BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of Southwestern)		
Bell Telephone, L.P., d/b/a AT&T Missouri For)		
Review and Reversal of North American Number)	Case No.	
Plan Thousands-Block Pooling Administrator's)		
Decision to Withhold Numbering Resources)		

SOUTHWESTERN BELL TELEPHONE, L.P., D/B/A AT&T MISSOURI'S APPLICATION AND MOTION FOR EXPEDITED TREATMENT

COMES NOW AT&T Missouri¹ and files this verified application and motion for expedited treatment, pursuant to 4 CSR 240-2.060, 4 CSR 240-2.080(16), 4 CSR 240-37.040 and 47 CFR 52.15(g)(3)(iv), and respectfully requests that the Missouri Public Service Commission ("Commission") issue an Order that reviews and reverses the decision of the North American Numbering Plan Thousands-Block Pooling Administrator, NeuStar, Inc. ("NANPA"), to withhold certain numbering resources from AT&T Missouri. The requested numbering resources consist of a single thousands-block within the 636 NPA, and in the Festus-Crystal City rate center, and further, confined to the 8000-8499 XXXX range (i.e. 636-NXX-8000 through 636-NXX-8499) to meet the needs of Holcim (US) Inc. ("Holcim"). In the event that the requested numbering resources are unavailable at the time of the Commission's Order, AT&T Missouri specifically requests that the Commission grant it any other suitable numbering resources that meet Holcim's needs. These numbering resources are required in order to accommodate Holcim's new manufacturing facility in Bloomsdale, Missouri.

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¹ Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri ("AT&T Missouri").

In support of this application, AT&T Missouri states as follows:

- 1. AT&T Missouri is a Texas limited partnership,² duly authorized to conduct business in Missouri,³ with its principal Missouri office at One AT&T Center, Room 3520, St. Louis, Missouri, 63101. AT&T Missouri is authorized to do business in Missouri and its fictitious name is duly registered with the Missouri Secretary of State.⁴ 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. 2000.
- 2. All correspondence, pleadings, orders, decisions, and communications regarding this proceeding should be sent to:

Timothy P. Leahy
Leo J. Bub
Robert J. Gryzmala
Attorneys for Southwestern Bell Telephone, L.P.,
d/b/a AT&T Missouri
One AT&T Center, Room 3516
St. Louis, Missouri 63101

3. Holcim is one of the world's leading suppliers of cement and aggregates (crushed stone, sand and gravel) and is also engaged in activities related to ready-mix concrete and asphalt. Its facilities are situated in multiple locations in the United States. Holcim is in the process of completing construction of a new manufacturing facility in Bloomsdale, Missouri.

² AT&T Missouri filed a copy of its Limited Partnership Agreement with the Commission on October 12, 2001. <u>See In the Matter of the Application of Southwestern Bell Telephone Company To Transfer Property and Ownership of Stock Pursuant to Section 392.200, RSMo.</u>, Case No. TO-2002-185.

³ AT&T Missouri filed a certificate from the Missouri Secretary of State Certifying that Southwestern Bell Telephone, L.P. is a foreign limited partnership that is duly authorized to transact business in the State of Missouri with the Commission on January 7, 2002. See In the Matter of the Application of Southwestern Bell Telephone Company to Transfer Property and Ownership of Stock Pursuant to Section 392.300, RSMo., Case No. TO-2002-185

⁴ AT&T Missouri filed a copy of its Limited Partnership Agreement with the Commission on March 20, 2007. <u>See.</u> In the Matter of the Application of Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri For Review and Reversal Of North American Number Plan Administrator's Decision to Withhold Numbering Resources, Case No. TO-2007-0343.

Holcim's new facility is anticipated to employ approximately 250 employees after it commences operations in the next few weeks.

