

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

AT&T MISSOURI'S APPLICATION

AT&T Missouri¹ respectfully requests the Commission issue an Order reviewing and reversing NANPA's² decision to withhold certain numbering resources from AT&T Missouri.

The requested numbering resources are necessary to meet the expanding telecommunications needs of SBC Internet Services, Inc. d/b/a AT&T Internet Services (SBCIS/ATTIS) in the Kansas City, Missouri metropolitan area. These resources consist of a one thousands-block as an initial block request from which numbers can be drawn within (1) the 816 NPA, (2) the Leavenworth-Lansing rate center, (3) the 816-NXX-7XXX range, and (4) be a Special Service Code "SSC"³ Type "N." AT&T Missouri further requests that if such specific resources are not available when the Commission issues its order, the Commission should direct NANPA to provide such resources as are available to meet SBCI/ATTIS' numbering resource needs.

In support of this Application, AT&T Missouri states:

¹ Southwestern Bell Telephone Company, d/b/a AT&T Missouri, shall be referred to in this filing as "AT&T Missouri." AT&T Missouri files this verified Application pursuant to 4 CSR 240-2.060, 4 CSR 240-37.040 and 47 CFR 52.15(g)(3)(iv).

² The North American Numbering Plan Thousands-Block Pooling Administrator, NeuStar, Inc., shall be referred to in this filing as "NANPA."

³ A "Special Service Code," or "SSC," is used in conjunction with the Central Office code to identify the function the NXX or Thousands Block is performing and any special services provided.

1. AT&T Missouri is a Delaware corporation with its principal Missouri office at One AT&T Center, Room 3558, St. Louis, Missouri 63101. It may be contacted at the regular and electronic mail addresses and telephone and facsimile numbers of its attorneys, as set out under the signature block of this Application. AT&T Missouri is authorized to do business in Missouri⁴ and its fictitious name is duly registered with the Missouri Secretary of State.⁵ AT&T Missouri is a "local exchange telecommunications company" and a "public utility," and is duly authorized to provide "telecommunications service" within the State of Missouri, as each of those phrases is defined in Section 386.020, RSMo.

2. All correspondence, pleadings, orders, decisions, and communications regarding this proceeding should be sent to:

Leo J. Bub
Attorney for Southwestern Bell Telephone Company
d/b/a AT&T Missouri
One AT&T Center, Room 3558
St. Louis, Missouri 63101

3. This Application arises from SBCIS/ATTIS' expansion of its network in the Leavenworth-Lansing rate center in Kansas City, Missouri. As explained in the attached letter from Ms. Patty Berris, AT&T Network Support Specialist, SBCIS/ATTIS needs an initial growth block drawn from Leavenworth-Lansing rate center in the 816 NPA with an NXX-7XXX range and SSC Type "N." (Exhibit A)

4. AT&T Missouri has researched the available numbering resources in the Leavenworth-Lansing rate center and has determined that there are no suitable numbers available

⁴ In accordance with 4 CSR 240-2.060(1) and (G), a certified copy of Southwestern Bell Telephone Company's Certificate of Good Standing from the Missouri Secretary of State was filed with the Commission on August 15, 2007, in Case No. IK-2008-0044. The company has since been converted into a Delaware corporation. *See*, Certificate of Conversion from the Missouri Secretary of State, dated October 3, 2012 (which was filed with the Commission on December 4, 2012 in Case No. IO-2013-0323).

⁵ In accordance with 4 CSR 240-2.060(1)(E) and (G), a copy of the registration of the fictitious name "AT&T Missouri" was filed with the Commission on July 17, 2007, in Case No. TO-2002-185.

to meet SBCIS/ATTIS' needs. The only numbers currently available were SSC Type "J," which identified them as extended or expanded local calling numbers. SBC/ATTIS needs numbers with a type "N" identifier, which means that no SSC is needed or applicable. Type "N" numbers are typically used for plain old telephone service ("POTS").

5. Consequently, AT&T Missouri requests that the Commission grant it numbering resources consisting of a one thousands-block as an initial growth block from which numbers can be drawn meeting the criteria expressed in paragraph 3 above. The remaining nine blocks from the new code would be returned to the pool.

6. On June 4, 2015, AT&T Missouri submitted a Thousands-Block Application Form, Part 1A, for the numbering resources assignment necessary to meet SBCIS/ATTIS' needs. (Exhibit B) AT&T Missouri completed the Application in accordance with the Industry Numbering Committee's Thousands-Block Pooling Assignment Guidelines.⁶

7. On June 4, 2015, NANPA denied the request on the grounds that their records indicated there were enough resources in the current inventory to meet SBC/ATTIS' needs. (Exhibit D)

8. AT&T Missouri seeks the Commission's direction to overturn NANPA's decision to withhold numbering resources. This Commission has overturned NANPA's decision to withhold numbering resources in several cases and AT&T Missouri respectfully submits that it should likewise do so here.

