

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

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) **Case No. TO-2005-0406**
Administrator's Decision to Withhold Numbering)
Resources.)

ORDER DIRECTING NOTICE, ESTABLISHING
INTERVENTION DEADLINE, AND
DIRECTING FILING

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.

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, another federal entity, which is located in Arnold, Missouri. 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"). SBC is unable to meet GSA's request from the numbers available in its Maxville rate center.

On April 29, 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."

NANPA denied SBC's application on the same day on the grounds that SBC had not met Missouri's utilization criteria – this Commission has adopted the FCC's utilization requirement of 75% as set forth in 47 C.F.R. Section 52.15 (h).

A carrier may challenge a resource denial before the appropriate state regulatory commission, which may choose to reaffirm or overturn NANPA's decision.¹ Thus, this Commission has jurisdiction over this matter.

Accompanying its Application, SBC filed a Motion for Expedited Treatment. Therein, SBC requests that the Commission act on its application in ten business days. In support of this request, SBC states that the GSA wants service to be in place by July 5. In order to meet that deadline, SBC needs the Commission's decision by May 27 so that it will have sufficient lead time to program its switch and to make a new application to NANPA if necessary. The Commission will resolve this matter as expeditiously as it can.

The Commission finds that proper persons should be allowed ten days from the date of issuance of this order to file a request for intervention. The Commission will direct its Data Center to send a copy of this order to each certificated basic local exchange telecommunications company operating in Missouri. In addition, the Data Center will send a copy of this order to the NANPA. Finally, the Commission will direct its Staff to review SBC's filings and to file a Memorandum and Recommendation.

IT IS THEREFORE ORDERED:

1. That the Commission's Data Center shall send a copy of this order to each certificated basic local exchange telecommunications company operating in Missouri.

¹Report 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. That any party wishing to intervene in this matter shall file an application no later than May 23, 2005, with:

Dale Hardy Roberts, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and send copies to:

Paul G. Lane
Leo J. Bub
Robert J. Gryzmala
Mimi B. MacDonald
Attorneys for Southwestern Bell Telephone, L.P.,
d/b/a SBC Missouri
One SBC Center, Room 3510
St. Louis, Missouri 63101

and:

Office of the Public Counsel
Post Office Box 2230
Jefferson City, Missouri 65102

3. That the Staff of the Missouri Public Service Commission shall file its Memorandum and Recommendation with respect to the Application filed by Southwestern Bell Telephone, L.P., doing business as SBC Missouri on May 11, 2005, on or before 4:00 p.m. on May 23, 2005.

4. That this order shall become effective on May 11, 2005.

BY THE COMMISSION

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Kevin A. Thompson, Deputy Chief
Regulatory Law Judge, by delegation
of authority pursuant to Section 386.240,
RSMo 2000.

Dated at Jefferson City, Missouri,
on this 11th day of May, 2005.