorrect, edit your user profile.

Block Applicant :

Company Name **FIDELITY COMM-MO**
Headquarters Address: **64North Clark St.**
City: **Sullivan**
State: **MO**
Zip: **63080**

Contact Name **Mr Theodore P Teeter**
Contact Address **64North Clark St.**
City **Sullivan**
Zip **63080**

State **MO**

Telephone **(573) 468-1276 Ext. 1276**

Fax **(573) 468-1101**

E-mail **tedt@fidnet.com**

Pooling Administrator :

Contact Name **Ms Genevieve Paulino**
Contact Address **1800 Sutter St. Ste. 780**
City **Concord**
Zip **94520**

State **CA**

Telephone **(925) 363-7652**

Fax **(925) 363-7683**

E-mail **genevieve.paulino@neustar.biz**

1.2 General Information

LRN Needed ⁱⁱ No

NPA **573**

LATA * **520**

OCN ⁱⁱⁱ **3275-FIDELITY COMM-MO**

Parent Company OCN * **GO44**

Number of Thousands-Blocks Requested **1**

Switch Identification (Switching Identity/POI) ^{iv} **ROLLMOAURSO**

City or Wire Center Name **ROLLA**

Rate Center ^v **ROLLA**

Rate Center Sub Zone

1.3 Dates

Exhibit B

Date of Application ^{vi} **Thursday, September 14, 2006**

Requested Block Effective Date **15** **Oct** **2006**

Request Expedited Treatment ☐ Yes ☒ No

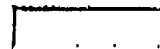
1.4 Type of Service Provider Requesting the Thousands-Block

a) Type of Service Provider * **CAP OR CLEC**

b) Primary type of service Blocks to be used for * **Wireline**

c) Thousands-Block(s) (NPA-NXX-X) assignment preference
Click here to see the available blocks in the pool.

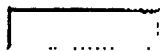
NOTE: The blocks available list shows blocks that are available at the time a request is submitted. These same blocks may not be available at the time the request is processed. Therefore, it is recommended that you provide additional block preferences in the event those blocks are not available.



573-458-3

Delete

d) Thousands-Block(s) (NPA-NXX-X) that are undesirable for this assignment, if any



Delete

e) If requesting a code for LRN purposes, indicate which block(s) you will be keeping (the remainder of the blocks will be given to the pool)

N/A

1.5 Type of Request

Initial block for rate center ☐ Yes

Growth block for rate center ☒ Yes

Change block **N/A**

Disconnect block **N/A**

I hereby certify that the above information requesting an NXX-X block is true and accurate to the best of my knowledge and that this application has been prepared in accordance with the Thousands-Block (NXX-X) Pooling Administration Guidelines (ATIS-0300066)

Pooling Administration System

tedt@fidnet.com (SP)

Sign Out

Months to Exhaust and Utilization Certification Worksheet - TN Level¹

Date **Thursday, September 14, 2006**

OCN **3275**

Company Name **FIDELITY COMM-MO**

Rate Center **ROLLA**

List all Codes NPA(s)-NXXs and Blocks NPA(s)-
NXX-X(s)

573-426-2000, 3000, 4000, 5000, 6000, 573-458-6000, 7000, 8000, 573-202-2000

Name of Block Applicant **Mr Theodore P Teeter**

Title **Central Office Engineer**

Telephone Number **(573) 468-1276 Ext. 1276**

Fax Number **(573) 468-1101**

E-Mail **tedt@fidnet.com**

A. Available Numbers * **2004**

B. Assigned Numbers * **6996**

C. Total Numbering Resources * **9000**

D. Quantity of numbers activated in the past 90
days and excluded from the Utilization calculation * **113**

List excluded Code(s) or Block(s)

E. Growth History - Previous 6 months² *

Month 1	0	Month 2	0
Month 3	0	Month 4	14
Month 5	94	Month 6	5

F. Forecast - Next 12 months³ *

Month 1	25	Month 2	825
Month 3	25	Month 4	25
Month 5	25	Month 6	25
Month 7	25	Month 8	25
Month 9	25	Month 10	25
Month 11	25	Month 12	25

G. Average Monthly Forecast (Sum of months # 1-6 (Part F above) divided by 6)

H. Months to Exhaust⁴ (Numbers Available for Assignment to customers (A) / Average Monthly Forecast (G))

Explanation

FIDELITY COMMUNICATIONS HAS RECEIVED A REQUEST
FOR 800 CONSECUTIVE DID NUMBERS FROM PHELPS
CO.REGIONAL MEDICAL CTR. (HOSP) IN ROLLA RATE

¹A copy of this worksheet is required to be submitted to the Pooling Administrator when requesting additional numbering resources in a rate center. For auditing purposes, the applicant must retain a copy of this document.

²Net change in TNs no longer available for assignment in each previous month, starting with the most distant month as Month #1, and Month #6 as the current month.

³Forecast of TNs needed in each following month, starting with the most recent month as Month #1.

⁴To be assigned an additional thousands-block (NXX-X) for growth, "Months to Exhaust" must be less than or equal to 6 months. (FCC 00-104, § 52.15 (g)(3)(iii)).

⁵Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (g)(3)(ii))

Show Calculations Continue Cancel

Pooling Administration System

 tedt@fidnet.com (SP)

[Sign Out](#)

Months to Exhaust and Utilization Certification Worksheet - TN Level (Continued)

You have requested more blocks than you will exhaust in six months.

Select One Option and Submit

- ☐ Return to the Months To Exhaust Form
- ☐ Discard all the information provided for the request and start with a fresh Part 1A
- ☒ State Waiver Option