

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

**In the Matter of the Application of  
Fidelity Communication Services I, Inc.,  
for Review and Reversal of the North  
American Number Plan Thousands-  
Block Pooling Administrator's Decision  
to Withhold Numbering Resources for  
the Rolla, Missouri, Exchange**

Case No. \_\_\_\_\_

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**FIDELITY COMMUNICATION SERVICES I, INC.  
APPLICATION AND MOTION FOR EXPEDITED TREATMENT**

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**INTRODUCTION**

Fidelity Communications Services I, Inc. OCN 3275 (hereinafter referred to as "FCS I") files this application pursuant to 20 CSR 4240-2.060, -2.080, -28.016, and 47 C.F.R. § 52.15(g)(3)(iv), and respectfully requests that the Missouri Public Service Commission ("Commission") issue an order, on an expedited basis, that reviews and reverses the recent decision of the North American Numbering Plan Thousands-Block Pooling Administrator ("PA") to withhold certain numbering resources from FCS I.

The requested numbering resources are necessary to eliminate the routing and rating issues associated with the Local Routing Number (LRN) not residing in FCS I'S inventory. Back in September of 2004, FCS I donated several blocks of numbers back to the PA. Three of the blocks containing LRNs were included in the donation. In May 2019, one of the blocks for the Rolla Exchange was acquired by Peerless Network. In July 2019, FCS I received notice from its CABs vendor, RVW, Inc. that the Embarq files were considerably smaller than normal. For example, the previous month's file

was 261KB and now it is only 16KB. The smaller file relates to a lower volume of minutes being received and billed. FCS I worked with Peerless Network and explained the issue, and they returned the block back to the PA. FCS I has tried to get its numbering resources back from the PA, but it does not meet the Months-to-Exhaust Worksheet requirements.

For its Application, FCS I states as follows:

1. FCS I is a Missouri corporation with its principal office at 64 North Clark Street, Sullivan, MO 63080. FCS I is in good standing as evidenced by the Certificate of Good Standing issued by the Missouri Secretary of State and attached hereto as Exhibit E.

2. FCS I is a "local exchange telecommunications company," and "public utility" certificated by this Commission and duly authorized to provide "telecommunications service" within the state of Missouri<sup>1</sup>, as each of these terms is defined in Section 386.020, RSMo.

3. In addition to the undersigned, all correspondence, pleadings, orders, decisions, and communications regarding this proceeding should be sent to:

John Bell  
Controller  
Fidelity Communication Services I, Inc. TCA  
64 N. Clark Street  
Sullivan, MO 63080  
Email: [john.bell@fidelitycommunications.com](mailto:john.bell@fidelitycommunications.com)  
Tel: 573-468-8081

Margie Mersman  
Senior Consultant  
526 Chapel Hills Road  
Colorado Springs, CO 80920  
Email: [mmersman@tcatel.com](mailto:mmersman@tcatel.com)  
Tel: 715-266-4334 Ext. 1048

4. As mentioned above, this Application is prompted by FCS I's plan and desire to capture all minutes of traffic traversing its switch, create accurate CABS billing and receive appropriate compensation for its switching function. Without the LRN's in the

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<sup>1</sup> See Commission Case No. TA-2000-191.

proper switch this hinders the routing of the call and thus the rating of the minutes. This request is for the return of the blocks of numbers to which the LRNs have been assigned back to FCS I's inventory with their respective "A" record codes responsible for default routing. The rate center and block involved in this Application is Rolla, 573-426-0.

5. On September 6, 2019 a request to the PA for the blocks in Rolla was submitted, along with the necessary Months to Exhaust (MTE) and Utilization Certification Work Sheet. A true and correct copy of FCS I's request, Part 1A and Part 3 is attached hereto as **Exhibit A**. The accompanying months-to-exhaust worksheet, which contains confidential market specific information relating to services offered in competition with others, is attached hereto as **Confidential Exhibit B**. As required by 4 CSR 240-28.016, FCS I's FCC Form UI of Form 502, which also contains confidential market specific information, is attached as **Confidential Exhibit C**.

