

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

In the Matter of the Application of Southwestern)	
Bell Telephone Company d/b/a AT&T Missouri)	
for Review and Reversal Of North American)	Case No. _____
Number Plan Thousands-Block Pooling)	
Administrator's Decision to Withhold Numbering)	
Resources)	

**AT&T MISSOURI'S APPLICATION AND MOTION
FOR EXPEDITED TREATMENT**

COMES NOW AT&T Missouri¹ and respectfully requests that the Commission issue an Order that reviews and reverses the decision of the North American Numbering Plan Thousands-Block Pooling Administrator, NeuStar, Inc. ("NANPA"), to withhold certain numbering resources from AT&T Missouri.

The requested numbering resources are necessary to meet the expanding telecommunications needs of Saint Luke's East Hospital ("Saint Luke") located in Lee's Summit, Missouri. More specifically, the numbering resources specifically requested by this Application consist of one (1) thousands-block, from which three hundred consecutive numbers may be drawn that are within (1) the 816 NPA, (2) an NXX comprised of XX7, (3) an XXXX range from 6000 through 8999, and (4) the Lee's Summit rate center. AT&T Missouri further requests that if such specific resources are not available when the Commission issues its order, the Commission should direct NANPA to provide such resources as are available to meet Saint Luke's numbering resource needs.

¹ Southwestern Bell Telephone Company d/b/a AT&T Missouri ("AT&T Missouri"). AT&T Missouri files this verified Application and motion for expedited treatment pursuant to 4 CSR 240-2.060, 4 CSR 240-2.080(16), 4 CSR 240-37.040 and 47 CFR 52.15(g)(3)(iv).

In support of this Application, AT&T Missouri states as follows:

1. AT&T Missouri is a Missouri corporation with its principal Missouri office at One AT&T Center, Room 3520, St. Louis, Missouri 63101. It may be contacted at the regular and electronic mail addresses and telephone and facsimile numbers of its attorneys, as set out under the signature block of this Application. AT&T Missouri is authorized to do business in Missouri² and its fictitious name is duly registered with the Missouri Secretary of State.³ AT&T Missouri is a "local exchange telecommunications company" and a "public utility," and is duly authorized to provide "telecommunications service" within the State of Missouri, as each of those phrases is defined in Section 386.020, RSMo 2000.⁴

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

Jeffrey E. Lewis
Leo J. Bub
Robert J. Gryzmala
Attorneys for Southwestern Bell Telephone Company
d/b/a AT&T Missouri
One AT&T Center, Room 3516
St. Louis, Missouri 63101

3. This Application is prompted by the significant growth of Saint Luke's East Hospital in Lee's Summit. As a result, the hospital is in need of additional numbering resources. A September 22 letter from Mr. John Bushong, Senior Telecom Specialist for Saint Luke's Health System, details the numbering resources needed by Saint Luke's. *See*, Exhibit A, attached

² In accordance with 4 CSR 240-2.060(1) and (G), a certified copy of Southwestern Bell Telephone Company's Certificate of Good Standing from the Missouri Secretary of State was filed with the Commission on August 15, 2007, in Case No. IK-2008-0044.

³ In accordance with 4 CSR 240-2.060(1)(E) and (G), a copy of the registration of the fictitious name "AT&T Missouri" was filed with the Commission on July 17, 2007, in Case No. TO-2002-185.

⁴ Following its June 26, 2007, Order in Case No. TO-2002-185 allowing Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri, to alter its status from a Texas limited partnership to a Missouri corporation, the Commission approved tariff revisions to reflect the new corporate name, Southwestern Bell Telephone Company d/b/a AT&T Missouri. *See*, Order Granting Expedited Treatment and Approving Tariffs, Case No. TO-2002-185, issued June 29, 2007.

hereto. As the letter indicates, “unprecedented growth has created a shortage of DID [Direct Inward Dial] numbers” for the hospital. Given that the hospital “is also part of a larger voice network that utilizes approximately 14,000 DID numbers from different Central Office locations[,]” the hospital needs “300 DID numbers in the same prefix which ends in 7” and an XXXX range “of 6000 through 8999.” Saint Luke asks that the numbers assigned for its use be consecutive.