- 4. Holcim has requested numbering resources consisting of five hundred (500) sequential telephone numbers within the 636 NPA, and further, confined to the 8000-8499 XXXX range (i.e. 636-NXX-8000 through 636-NXX-8499). AT&T Missouri has researched the available blocks in its Festus-Crystal City rate center (FSSCRSTLCY) which serves the Bloomsdale location. AT&T Missouri has no available thousands-blocks available for use that meet Holcim's needs. In order to best meet Holcim's needs, AT&T Missouri requests that the Commission grant it the numbering resources requested herein. In the event that the requested numbering resources are unavailable at the time of the Commission's Order, AT&T Missouri specifically requests that the Commission grant it any other suitable numbering resources that meet Holcim's needs.
- 5. A copy of the April 13, 2007, letter from Ms. Ruth Smith, Holcim's Manager of Telecommunications Services, to AT&T Missouri is attached hereto and marked as Exhibit A. As noted in the letter, Holcim is "in the process of building a \$Billion dollar manufacturing facility in Bloomsdale." Holcim requires "500 sequential DID numbers that do not conflict with our current 4-digit internal dialing pattern. The phone system will be networked to all of our major locations within the U.S. and the need for 4-digit dialing among the sites is vital to the communication within our organization." Further, the letter notes that the 8000-8499 XXXX range requested herein is necessary so that it "does not conflict with what is already working on the system and [is] not able to be changed." AT&T Missouri has determined that the numbering resources requested herein would be compatible with Holcim's telecommunications system.

- 6. On April 17, 2007, AT&T Missouri submitted a Thousands-Block Application Form, Part 1A, for the numbering resources assignment necessary to meet Holcim's needs. A copy of the Application is attached hereto and is marked as Exhibit B. AT&T Missouri completed the application in accordance with the Industry Numbering Committee's Thousands-Block Pooling Assignment Guidelines and filled out the necessary Months to Exhaust and Utilization Certification Worksheet, a copy of which is attached hereto and marked as Exhibit C.
- 7. On or about April 17, 2007, NANPA denied the request on the grounds that AT&T Missouri had not met the utilization criteria. That decision is attached hereto and marked as 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 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 resource denial before the appropriate state regulatory commission and a state commission may choose to reaffirm or overturn NANPA's decision to withhold numbering resources. 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." 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:

٥ <u>Id</u>.

⁵ 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)).

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.⁷

- 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." 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. 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 FSSCRSTLCY rate center encompassing the preceding six months 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 most recently-filed FCC Form U1 of Form 502 for the FSSCRSTLCY rate center. 4 CSR 240-37.040(1)(A)(2). See, Exhibit E. Finally, AT&T Missouri attaches hereto 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. These materials and the instant Application demonstrate a verifiable need for the numbering resources requested herein. In connection with this request,

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⁷ Third Report and Order and Second Order on Reconsideration in CC Docket Number 96-98 and CC Docket Number No. 99-200, In the Matter of Numbering Resource Optimization, Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, and Telephone Number Portability, CC Docket Number 99-200, et al., December 12, 2001, paragraph 64; see also, 47 CFR 52.15(g)(4).

⁹ <u>Id</u>. at paragraph 66.

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 does not have any pending or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve 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. AT&T Missouri seeks expedited treatment and requests that the Commission act on this request within ten (10) business days as envisioned by the FCC, or as soon thereafter as is practicable. Holcim has informed AT&T Missouri that it needs the numbering resources described herein within the next few weeks. In order to accommodate Holcim's needs, the Commission must issue its order as soon as possible, so that AT&T Missouri will have enough time to file a new request with NANPA for the release of the numbering resources to AT&T Missouri described herein, both to meet Holcim's needs, and so that AT&T Missouri and any other telecommunications service providers that provides service via a switch can program their switches. AT&T Missouri filed this request for expedited treatment as soon as it could have. Specifically, AT&T Missouri filed this pleading after NANPA rejected AT&T Missouri's request for numbering resources and AT&T Missouri determined that it was not feasible to implement a technological alternative.

WHEREFORE, AT&T Missouri respectfully requests that the Commission overturn NANPA's previous determination in this matter within ten business days as envisioned by the FCC, and instruct NANPA to release the numbering resources described herein to meet the

request of Holcim and, in the event that the requested resources are then unavailable, to release such other suitable blocks as will meet Holcim's needs.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE, L.P.

