

**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)	File No. TO-2010-0080
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 September 4, 2009, Southwestern Bell Telephone Company d/b/a 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 Thousands-Block Pooling Administrator (Pooling Administrator), NeuStar, Inc., to withhold certain numbering resources from AT&T Missouri.

2. The Pooling Administrator denied AT&T Missouri's request because AT&T did not meet the months to exhaust and 75% utilization criteria required by FCC guidelines. The Commission may overturn the Pooling Administrator's decision to withhold numbering resources from AT&T Missouri 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 AT&T Missouri has met this standard. The Staff explains that AT&T Missouri needs the additional numbering resources for one block of one-thousand additional numbers in the Cape Girardeau rate center.

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

(1) Determines AT&T Missouri 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 telephone numbers in the 573 NPA within the XXXX range of 000-1499, 2000-2499, 3000-3499, or 4500-4999 in the Cape Girardeau rate center.

Respectfully submitted,



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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 15th day of September, 2009.



MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case No. TO-2010-0080
Company Name: Southwestern Bell Telephone Company d/b/a AT&T Missouri
(AT&T)

From: Sara Buyak
Telecommunications Department

William Voight 9/15/09
Utility Operations Division/Date

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

Date: September 14, 2009

Summary

On September 4, 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 Cape Girardeau rate center. Specifically, Southeast Missouri Hospital (SEMO) requests 500 consecutive telephone numbers in the 573 NPA within the range of 1000-1499, 2000-2499, 3000-3499, or 4500-4999 to be compatible with the Direct Inward Dial (DID) system to accommodate the expanding hospital facilities. Included in this filing is the Thousands-Blocks Application Form – Part 1 A (Part 1), a letter from SEMO, 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 September 4, 2009, AT&T submitted a request to NeuStar for 1 block of one-thousand telephone numbers. On September 4, 2009, the Pooling Administrator denied AT&T's request because AT&T did not meet the months to exhaust and Utilization criteria.

The Telecommunications Department Staff (Staff) reviewed the CO Assignment data that AT&T submitted to the Pooling Administrator. AT&T's utilization level of 56.627% 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 56.115. 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).¹

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 56.627% is below the required utilization level of 75% and the months to exhaust is 56.115 which is above the required 6 months. Also, AT&T does not have 1 block of one-thousand consecutive telephone numbers to accommodate the needs of SEMO for 500 telephone numbers. For this reason, AT&T has demonstrated a verifiable need for 1 block of one-thousand additional telephone numbers in the Cape Girardeau 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 573 NPA within the range of 1000-1499, 2000-2499, 3000-3499, or 4500-4999 in the Cape Girardeau rate center. 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 573 NPA within the XXXX range of 1000-1499, 2000-2499, 3000-3499, or 4500-4999 in the Cape Girardeau 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:)

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

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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 14th day of September 2009


NOTARY PUBLIC