4. AT&T Missouri has researched the available numbering resources in the Lee’s Summit rate center and has determined that it has no numbers available to meet Saint Luke’s needs.

5. Consequently, AT&T Missouri requests that the Commission grant it numbering resources consisting of one (1) thousands-block, from which three hundred consecutive numbers may be drawn that are within (1) the 816 NPA, (2) an NXX comprised of XX7, (3) an XXXX range from 6000 through 8999, and (4) the Lee’s Summit rate center.

6. On September 26, 2011, AT&T Missouri submitted a Thousands-Block Application Form, Part 1A, for the numbering resources assignment necessary to meet Saint Luke’s needs. A copy of the Application is attached hereto as Exhibit B. AT&T Missouri 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, a copy of which is attached hereto as Exhibit C.

7. On September 26, 2011, NANPA denied the request on the grounds that AT&T Missouri had not met the utilization and/or months-to-exhaust criteria. A copy of that decision is attached hereto as Exhibit D.

8. AT&T Missouri seeks the Commission's direction to overturn NANPA's decision to withhold numbering resources. This Commission has overturned NANPA's decision to withhold numbering resources in several cases and AT&T Missouri respectfully submits that it should likewise do so here.

9. Under existing procedures, NANPA has asserted that it is required to accept or reject an application for resources based solely on FCC criteria. However, the FCC's March 31, 2000, Order in its Number Resource Optimization docket states that a carrier may challenge a resource denial before the appropriate state regulatory commission and a state commission may choose to affirm or overturn NANPA's decision to withhold numbering resources.⁵ Thus, the 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 numbering resource application requirements herein."⁶ 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.⁷

10. The FCC further explained in its March 31, 2000, Order 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" and that states "may grant requests for

⁵ 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; *see also*, 47 CFR 52.15(g)(3)(iv).

⁶ *Id.*

⁷ Third Report and Order and Second Order on Reconsideration, In the Matter of Numbering Resource Optimization, CC Docket No. 99-200, et al., December 12, 2001, paragraph 64; *see also*, 47 CFR 52.15(g)(4).

customers seeking contiguous blocks of numbers.”⁸ Moreover, 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.”⁹

11. Further, this Application complies with 4 CSR 240-37.040. AT&T Missouri has attached hereto its “Months-to-Exhaust Worksheet” indicating the utilization for the Lee’s Summit rate center encompassing both the preceding six months and projected monthly utilization for the next twelve months. 4 CSR 240-37.040(1)(A)1. *See*, Exhibit C. AT&T Missouri has also attached hereto its most recently-filed FCC Form U1 of Form 502 for this rate center. 4 CSR 240-37.040(1)(A)2. *See*, Exhibit E(HC). Finally, AT&T Missouri attaches copies of its originally-filed request to NANPA (i.e., its Thousands-Block Application Form, Part 1A) and NANPA’s denial of that request. 4 CSR 240-37.040(1)(A)3. *See*, Exhibits B and D, respectively. These materials and the instant Application demonstrate a verifiable need for the numbering resources requested herein. In connection with this request, AT&T Missouri has exhausted all other available remedies designed to conserve numbering resources. 4 CSR 240-37.040(1)(A)4.

12. AT&T Missouri has no final unsatisfied judgments or decisions against it from any state or federal agency or court which involve retail customer service or rates, which action, judgment or decision has occurred within three (3) years of the date of this Application. AT&T Missouri has one pending action against it, brought by end-user customers, which involves retail customer service or rates.¹⁰

⁸ *Id.*

⁹ *Id.* at paragraph 66.