TIMOTHY P. LEAHY

#36197

LEO J. BUB

#34326

ROBERT J. GRYZMALA

#32454

Attorneys for Southwestern Bell Telephone, L.P.,

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St. Louis, Missouri 63101

314-235-6060 (Telephone)/314-247-0014 (Facsimile)

robert.gryzmala@att.com (E-Mail)

COUNTY OF COLE)	
)	SS
STATE OF MISSOURI)	

VERIFICATION

I, Alan G. Kern, first being duly sworn, state on my oath that I am over the age of twenty-one years, sound of mind, and Director-Regulatory of Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri ("AT&T Missouri"). I am authorized to act on behalf of AT&T Missouri regarding the foregoing document. I have read the foregoing document and I am informed and believe that the matters contained therein are true.

Alan G. Kern

On this 25th day of April 2007, before me, a Notary Public, personally appeared Alan G. Kern, and being first duly sworn upon his oath stated that he is over twenty-one years, sound of mind and Director-Regulatory of AT&T Missouri, he signed the foregoing document as Director-Regulatory of AT&T Missouri and the facts contained therein are true and correct according to the best of his information, knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year above-written.

Notary Public

3 3 7 4 0 1 E

My Commission Expires: January 5, 2008

MARYANN PURCELL
Notary Public - Notary Scal
STATE OF MISSOURI
City of St. Louis

My Commission Expires: Jan. 5, 2008

CERTIFICATE OF SERVICE

Copies of this document and all attachments thereto were served on the following by e-mail on April 25, 2007.

Robert J. Grymala

General Counsel
Kevin Thompson
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Jefferson City, MO 65102
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PAGE 01

North American Service Center - NASC

Exhibit A 1 of 2

6211 Ann Arbor Rd. Dundee, MI 48131 734.529.2411 www.holcim.com/us



Fax

Company:

210. <u>893. 2056</u> Fax Number:

Total Pages:

From: Ruth Smith

Subject:_

St. Hen Reguest for DID range

This fax was sent by: Ruth Smith, Manager, Telecommunication Services

For questions regarding this fax, please call me at 734.529.4178. My fax number is 734.529.4387.

This fax is confidential and intended only for the use of the above named addressee. If you have received this fax in error, please notify me immediately.



Holcim (US) Inc. 6211 Ann Arbor Road Dundee, MI 48131 734.529.4178

April 13, 2007

Dear ATT:

We are currently in the process of building a \$Billion dollar manufacturing facility in Bloomsdale, MO. This manufacturing plant will employee in excess of 1000 employees during the construction phase of the project and will permanently employee approximately 250 employees upon completion of construction.

We need to install a phone system and are requesting 500 sequential DID numbers that do not conflict with our current 4-digit internal dialing pattern. The phone system will be networked to all of our major locations within the US and the need for 4-digit dialing among the sites is vital to the communication within our organization. Because of the large number of locations, it is very important that we maintain tight control over the 4 digit dial plan in order to assure that we don't run out of numbers for this dial plan throughout our network. That is why the numbers must be sequential and must be available in a range that does not conflict with what is already working on the system and not able to be changed.

These numbering resources will be used at the address of: Holcim (US) Inc. 2942 US Hwy 6 Bloomsdale, MO 63627

We are requesting a DID range in the area of 8000-8499. The NPA will be 636.

From a sheer manageability perspective, and because we use 4 digit internal dialing, we require large blocks of sequential numbers - i.e., it would be extremely difficult for Holcim to manage and distribute hundreds of numbers if we do not receive a sequential range of numbers from which to work.

I appreciate your effort in attaining this sequential range for Holcim (US).

Regards,

Ruth Smith

Mgr. Telecommunication Services for Holcim (US) Inc.