6. On September 6, 2019, the PA denied the request for Rolla on the grounds that FCS I had not met the utilization and/or months-to-exhaust criteria established by the Federal Communications Commission ("FCC"). A true and correct copy of the PA's decision for this exchange is attached hereto as **Confidential Exhibit D**, as it contains market specific information relating to services offered in competition with others.

7. FCS I seeks a Commission's Order overturning the PA's decision to withhold numbering resources, as FCS I has now exhausted all other available remedies designed to conserve numbering resources. The Commission has previously overturned decisions of the PA where the facts demonstrate good cause to do so.

8. A state commission may overturn the PA's decision based on the commission's determination that the carrier has demonstrated a verifiable need for the

requested numbering resources and has exhausted all other available remedies.

9. In this case, FCS I requires the blocks and the associated Local Routing Numbers to be in their numbering inventory on their switch to prevent routing, rating, and billing issues.

10. FCS I respectfully requests that the Commission act upon this Application within twenty (20) business days so that it will be able to accurately record and bill for all traffic that it switches. FCS I has acted expeditiously to file for the requested relief, and the FCC has recognized the importance of timely state commission action:

[W]e recognize that in many instances, the failure to address a request for additional numbering resources can impair a carrier's ability to stay in or expand business. We therefore direct states to act on carrier requests for a safety valve as expeditiously as possible. Although we do not establish a specific time limit for states to act on these requests, we believe that, in most instances, 10 business days from receipt of a request that the state determines to be sufficiently detailed and complete will be sufficient time to review and act upon safety valve requests.<sup>2</sup>

11. This Application satisfies the requirements of 20 CSR 4240-28.016 by providing all required documentation outlined therein.

12. FCS I does not have any pending or final unsatisfied judgments or decisions against it from any state or federal agency, which involves customer service or rates, which action, judgment or decision has occurred within three (3) years of the date of this Application.

13. FCS I does not have any annual report or assessment fees that are overdue in Missouri.

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<sup>2</sup> See Third Report and Order and Second Order on Reconsideration, In the Matter of Numbering Resource Optimization, CC Docket No. 99-200, et al., December 28, 2001, ¶66.

14. FCS I seeks expedited treatment and requests that the Commission act on this request within twenty (20) business days, so that and FCS I will have enough time to file a new request with the PA for the release of the numbering resources described herein, and upon release of those numbering resources, FCS I can accurately record and bill for all traffic it switches.

WHEREFORE, FCS I requests that the Commission overturn the PA's previous determination in this matter within twenty (20) business days and instruct the PA to release the numbering resources necessary to meet FCS I's routing and rating issues.

Respectfully submitted,

By /s/ William R. England, III  
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Attorneys for Fidelity Communications  
Services I, Inc.

#### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document was delivered by first class mail, electronic mail or hand delivery, on this 30<sup>th</sup> day of September, 2019, to the following parties:

General Counsel  
Missouri Public Service Commission  
[staffcounsel@psc.mo.gov](mailto:staffcounsel@psc.mo.gov)

Office of Public Counsel  
[opcservice@ded.mo.gov](mailto:opcservice@ded.mo.gov)


/s/ William R. England, III

STATE OF MISSOURI  
COUNTY OF FRANKLIN

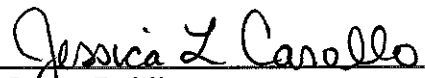
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) ss  
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**VERIFICATION**

I, Carla J. Cooper, in accordance with 20 CSR 4240-2.060(l)(M) and first being duly sworn upon my oath, hereby state that I am over the age of twenty-one, am of sound mind, am the Vice President of Finance for FCS I and am authorized to act on its behalf. I have read the foregoing document to which this Verification is appended, and the facts contained therein are true to the best of my knowledge, information and belief.

  
\_\_\_\_\_  
Carla J. Cooper

Subscribed and sworn to before me this 30<sup>th</sup> day of September, 2019.

  
\_\_\_\_\_  
Notary Public



JESSICA L. CAROLLO  
My Commission Expires  
January 16, 2022  
Franklin County  
Commission #12384990