¹⁰ Barry Road Associates, Inc. d/b/a Minsky’s Pizza, et al. v. Southwestern Bell Telephone Company, d/b/a AT&T Missouri, et al., Case No. 1016CV02438, Jackson County Circuit Court.

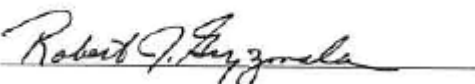
13. AT&T Missouri does not have any annual report or assessment fees that are overdue in Missouri.

14. AT&T Missouri seeks expedited treatment and requests that the Commission act on this request within thirty (30) calendar days, in order to ensure that Saint Luke's numbering implementation timeframe is met. In order to accommodate Saint Luke's needs, the Commission must issue its order expeditiously, so that AT&T Missouri will have enough time to file a new request with NANPA for the release of the numbering resources to AT&T Missouri described herein. AT&T Missouri filed this request for expedited treatment as soon as it could have after NANPA rejected AT&T Missouri's request for numbering resources and AT&T Missouri determined that it was not feasible to implement a technological alternative.

WHEREFORE, AT&T Missouri respectfully requests that the Commission overturn NANPA's previous determination in this matter within thirty (30) calendar days, and instruct NANPA to release the specific numbering resources described herein. AT&T Missouri further requests that if such specific resources are not available when the Commission issues its order, the Commission should direct NANPA to provide such resources as are available to meet Saint Luke's numbering resource needs.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE COMPANY

BY 

JEFFREY E. LEWIS #62389

LEO J. BUB #34326

ROBERT J. GRYZMALA #32454

Attorneys for Southwestern Bell Telephone Company

d/b/a AT&T Missouri

One AT&T Center, Room 3516

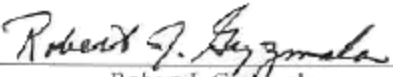
St. Louis, Missouri 63101

314-235-6060 (tn)/314-247-0014 (fax)

robert.gryzmala@att.com

CERTIFICATE OF SERVICE

Copies of this document and all attachments thereto were served on the following by e-mail on October 6, 2011.


Robert J. Gryzmala

General Counsel
Kevin Thompson
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gencounsel@psc.mo.gov
kevin.thompson@psc.mo.gov

Office Of The Public Counsel
P.O. Box 7800
Jefferson City, MO 65102
opcservice@ded.mo.gov

CITY OF ST. LOUIS)
)
STATE OF MISSOURI) SS

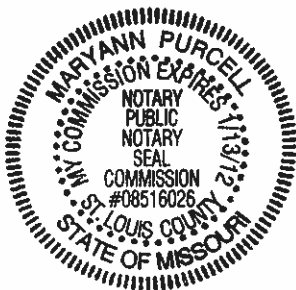
VERIFICATION

I, Alan G. Kern, in accordance with 4 CSR 240-2.060(1)(M), first being duly sworn upon my oath, hereby verily state that I am over the age of twenty-one years, sound of mind, and am authorized to act on behalf of Southwestern Bell Telephone Company, d/b/a AT&T Missouri regarding the foregoing document. I have read the document to which this Verification is appended. The facts contained therein are true and correct according to best of my knowledge, information and belief.



Alan G. Kern

Sworn and subscribed to before me this 6th day of October, 2011.





Notary Public



To: AT&T
From: John Bushong
CC: Cecilia Middleton
Date: September 22, 2011
Re: Safety Valve Request

The Saint Luke's East Lee's Summit Hospital has been experiencing continuous growth since the first day of operation. This unprecedented growth has created a shortage of DID numbers for this facility. This facility is also part of a larger voice network that utilizes approximately 14,000 DID numbers from different Central Office locations. Therefore specific DNs are being requested in order to fit into this large dialing plan.

The Safety Valve Request is for 300 DID numbers in the same prefix which ends in 7, with the DNs in the range of 6000 through 8999.

Please advise when these number ranges are available.

