

**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 Number Plan	)	Case No. TO-2008-0309
Thousands-Block Pooling Administrator's	)	
Decision to Withhold Numbering	)	
Resources.	)	

**STAFF RECOMMENDATION**

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its recommendation respectfully states:

1. On March 27, 2008, Southwestern Bell Telephone Company d/b/a AT&T Missouri (AT&T Missouri), filed an Application and Motion for Expedited Treatment under 47 C.F.R. 52.15(g)(3)(iv), requesting that the Missouri Public Service Commission review and reverse a decision of the North American Numbering Plan Administrator (Pooling Administrator), NeuStar, Inc., to withhold certain numbering resources from AT&T Missouri.

2. The numbering resources AT&T Missouri requested from the Pooling Administrator on March 24, 2008, consists of one (1) thousands-block within: (1) the 636 NPA, (2) the Manchester (MNCHMO59DS0) rate center, and (3) an NXX that does not include Metropolitan Calling Area (MCA) dialing capacity. AT&T Missouri states the requested thousands-block is necessary to allow timely assignment of non-MCA numbers to its telecommunications services customers, as it only has one (1) non-MCA prefix in the Manchester rate center available to it.

3. According to the Central Office Code (NXX) Assignment Guidelines, Section 4.3.1, 2003, 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%.

4. On March 24, 2008, the Pooling Administrator responded and denied AT&T Missouri's request on the grounds that AT&T Missouri has not met the utilization level, or the six (6) month exhaust standard.

5. This Commission may overturn the Pooling Administrator's decision to withhold numbering resources from AT&T Missouri if the Commission determines that AT&T Missouri has demonstrated a verifiable need for numbering resources and has exhausted all other available remedies. 47 C.F.R. § 52.15(g)(4).

6. In the attached Memorandum, labeled Appendix A, the Staff agrees that AT&T Missouri has demonstrated a verifiable need for numbering resources and has exhausted all other available remedies. Staff states that Missouri's MCA dialing plan necessitates duplication of numbering resources. Without an order from the Commission approving AT&T Missouri's request to receive the desired block within the 636 NPA and Manchester rate center, AT&T Missouri will be unable to meet the needs of its customers. The Staff recommends that the Commission issue an order overturning the Pooling Administrator's decision.

WHEREFORE, the Staff recommends that the Commission, at its earliest convenience, issue an order that:

- (1) determines that AT&T Missouri has demonstrated a verifiable need for numbering resources and has exhausted all other available remedies; and

(2) reverses the decision of the Pooling Administrator and approves AT&T Missouri's request to receive one (1) thousands-block of numbers within the 636 NPA, Manchester rate center, and an NXX that does not include MCA dialing capacity.

Respectfully submitted,

/s/ Jennifer Hernandez  
Jennifer Hernandez  
Legal Counsel  
Missouri Bar No. 59814

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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 10<sup>th</sup> day of April 2008.

/s/ Jennifer Hernandez

# MEMORANDUM

To: Missouri Public Service Commission Official Case File  
Case No. TO-2008-0309

Southwestern Bell Telephone, L.P. d/b/a AT&T Missouri

From: Sara Buyak  
Telecommunications Department

William Voight 4-7-08  
Utility Operations Division/Date

William Haas 4-10-08  
General Counsel's Office/Date

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

Date: April 3, 2008

On March 27, 2008, Southwestern Bell Telephone, L.P. d/b/a AT&T Missouri (AT&T) filed a request to review and reverse a decision of the North American Numbering Plan Administrator (Pooling Administrator), a block of one thousand non-MCA telephone numbers in the Manchester rate center. AT&T requires these number resources to provide basic local telecommunications service on a non-Metropolitan Calling Area (non-MCA) basis. Included in this filing is the Thousands-Block Application Form– Part 1A (Part 1), letter from AT&T, Pooling Administrator's Response/Confirmation - Part 3 form (Part 3), Months to Exhaust Utilization Certification Worksheet, and AT&T's number utilization (Exhibit E).

## **Background**

On March 24, 2008, AT&T submitted an application to the Pooling Administrator for a block of one thousand non-MCA telephone numbers in the Manchester rate center. AT&T's application, known as a Part 1 Request, was made to obtain a block dedicated to non-MCA numbers for the Manchester rate center.

On March 24, 2008, the Pooling Administrator denied the request for one thousand non-MCA telephone numbers because the utilization rate is 55.914 percent and does not meet the 6 months exhaust. According to the Central Office Code Assignment Guidelines, Section 4.3.1, code holders requesting growth codes must demonstrate that existing codes within the rate center will exhaust within 6 months and meet the utilization level of 75%.<sup>1</sup> The Months to Exhaust and Utilization Certification Worksheet includes the previous 6-month growth history, forecast for the next 12 months, average monthly forecast, months to exhaust, utilization level, and telephone numbers available for assignment.

The Telecommunications Department Staff (Staff) reviewed the months to exhaust forecast and utilization data that AT&T submitted to the Pooling Administrator in the Part 1A form. AT&T's month to exhaust is 101 months and the utilization level is 55.914 percent. The

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<sup>1</sup> Administrator's Response/Confirmation, remarks, DR 11, March 27, 2002.  
Central Office Code (NXX) Assignment Guidelines, November 21, 2003.

months to exhaust is above 6 months and the utilization level of 55.914% is below the FCC guidelines of 75% which is required before a request for additional numbering resources is permissible as set forth in Regulation 47-CFR 52.15 (h).<sup>2</sup>

### **Recommendation**

Although AT&T does not meet the guidelines set forth by the FCC for additional numbering resources in the Manchester rate center,<sup>3</sup> Staff recommends the Commission overturn the Pooling Administrator's denial of AT&T's request for additional numbering resources. Missouri's MCA dialing plan necessitates duplication of numbering resources; therefore, Staff recommends issuance of an additional thousands-block in order for AT&T to serve the needs of non-MCA subscribers in the Manchester rate center.

At its earliest convenience, Staff recommends the Commission issue an order overturning the decision of the Pooling Administrator, and grant AT&T a block of one thousand telephone numbers for the Manchester rate center.

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

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

☐ **The Company is delinquent. Staff recommends the Commission grant the requested relief/action on the condition the applicant corrects the delinquency. The applicant should be instructed to make the appropriate filing in this case after it has corrected the delinquency.**

☐ **No annual report** ☐ **Unpaid PSC assessment. Amount owed:**)

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<sup>2</sup> Code of Federal Regulations Title 47-Telecommunication Chapter I – Federal Communications Commission, Subchapter B – Common Carrier Services, Part 52 Numbering.

<sup>3</sup> For example, AT&T does not meet the six months exhaust forecast and it does not meet the minimum number utilization level of seventy-five percent.

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

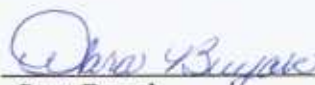
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Plan Thousands-Block Pooling )  
Administrator's Decision to Withhold )  
Numbering Resources )

Case No. TO-2008-0309

**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 7<sup>th</sup> day of April 2008.



SUSAN L. SUNDERMEYER  
My Commission Expires  
September 21, 2010  
Callaway County  
Commission #06942086

  
NOTARY PUBLIC