

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 5th 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 )  
Administrator's Decision to Withhold Numbering )  
Resources. )

**Case No. TO-2005-0323**

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

***Statement of the Case:***

On March 24, 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 five blocks of 1,000 numbers that SBC asserts it needs to provide service to its customer, BJC HealthCare.

The Commission issued its Order Directing Notice on April 11, setting April 26 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 1. Staff filed its Memorandum and Recommendation on April 11.

***Discussion:***

SBC's Application states that BJC plans to open a new hospital in O'Fallon, Missouri, called Progress West Health Center. BJC requested five consecutive 1,000

Direct Inward Dial (“DID”) numbers for its new hospital and requested that the numbers begin with the prefix 636-xx2, 636-xx4, or 636-xx7, because BJC's phone systems will not accept blocks beginning with 636-xx0, 636-xx8, or 636-xx9. Additionally, BJC requested that the blocks contain NPA-NXX numbers that are designated for use with the Metropolitan Calling Area (“MCA”) Plan.

SBC does not have five consecutive 1,000 blocks that meet BJC's requirements. Additionally, SBC cannot use numbers from any other switch in the Harvester exchange to satisfy BJC's request. Accordingly, on February 17, 2005, SBC submitted a Thousand-Block Application Form for five consecutive 1,000 blocks necessary to meet BJC's request. 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 58.469%.

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

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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.

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 telephone numbers in the Harvester rate center" because "Missouri requires separate codes to serve MCA and non-MCA and because SBC received a special request from BJC for five blocks of 1,000 DID numbers in the MCA with the prefix beginning with 636-xx2, 636-xx4, and 636-xx7 for five consecutive blocks of 1,000 additional telephone numbers." 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.

The Commission has reviewed SBC's Application and 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 March 24, 2005, by Southwestern Bell Telephone, L.P., doing business as SBC Missouri, is approved.
2. That the denial on February 17, 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 five blocks of 1,000 DID numbers in the Harvester Rate Center with the prefix beginning with 636-xx2, 636-xx4, or 636-xx7, is hereby reversed. NeuStar, Inc., the North American Numbering Plan Administrator, shall issue five consecutive blocks of 1,000 additional telephone numbers with 636-xx2, 636-xx4, and 636-xx7 in the Harvester Rate Center to Southwestern Bell Telephone, L.P., doing business as SBC Missouri.
3. That this order shall become effective on May 15, 2005.
4. That this case may be closed on May 16, 2005.

**BY THE COMMISSION**

**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

( S E A L )

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

Thompson, Deputy Chief Regulatory Law Judge