A handwritten signature in black ink, appearing to read "John Bushong", is positioned above the printed name.

John Bushong
Saint Luke's Health System
Sr. Telecom Specialist

816-251-9933
jbushong@saint-lukes.org

Tracking Number: _____

TBPAG Attachment 1 – March 19, 2007
ATIS-0300066.at1**Thousands-Block Application Form
Part 1A****Type of Application (check one):** ☒ **New** ☐ **Changeⁱ** ☐ **Disconnect****GENERAL APPLICATION INFORMATION****1.1 Contact Information:****Block Applicant:**Company Name: SOUTHWESTERN BELLHeadquarters Address: 2600 Camino Ramon City San Ramon State CA Zip 94583Contact Name: Connie McNaughtonContact Address: 2600 Camino Ramon, 2S750MM City San Ramon State CA Zip 94583Phone: 925-824-5627 Fax: 707-435-6386E-Mail: cm3123@att.com**Pooling Administratorⁱⁱ:**Contact Name: GENEVIEVE BETTIGAContact Address: 1800 SUTTER STREET, Suite 571 City CONCORD State CA Zip 94520Phone: 925-363-7652 Fax: 925-363-7683E-Mail: Kevin.gatchell@neustar.biz**1.2 General Information****Check one:** No LRN needed ☒ **LRN neededⁱⁱⁱ** _____NPA: 816 LATA: 524 OCN^{iv}: 9533 Parent Company's OCN 9533Number of Thousands-Blocks Requested: 1Switch Identification (Switching Entity/POI)^v: KSCYMO41DS0 City or Wire Center NameRate Center^{vi}: LEESSUMMIT Rate Center Sub Zone: _____**1.3 Dates**Date of Application^{vii}: 09/26/2011 Requested Block Effective Date^{viii}:Request Expedited Treatment? (See Section 8.6) Yes ___ No X ___**1.4 Type of Service Provider Requesting the Thousands-Block:**a) Type of Service Provider: ILEC (LEC, IXC, CMRS, Other)b) Primary type of service Blocks to be used for: WIRELINc) Thousands-Block(s) (NXX-X) assignment preference (optional) NPA-NX7-6.7.OR 8

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

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) _____.

1.5 Type of Request

Initial block for rate center: Yes ___, If Yes attach evidence of authorization and proof of capability to provide

Tracking Number: _____

TBPAG Attachment 1 – March 19, 2007
ATIS-0300066.at1**Thousands-Block Application Form
Part 1A**

Service within 60 days

Growth block for rate center: Yes ☒, If Yes, attach months to exhaust worksheetChange block: Yes _____, If Yes, indicate NPA-NXX-X, type of and reason for change:

Disconnect block: Yes _____, If Yes, list NPA-NXX-X _____

Remarks: SAFETY VALVE WAIVER REQUEST FOR ST. LUKE'S HOSPITAL – LOCAL SERVICE .

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.

Connie McNaughton
Signature of Block Applicant

CODE ADMINISTRATOR
Title

September 26, 2011
Date

Tracking Number: _____

TBPAG Attachment 1 – March 19, 2007
ATIS-0300066.at1

Thousands-Block Application Form

Part 1A

Instructions for filling out each Section of the Part 1A form:

Section 1.1 Contact information requires that Service Providers supply under “Block Applicant” the company name, company headquarters address, a contact within the company, an address where the contact person may be reached, in addition to the correct phone, fax, and e-mail address. The Pooling Administrator section also requires the Service Provider to fill in the Pooling Administrator’s name, address, phone, fax and e-mail.