9. Under existing procedures, NANPA has asserted that it is required to accept or reject an application for resources based solely on FCC criteria. However, the FCC's March 31, 2000, Order in its Number Resource Optimization docket states that a carrier may challenge a

⁶ Although a "Months to Exhaust" worksheet was not needed as part of the request to NANPA because it was a request for an initial growth block, the worksheet is being submitted with this application in compliance with 4 CSR 240-37.040(1)(A)(1) (Exhibit C).

resource denial before the appropriate state regulatory commission and a state commission may choose to affirm or overturn NANPA's decision to withhold numbering resources.⁷ Thus, the Commission has the authority to "affirm or overturn the NANPA's decision to withhold numbering resources from the carrier based on its determination of compliance with the reporting and numbering resource application requirements herein."⁸ Moreover, the FCC determined that states may overturn NANPA's decision to withhold numbering resources from the carrier where there is a verifiable need for the carrier to satisfy a specific customer request:

We also agree with WinStar that a carrier should be able to get additional numbering resources when there is a verifiable need due to the carrier's inability to satisfy a specific customer request. We therefore clarify that states may also grant relief if a carrier demonstrates that it has received a customer request for numbering resources in a given rate center that it cannot meet with its current inventory.⁹

10. The FCC further explained in its March 31, 2000, Order that a "[c]arrier may demonstrate such a need by providing the state with documentation of the customer request and current proof of the utilization in the rate center" and that states "may grant requests for customers seeking contiguous blocks of numbers."¹⁰ Moreover, although the FCC declined to establish a specific timeframe for states to act on these requests, the FCC indicated "in most instances, 10 business days from receipt of request that the state determines to be sufficiently detailed and complete will be sufficient time to review and act upon safety valve requests."¹¹

11. Further, this Application complies with 4 CSR 240-37.040. AT&T Missouri has attached hereto its "Months-to-Exhaust Worksheet" indicating the utilization for the Leavenworth-Lansing rate center encompassing both the preceding six months (for which it

⁷ 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; *see also*, 47 CFR 52.15(g)(3)(iv).

⁸ *Id.*

⁹ Third Report and Order and Second Order on Reconsideration, In the Matter of Numbering Resource Optimization, CC Docket No. 99-200, et al., December 12, 2001, paragraph 64; *see also*, 47 CFR 52.15(g)(4).

¹⁰ *Id.*

¹¹ *Id.* at paragraph 66.

populated zeros indicating no suitable number resources in this rate center) and projected monthly utilization for the next twelve months. 4 CSR 240-37.040(1)(A)(1). *See*, Exhibit C. AT&T Missouri has also attached hereto its FCC Form U1 of Form 502 for this rate center (indicating no data because OCN 516C does not currently have a presence in this rate center). 4 CSR 240-37.040(1)(A)(2). *See*, Exhibit E(HC). Finally, AT&T Missouri attaches copies of its originally-filed request to NANPA (i.e., its Thousands-Block Application Form, Part 1A) and NANPA's denial of that request. 4 CSR 240-37.040(1)(A)(3). *See*, Exhibits B and D, respectively. These materials and this Application demonstrate a verifiable need for the requested numbering resources. In connection with this request, AT&T Missouri has exhausted all other available remedies designed to conserve numbering resources. 4 CSR 240-37.040(1)(A)(4).

12. AT&T Missouri has no final unsatisfied judgments or decisions against it from any state or federal agency or court which involve Missouri retail customer service or rates, which action, judgment or decision has occurred within three (3) years of the date of this Application.

13. AT&T Missouri does not have any annual report or assessment fees that are overdue in Missouri.

14. SBCIS/ATTIS has explained that these numbers are needed to expand its network in the Leavenworth-Lansing rate center in the Kansas City metropolitan area. *See*, Exhibit A.

WHEREFORE, AT&T Missouri respectfully requests that the Commission overturn NANPA's previous determination in this matter and instruct NANPA to release the numbering resources described herein. AT&T Missouri further requests that if such specific resources are

not available when the Commission issues its order, the Commission should direct NANPA to provide such resources as are available to meet the numbering resource needs of SBCIS/ATTIS.

Respectfully submitted,



SOUTHWESTERN BELL TELEPHONE COMPANY
LEO J. BUB #34326

Attorney for Southwestern Bell Telephone Company
d/b/a AT&T Missouri
One AT&T Center, Room 3558
St. Louis, Missouri 63101
314-235-2508 (telephone) 314-247-0014 (fax)
leo.bub@att.com

CERTIFICATE OF SERVICE

Copies of this document and all attachments thereto were served on the following by e-mail on July 8, 2015.



Leo J. Bub

General Counsel
Kevin Thompson
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
gencounsel@psc.mo.gov
kevin.thompson@psc.mo.gov

Office Of The Public Counsel
P.O. Box 7800
Jefferson City, MO 65102
opcservice@ded.mo.gov