

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 26th day  
of May, 2005.

In the Matter of the Application of Southwestern Bell	)	
Telephone, L.P., d/b/a SBC Missouri, for Review	)	
and Reversal of North American Numbering Plan	)	<b><u>Case No. TO-2005-0406</u></b>
Administrator's Decision to Withhold Numbering	)	
Resources.	)	

**ORDER REVERSING DECISION  
OF THE NORTH AMERICAN NUMBERING PLAN  
ADMINISTRATOR AND CLOSING CASE**

Issue Date: May 26, 2005

Effective Date: June 5, 2005

***Statement of the Case:***

On May 10, 2005, Southwestern Bell Telephone, L.P., doing business as SBC Missouri, filed its Application seeking review and reversal of the decision of the North American Numbering Plan Administrator ("NANPA"), NeuStar, Inc., to withhold one block of 1,000 numbers that SBC asserts it needs to provide service to the General Services Administration ("GSA"), an agency of the government of the United States.

The Commission issued its Order Directing Notice on May 11, setting May 23 as the deadline for intervention applications. No such applications were received. The Commission also directed its Staff to file a Memorandum and Recommendation by May 23. Staff filed its Memorandum and Recommendation on May 23.

***Discussion:***

In its Application, SBC states that GSA ordered the block of 1,000 Direct Inward Dial ("DID") numbers on behalf of the National Geospatial Agency ("NGA"), an agency of the United States Department of Defense, which is located in Arnold, Missouri. NGA is replacing its existing Centrex service with a new PBX system that will be installed in early July. GSA specifically requested consecutive numbers in the 5,000 to 5,999 range, with NPA-NXX numbers designated for use with the Metropolitan Calling Area Plan ("MCA"). GSA advised SBC that a block of 1,000 consecutive numbers was necessary for compatibility with the Defense Switched Network that provides dialing to other Department of Defense sites worldwide.

SBC is unable to meet GSA's request from the numbers available in its Maxville rate center. Accordingly, on April 28, 2005, SBC submitted a Thousand-Block Application Form for the 636-321-5000 block and indicated that, if that block is not available, then any block beginning with "1," "2," "3," or "6" would serve, but not a block beginning with "4" or "8." However, on the same day, NANPA denied SBC's application on the grounds that SBC had not met the standards that govern the allocation of numbering resources. According to the Central Office Code Assignment Guidelines, Section 4.3.1, carriers requesting numbering resources must demonstrate that existing codes within the rate center will exhaust within six months and meet the utilization level of 75%. SBC's application met the first prong of this test but not the second: NANPA calculated SBC's utilization at only 62.229%.

A carrier may challenge a resource denial before the appropriate state regulatory commission, which may choose to reaffirm or overturn NANPA's decision.<sup>1</sup> Regulation 47 CFR 52.15(g)(4) provides in pertinent part:

Non-compliance. \* \* \* The NANPA must notify the carrier in writing of its decision to withhold numbering resources within ten (10) days of receiving a request for numbering resources. The carrier may challenge the NANPA's decision to the appropriate state regulatory commission. The state commission may affirm, or may overturn, the NANPA's decision to withhold numbering resources from the carrier based on its determination that the carrier has complied with the reporting and numbering resource application requirements herein. The state commission also may overturn the NANPA's decision to withhold numbering resources from the carrier based on its determination that the carrier has demonstrated a verifiable need for numbering resources and has exhausted all other available remedies.

SBC asserts that it has demonstrated a verifiable need for the resources at issue and that it has exhausted all other available remedies. For this reason, SBC urges, NANPA's denial should be overturned.

In its Memorandum and Recommendation, Staff advises the Commission to grant SBC's request on the grounds that SBC has demonstrated a verifiable need for the resources at issue and has exhausted all other available remedies. While Staff agrees that SBC's utilization level does not meet the 75% threshold, Staff nonetheless concludes that the circumstances demonstrate that "SBC has demonstrated a verifiable need for one block of 1,000 additional numbers in the Maxville rate center" because "Missouri's Metropolitan Calling Area requires separate codes to serve both MCA and non-MCA customers." For this reason, Staff recommends that the Commission reverse NANPA's denial of SBC's numbering request and direct NANPA to release the requested resources to SBC.

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<sup>1</sup> 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.

The Commission has reviewed SBC's Application, the attached supporting documents and Staff's Memorandum and Recommendation. Based on this record, the Commission finds that SBC has demonstrated a verifiable need for numbering resources and that SBC has exhausted all other available remedies. Regulation 47 CFR 52.15(g)(4) therefore authorizes this Commission to overturn NANPA's decision to deny the requested resources.

**IT IS THEREFORE ORDERED:**

1. That the Application filed on May 10, 2005, by Southwestern Bell Telephone, L.P., doing business as SBC Missouri, is approved.

2. That the denial on April 28, 2005, by NeuStar, Inc., the North American Numbering Plan Administrator, of the request made that day by Southwestern Bell Telephone, L.P., doing business as SBC Missouri, for the 636-321-5000 block of 1,000 DID numbers in the Maxville Rate Center, or, if that block is not available, then any block beginning with "1," "2," "3," or "6," but not a block beginning with "4" or "8," is hereby reversed. NeuStar, Inc., the North American Numbering Plan Administrator, shall issue the 636-321-5000 block of 1,000 consecutive DID numbers in the Maxville Rate Center to Southwestern Bell Telephone, L.P., doing business as SBC Missouri, or, if that block is not available, then any block beginning with "1," "2," "3," or "6," but not a block beginning with "4" or "8."

3. That this order shall become effective on June 5, 2005.
4. That this case may be closed on June 6, 2005.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written in a cursive style.

Colleen M. Dale  
Secretary

( S E A L )

Davis, Chm., Murray, Gaw, Clayton,  
and Appling, CC., concur.

Thompson, Deputy Chief Regulatory Law Judge