Section 1.2 Service Providers who need a thousands-block assignment or for an Location Routing Number (LRN) are required to fill in this section. If needed for an LRN, a CO Code Application needs to also be submitted to the PA. The Service Provider should supply the Numbering Plan Area (NPA); the Local Access Transport Area (LATA), which is a three-digit number that can be found in the Telcordia™ LERG™ Routing Guide. The Operating Company Number (OCN) assigned to the service provider and the OCN its parent company. An OCN is a four-character alphanumeric assigned by Telcordia™ Routing Administration (TRA). In addition, the number of thousands-blocks requested should be supplied. The Switch Identification as well as the city or wire center name, rate center, rate center sub zone, homing tandem and CLLI™ tandem of the facilities based provider^{ix}. Explanations of these terms may be found in the footnotes.

Section 1.3 The date the Service Provider completes the application should be entered in this section, as well as the Effective Date of the requested thousands-block.

Section 1.4 Service Providers should indicate their type, e.g., local exchange carrier, competitive local exchange carrier, interexchange carrier, CMRS. They also indicate the primary type of business in which the numbering resource is to be used. Service Providers also may indicate their preference for a particular thousands-block, e.g., 321-9XXX, or indicate any thousands-blocks that may be undesirable, e.g., 321-6XXX.

Section 1.5 Service Providers indicate the type of request. Initial requests are for first applications for thousands-blocks in a rate center, growth for additional thousands-blocks in a rate center in which the applicant already has numbering resources, and provide the required evidence as ordered by the FCC.

The thousands-block applicant certifies veracity of this form by signing their name, and providing their title and date.

Tracking Number: _____

TBPAG Attachment 1 – March 19, 2007
ATIS-0300066.at1**Thousands-Block Application Form
Part 1A**

Foot Notes:

ⁱ Identify type of and reason for change(s) in Section 1.5.

ⁱⁱ The Pool Administrator is available to assist in completing these forms.

ⁱⁱⁱ A CO Code application will also need to be submitted to the PA

^{iv} Operating Company Number (OCN) assignments must uniquely identify the applicant. Relative to CO Code assignments, NECA-assigned Company Codes may be used as OCNs. Companies with no prior CO Code or Company Code assignments should contact NECA (800 524-1020) to be assigned a Company Code(s). Since multiple OCNs and/or Company Codes may be associated with a given company, companies with prior assignments should direct questions regarding appropriate OCN usage to (TRA) (732-699-6700).

^v This is an eleven-character descriptor of the switch provided by the owning entity for the purpose of routing calls. This is the 11 character CLLI™ code of the switch /POI.

^{vi} Rate Center name must be a tariffed Rate Center.

^{vii} Acknowledgment and indication of disposition of this application will be provided to applicant within seven calendar days from the date of receipt of this application. An incomplete form may result in delays in processing this request.

^{viii} Please ensure that the NPA-NXX of the LRN to be associated with this block(s) is/will be active in the PSTN prior to the effective date of the block(s).

^{ix} Telcordia, LERG Routing Guide, and CLLI are trademarks of Telcordia Technologies, Inc.

MONTHS TO EXHAUST and UTILIZATION CERTIFICATION WORKSHEET – TN Level ¹
(Thousands-Block Number Pooling Growth Block Request)

Date: 09/26/2011 OCN: 9533 Company Name: AT&T-SOUTHWEST

Rate Center: LEESSUMMIT

List all Codes NPA(s)-NXXs and Blocks NPA(s)-NXX-X(s): NPA-NXX (5) NPA-NXX-X (13)

Name of Block Applicant: CONNIE MCNAUGHTON Signature: SIGNATURE ON FILE

Title: CODE ADMINISTRATOR Telephone No.: (925) 824-5627 FAX No.: (707) 435-6386 E-Mail: cm3123@att.com

