

**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	)	<b><u>Case No. TO-2009-0289</u></b>
Number Plan Thousands-Block Pooling	)	
Administrator's Decision to Withhold Numbering	)	
Resources	)	

**STAFF RECOMMENDATION**

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and for its *Staff Recommendation* states as follows:

1. On February 6, 2009, Southwestern Bell Telephone Company d/b/a AT&T Missouri (AT&T Missouri or the Company) filed *AT&T Missouri's Application And Motion For Expedited Treatment* (Application), requesting that the Missouri Public Service Commission (the Commission) reverse the decision of the North American Numbering Plan Thousands-Block Pooling Administrator, Neustar, Inc. (NANPA) to withhold certain numbering resource from the Company.

2. AT&T Missouri's request to NANPA for the numbering resources is based upon needs of the federal General Services Administration and the National Geospatial-Intelligence Agency, located in the St. Louis area.

3. On February 10, 2009, the Commission issued its *Order Directing Notice, Establishing Time For Filing Requests To Intervene, Establishing Time For Filing Recommendations, And Granting Motion For Expedited Treatment*, directing notice be sent to NANPA and all certificated interexchange and basic local exchange telecommunication companies in the State of Missouri, establishing a deadline for the filing of requests to intervene,

granting the Company's motion for expedited treatment, and establishing a deadline by which Staff must file its recommendation in this matter.

4. In the attached Memorandum, labeled Appendix A, Staff states that the Company's request for 1 block of one-thousand telephone numbers was denied by NANPA because the Company did not meet the "months to exhaust and Utilization criteria," contained in 47 CFR 52.15.

5. However, 47 CFR 52.15(G)(4) states:

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 may also 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 resources.

6. AT&T Missouri is not delinquent in filing its annual report or in the submission of its Commission assessments.

**WHEREFORE,** it is Staff's recommendation that because the Company has demonstrated a verifiable need for the requested numbering resources in compliance with federal regulation 47 CFR 52.15(G)(4), that the Commission issue an order overturning the decision of NANPA by granting AT&T Missouri 1 block of one-thousand telephone numbers in the 636-321 NPA/NXX within the XXXX range of 3000-3999 in the Maxville rate center, to be followed by the XXXX range of 6000-6999 should 3000-3999 be unavailable.

Respectfully submitted,

/s/ Eric Dearmont

Eric Dearmont

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Missouri Bar No. 60892

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Missouri Public Service Commission

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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 19th day of February, 2009.

/s/ Eric Dearmont

# MEMORANDUM

To: Missouri Public Service Commission Official Case File  
Case No. TO-2009-0289  
Company Name: Southwestern Bell Telephone Company d/b/a AT&T Missouri  
(AT&T)

From: Sara Buyak  
Telecommunications Department

William Voight      2-19-09  
Utility Operations Division/Date

Subject: Staff Recommendation to Approve a Request to Override a Decision of the  
North American Numbering Plan Administrator

Date: February 18, 2009

## **Summary**

On February 6, 2009, AT&T filed a request to review and reverse a decision of the North American Numbering Plan Administrator (Pooling Administrator) for 1 block of one-thousand telephone numbers in the Maxville rate center. Specifically, the Federal General Services Administration (GSA) and the National Geospatial-Intelligence Agency (NGA) requests 1 block of one-thousand telephone numbers in the 636-321 NPA/NXX within the range of 3000 through 3999 to be compatible with the Defense Switched Network. Included in this filing is the Thousands-Blocks Application Form – Part 1 A (Part 1), a letter from GSA, Pooling Administrator's Response/Confirmation – Part 3 Form (Part 3), Months to Exhaust Utilization Certification Worksheet, and AT&T's Number Utilization Form (Exhibit E). Staff recommends approval of AT&T's request.

## **Background**

On February 5, 2009, AT&T submitted a request to NeuStar for 1 block of one-thousand telephone numbers. On February 5, 2009, the Pooling Administrator denied AT&T's request because AT&T did not meet the months to exhaust and Utilization criteria. GSA stated the request for 1 block of one-thousand consecutive direct inward dial (DID) is required to meet the compatibility of its Defense Switched Network that provides dialing to other Department of Defense sites worldwide.

The Telecommunications Department Staff (Staff) reviewed the CO Assignment data that AT&T submitted to the Pooling Administrator. AT&T's utilization level of 61.874% is below the Federal Communications Commission (FCC) guidelines of 75% which is required before a request for additional numbering resources is permissible. AT&T's

months to exhaust is 44.85. The months to exhaust must be 6 months or less which is required of FCC guidelines before a request for additional numbering resources is permissible as set forth in Regulation 47-CFR 52.15 (h).<sup>1</sup>

Regulation 47-CFR 52.15 states, the Pooling Administrator shall withhold numbering resources from any U.S. carrier that fails to comply with the reporting and numbering resource application requirements established in this part. The regulation further states that the carrier may challenge the Pooling Administrator's decision to the appropriate state regulatory commission and the state commission may affirm, or may overturn, the Pooling Administrator's decision to withhold numbering resources from the carrier based on the determination that a carrier has demonstrated a verifiable need for numbering resources and has exhausted all other available resources.

### **Recommendation**

AT&T's utilization level of 61.874% is below the required utilization level of 75% and the months to exhaust is 44.85 which is above the required 6 months. Also, AT&T does not have 1 block of one-thousand consecutive telephone numbers. For this reason, AT&T has demonstrated a verifiable need for 1 block of one-thousand additional telephone numbers in the Maxville rate center. Staff recommends the Commission issue an order overturning the decision of the Pooling Administrator by granting AT&T 1 block of one-thousand telephone numbers in the 636-321 NPA/NXX within the range of 3000 through 3999 in the Maxville rate center. If the 3000 through 3999 is not available, then AT&T requests the range 6000 through 6999. Specifically, Staff recommends the Commission's order include a statement substantially as follows:

1. AT&T's request for 1 block of one-thousand telephone numbers in the 636-321 NPA/NXX within the XXXX range of 3000-3999 or 6000-6999 in the Maxville rate center is granted.

Staff is unaware of any other filing that may affect or be affected by this filing.

☒ The Company is not delinquent in filing an annual report and paying the PSC assessment.

☐ The Company is delinquent: (☐ No annual report ☐ Unpaid PSC assessment.  
Amount owed: )

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<sup>1</sup> Code of Federal Regulations Title 47-Telecommunication Chapter I – Federal Communications Commission, Subchapter B – Common Carrier Services, Part 52 Numbering.

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Case No. TO-2009-0289

**AFFIDAVIT OF Sara Buyak**

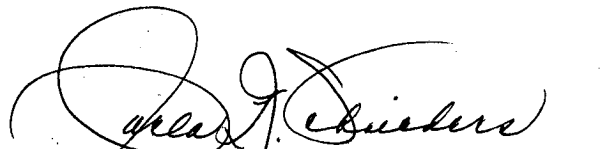
STATE OF MISSOURI )  
 ) ss:  
COUNTY OF COLE )

Sara Buyak, employee of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that she has participated in preparing the accompanying staff recommendation, and that the facts therein are true and correct to the best of her knowledge and belief.

  
SARA BUYAK

Subscribed and affirmed before me this 18<sup>th</sup> day of February, 2009.



  
NOTARY PUBLIC

CARLA K. SCHNIEDERS  
Notary Public - Notary Seal  
State of Missouri  
Commissioned for Cole County  
My Commission Expires: August 25, 2012  
Commission Number: 08533187