

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

In the Matter of the Application of	)	
Socket Telecom, LLC	)	
for Review and Reversal of North American	)	<b>File No. TO-2010-0106</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 and for its recommendation states:

1. On October 1, 2009, Socket Telecom, LLC 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 Thousands-Block Pooling Administrator (Pooling Administrator), NeuStar, Inc., to withhold certain numbering resources from Socket.

2. The Pooling Administrator denied Socket's request because Socket did not meet the months to exhaust and utilization criteria required by FCC guidelines. The Commission may overturn the Pooling Administrator's decision to withhold numbering resources from Socket if the Commission determines that the Company has demonstrated a verifiable need for numbering resources and has exhausted all other available remedies. 47 C.F.R. 52.15 (g)(4).

3. In the attached Memorandum, labeled Appendix A, the Staff agrees that Socket has met this standard. The Staff explains that Socket needs the additional numbering resources for one block of one-thousand additional numbers in the St. Louis rate center.

**WHEREFORE**, the Staff recommends that the Commission issue an order that:

(1) Determines Socket has demonstrated a verifiable need for numbering resources and has exhausted all other available remedies; and

(2) Overturns the decision of the Pooling Administrator and grants AT&T's request for 1 block of one-thousand MCA telephone numbers in the 636-791 NPA/NXX 7000 block in Wright City, 636-377 NPA/NXX 7000 block in Warrenton, 636-242 NPA/NXX 7000 block in Marthasville, 636-782 NPA/NXX 7000 block in Holstein, and 636-355 NPA/NXX 7000 block in Foley.

(3) Includes the statements substantially as follows:

1. Socket's request for 1 block of one-thousand telephone numbers in the 636-791 NPA/NXX within the 7000 block in the Wright City rate center is approved.
2. Socket's request for 1 block of one-thousand telephone numbers in the 636-377 NPA/NXX within the 7000 block in the Warrenton rate center is approved.
3. Socket's request for 1 block of one-thousand telephone numbers in the 636-242 NPA/NXX within the 7000 block in the Marthasville rate center is approved.
4. Socket's request for 1 block of one-thousand telephone numbers in the 636-782 NPA/NXX within the 7000 block in the Holstein rate center is approved.
5. Socket's request for 1 block of one-thousand telephone numbers in the 636-355 NPA/NXX within the 7000 block in the Foley rate center is approved.

Respectfully submitted,



Colleen M. Dale  
Senior Counsel  
Missouri Bar No. 31624  
Attorney for the Staff of the  
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 6<sup>th</sup> day of October, 2009.



# MEMORANDUM

To: Missouri Public Service Commission Official Case File  
Case No. TO-2010-0106  
Company Name: Socket Telecom, LLC (Socket)

From: Sara Buyak  
Telecommunications Department

William Voight 10/6/09  
Utility Operations Division/Date

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

Date: October 6, 2009

## **Summary**

On October 1, 2009, Socket filed a request to review and reverse a decision of the North American Numbering Plan Administrator (Pooling Administrator) for 1 block of one-thousand Metropolitan Calling Area (MCA) telephone numbers in Tier 6 in each of the following St. Louis rate centers: Wright City, Warrenton, Marthasville, Holstein, and Foley. Specifically, Socket requests telephone numbers in the 636-791 NPA/NXX 7000 block in Wright City, 636-377 NPA/NXX 7000 block in Warrenton, 636-242 NPA/NXX 7000 block in Marthasville, 636-782 NPA/NXX 7000 block in Holstein, and 636-355 NPA/NXX 7000 block in Foley. Included in this filing is the Thousands-Blocks Application Form – Part 1 A (Part 1), Pooling Administrator's Response/Confirmation – Part 3 Form (Part 3), and Socket's Months to Exhaust Utilization Certification Worksheet. Staff recommends the Commission approve Socket's request.

## **Background**

On July 15, 2009, Socket submitted requests to NeuStar for 5 blocks of one-thousand MCA telephone numbers for St. Louis. On July 15, 2009, the Pooling Administrator denied Socket's request because Socket did not meet the months to exhaust and Utilization criteria.

The Telecommunications Department Staff (Staff) reviewed the CO Assignment data that Socket submitted to the Pooling Administrator. Socket's utilization level for the 5 rate centers range from .500% to 31.300% is below the Federal Communications Commission (FCC) guidelines of 75% which is required before a request for additional numbering resources is permissible. Socket's months to exhaust for the 5 rate centers range from 20 to 29. 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**

Socket states that it does not meet the requirements for additional telephone numbers because its utilization rate does not meet the required utilization rate of 75% as set forth in the FCC guidelines because separate blocks of one-thousand telephone numbers are needed for the MCA/Non MCA. For this reason, Socket has demonstrated a verifiable need for additional blocks in the St. Louis MCA for 1 block of one-thousand telephone numbers in Wright City, Warrenton, Marthasville, Holstein, and the Foley rate centers.

Staff recommends the Commission approve Socket's request for 1 block of one-thousand MCA telephone numbers in the 636-791 NPA/NXX 7000 block in Wright City, 636-377 NPA/NXX 7000 block in Warrenton, 636-242 NPA/NXX 7000 block in Marthasville, 636-782 NPA/NXX 7000 block in Holstein, and 636-355 NPA/NXX 7000 block in Foley. Specifically, Staff recommends the Commission's order include a statement substantially as follows:

1. Socket's request for 1 block of one-thousand telephone numbers in the 636-791 NPA/NXX within the 7000 block in the Wright City rate center is approved.
2. Socket's request for 1 block of one-thousand telephone numbers in the 636-377 NPA/NXX within the 7000 block in the Warrenton rate center is approved.
3. Socket's request for 1 block of one-thousand telephone numbers in the 636-242 NPA/NXX within the 7000 block in the Marthasville rate center is approved.
4. Socket's request for 1 block of one-thousand telephone numbers in the 636-782 NPA/NXX within the 7000 block in the Holstein rate center is approved.
5. Socket's request for 1 block of one-thousand telephone numbers in the 636-355 NPA/NXX within the 7000 block in the Foley rate center is approved.

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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.

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: )

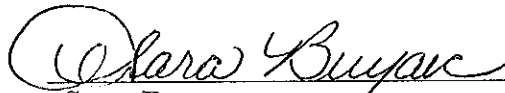
**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of the Application of Socket )  
Telecom, LLC For Review and Reversal of ) Case No. TO-2010-0106  
North American Number Plan Thousands- )  
Block Pooling Administrator's Decision to )  
Withhold Numbering Resources )  
)

**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 6<sup>th</sup> day of October 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