A. Available Numbers: 15513

B. Assigned Numbers: 46121

C. Total Numbering Resources: 63000

D. Quantity of numbers activated in the past 90 days and excluded from the Utilization calculation: 0

List excluded Code(s) or Block(s): 0

		Month #1	Month #2	Month #3	Month #4	Month #5	Month #6	Month #7	Month #8	Month #9	Month #10	Month #11	Month #12
E. Growth History – Previous 6 months ²		<u>-150</u>	<u>-121</u>	<u>-126</u>	<u>-88</u>	<u>-141</u>	<u>-150</u>						
F. Forecast – Next 12 months ³		<u>0</u>	<u>95</u>	<u>1098</u>	<u>89</u>	<u>120</u>	<u>0</u>	<u>11</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
G. Average Monthly Forecast (Sum of months #1-6 (Part F above) divided by 6):		<u>233.667</u>											
H. Months to Exhaust ⁴		$\frac{\text{Numbers Available for Assignment to Customers (A)}}{\text{Average Monthly Forecast (G)}}$						=	<u>66.389</u>				
I. Utilization ⁵		$\frac{\text{Assigned Numbers (B) – Excluded Numbers (D)}}{\text{Total Numbering Resources (C) – Excluded Numbers (D)}}$						* 100	=	<u>73.208%</u>			

Explanation: - **Actual Value M1(- 570) Actual Value M6(-4) Actual M9 (-78) Actual M10 (-37) Actual Value M11(-39) Actual Value M12(-19)**

SAFETY VALVE REQUEST. Dedicated Customer ST LUKES LEES SUMMIT HOSPITAL.

¹ A 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.

² Net 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.

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

⁴ To 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)).

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

Exhibit D

From: genevieve.bettiga@neustar.biz
Sent: Monday, September 26, 2011 11:52 AM
To: PANOPIO, LOURDES B; GESCAT, SUZANNE S; MOSELEY, PATRICIA A; MC NAUGHTON, CONNIE S
Cc: PA_Part3@neustar.biz
Subject: PAS - Pooling Administrator's Response/Confirmation for Tracking Number: 816-LEESSUMMIT-MO-485232

Pooling Administration System

Dated 26-September-2011

November 21, 2003
ATIS-0300066.at3

Attachment 3

Pooling Administrator's Response/Confirmation TBPAG Part 3

Tracking Number : 816-LEESSUMMIT-MO-485232

Date of Application: 09/26/2011 Effective Date: _____
Date of Receipt: 09/26/2011 Date of Response: 09/26/2011

Service Provider Name: SOUTHWESTERN BELL
(Telcordia TM LERG TM Routing Guide) OCN: 9533

NPAC SOA SPID : _____

Pooling Administrator Contact Information:

Genevieve Bettiga Phone: 925-363-7652

Signature of Pooling Administrator

Genevieve Bettiga Fax: 925-363-7683

Name (print)

Email: genevieve.bettiga@neustar.biz

____ NPA-NXX or NPA-
NXX-X : _____

Block Assigned: _____

Block Reserved : _____

Block Reservation
Expiration Date : _____

Block/Code Modified : _____

Block/Code
Disconnected : _____

Block Contaminated(Yes or No) : _____

If Yes,enter the number of TNs contaminated : _____

Switch Identification(Switch Entity/POI): ¹

KSCYMO41DS0

Exhibit D

Rate Center:

LEESSUMMIT

Rate Center Sub Zone:

X Form Complete, request denied.

Explanation:

DR-57: You do not meet the MTE and/or Utilization requirements, therefore this request for a new block is denied. You may proceed with requesting a State Waiver from the appropriate state commission using this Part 3 denial. If you are in disagreement with the disposition of this request, please refer to the Thousands-Block Number (NXX-X) Pooling Administration Guidelines for the appeals process.

Request withdrawn.

Explanation:

Assignment activity suspended by the administrator.

Explanation:

Remarks:

¹ This is an eleven-character descriptor provided by the owning entity for the purpose of routing calls. This must be the CLLI TM Location Identification code of the switching entity/POI shown on the Part 1A form (Telcordia, LERG ROUTING Guide and CLLI are trademarks of Telcordia Technologies, Inc.)



EXHIBIT E

IS

HIGHLY CONFIDENTIAL

IN ITS ENTIRETY