734.529.4178

Ruth.smith@holcim.com

Tracking	Number:	
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Thousands-Block Application Form Part 1A

Type of Application (check one):	X New	<u>□ Changeⁱ</u>	□ Disconnect
GENER/	AL APPLICATI	ON INFORMATIO	<u>N</u>
1.1 Contact Information: AT&T T	R # MO000007	67	
Block Applicant: Company Name:ATT-SOUTHWEST			
Headquarters Address: <u>2600 CAMINO RA</u>			State <u>CA</u> Zip <u>94583</u>
Contact Name: <u>SUZANNE GESCAT /NA</u> Contact Address: <u>2600 CAMINO RAMO</u>			State CA 7in 04592
Phone: <u>925</u> <u>867-8525</u> Fax: <u>925 355-9</u>			
Pooling Administrator ⁱⁱ : Contact Name: <u>GENEVIEVE PAULIN</u> Contact Address 200 SUTTED STREET		City CONCORD	State CA 7:- 04520
Contact Address: 800 SUTTER STREET, Phone: 925-363-7652 Fax: 925-363-7	7683 E-Mai	il: <u>genevieve.pauli</u>	
1.2 General Information			
Check one: No LRN needed XXX	LRN neede	d ⁱⁱⁱ	
NPA: _636 LATA:520 OCN ^{iv} : Number of Thousands-Blocks Requested: _		t Company's OCN_9	9533
Switch Identification (Switching Entity/POI CITYRate Center ^{vi} :FSSCRSTLCY) ^v :FSTSMOY ZRate	ZEDS0City or Center Sub Zone:	Wire Center Name_FESTUS CRYSTAL
1.3 Dates			
Date of Application ^{vii} :04/17/2007			ii:05/10/2007
1.4 Type of Service Provider Requesting	the Thousands-	Block:	
a) Type of Service Provider:ILI	r c	(LFC	, IXC, CMRS, Other)
b) Primary type of service Blocks to be c) Thousands-Block(s) (NXX-X) assig	used for:V	<u>IRELINE</u>	
d) Thousands-Block(s) (NXX-X) that a	– ore undesirable fo	or this assignment if	anyCANNOT USE 636-NXX-0, 1, 2,
3, 4, 5, 6, 7, 9 Due to Dialing Restrictions.		n tins assignment, n	
e) If requesting a code for LRN purpose be given to the pool)	es, indicate which	n block(s) you will be	e keeping (the remainder of the blocks will
1.5 Type of Request			

Tracking Number: ____

TBPAG Attachment 1 - March 19, 2007 ATIS-0300066.at1

Part 1A
Initial block for rate center: Yes, If Yes attach evidence of authorization and proof of capability to provide Service within 60 days
Growth block for rate center: Yes_XXX_, If Yes, attach months to exhaust worksheet
Change block: Yes, If Yes, indicate NPA-NXX-X, type of and reason for change:
Disconnect block: Yes, If Yes, list NPA-NXX-X
Remarks:
I hereby certify that the above information requesting an NXX-X block is true and accurate to the best of my knowledge and that this application has been prepared in accordance with the Thousands-Block (NXX-X) Pooling Administration Guidelines ATIS-0300066.
SIGNATURE ON FILE DATA ADMINISTRATOR 04/17/2007 Signature of Block Applicant Title Date

Tracking Number: ____

Thousands-Block Application Form Part 1A

Instructions for filling out each Section of the Part 1A form:

- Section 1.1 Contact information requires that Service Providers supply under "Block Applicant" the company name, company headquarters address, a contact within the company, an address where the contact person may be reached, in addition to the correct phone, fax, and e-mail address. The Pooling Administrator section also requires the Service Provider to fill in the Pooling Administrator's name, address, phone, fax and e-mail.
- Service Providers who need a thousands-block assignment or for an Location Routing Number (LRN) are required to fill in this section. If needed for an LRN, a CO Code Application needs to also be submitted to the PA. The Service Provider should supply the Numbering Plan Area (NPA); the Local Access Transport Area (LATA), which is a three-digit number that can be found in the TelcordiaTM LERGTM Routing Guide. The Operating Company Number (OCN) assigned to the service provider and the OCN its parent company. An OCN is a four-character alphanumeric assigned by TelcordiaTM Routing Administration (TRA). In addition, the number of thousands-blocks requested should be supplied. The Switch Identification as well as the city or wire center name, rate center, rate center sub zone, homing tandem and CLLITM tandem of the facilities based provider^{ix}. Explanations of these terms may be found in the footnotes.
- Section 1.3 The date the Service Provider completes the application should be entered in this section, as well as the Effective Date of the requested thousands-block.
- Section 1.4 Service Providers should indicate their type, e.g., local exchange carrier, competitive local exchange carrier, interexchange carrier, CMRS. The also indicate the primary type of business in which the numbering resource is to be used. Service Providers also may indicate their preference for a particular thousands-block, e.g., 321-9XXX, or indicate any thousands-blocks that may be undesirable, e.g., 321-6XXX.
- Section 1.5 Service Providers indicate the type of request. Initial requests are for first applications for thousands-blocks in a rate center, growth for additional thousands-blocks in a rate center in which the applicant already has numbering resources, and provide the required evidence as ordered by the FCC.

The thousands-block applicant certifies veracity of this form by signing their name, and providing their title and date.

Tracking Number: ____ TBPAG Attachment 1 – March 19, 2007
ATIS-0300066.at1

Thousands-Block Application Form Part 1A

Foot Notes:	
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ⁱ Identify type of and reason for change(s) in Section 1.5.

The Pool Administrator is available to assist in completing these forms.

iii A CO Code application will also need to be submitted to the PA

Operating Company Number (OCN) assignments must uniquely identify the applicant. Relative to CO Code assignments, NECA-assigned Company Codes may be used as OCNs. Companies with no prior CO Code or Company Code assignments should contact NECA (800 524-1020) to be assigned a Company Code(s). Since multiple OCNs and/or Company Codes may be associated with a given company, companies with prior assignments should direct questions regarding appropriate OCN usage to (TRA) (732-699-6700).

^v This is an eleven-character descriptor of the switch provided by the owning entity for the purpose of routing calls. This is the 11 character CLLITM code of the switch /POI.

vi Rate Center name must be a tariffed Rate Center.

vii Acknowledgment and indication of disposition of this application will be provided to applicant within seven calendar days from the date of receipt of this application. An incomplete form may result in delays in processing this request.

viii Please ensure that the NPA-NXX of the LRN to be associated with this block(s) is/will be active in the PSTN prior to the effective date of the block(s).

^{ix} Telcordia, LERG Routing Guide, and CLLI are trademarks of Telcordia Technologies, Inc.

ATT TR# MO00000767

MONTHS TO EXHAUST and UTILIZATION CERTIFICATION WORKSHEET – TN Level 1 (Thousands-Block Number Pooling Growth Block Request)

OODE ADMINISTRATOR	GESCAT				gnature:		ATURE O					_
e: CODE ADMINISTRATOR Mail: sq5341@att.com	ı elepnol	ne No.: _ 	<u>(925) 867</u>	<u>-8525</u>	FAX N	o.: <u>(9</u> 2	<u>25) 355-92</u>	<u>868</u>				
Available Numbers: 9356	<u>-</u> -											
Assigned Numbers: <u>18612</u>												
Total Numbering Resources:290	00											
Quantity of numbers activated in the List excluded Code(s) or Block(s): _	past 90 d	lays and e	xcluded f	rom the U	tilization ca	alculatior	n: <u>0</u>					
	Month #1	Month #2	Month #3	Month #4	Month #5	Month #6	Month #7	Month #8	Month #9	Month #10	Month #11	Month #12
Growth History – Previous 6 months ²		0	0		0							
	_0	1003	_38	_63	3	16	-0	0	_12	_10	_12	34
Forecast – Next 12 months ³												
Forecast – Next 12 months ³ Average Monthly Forecast (Sum of months	' <u></u> '	above) divid	ded by 6): _	187.167								
	' <u></u> '		rs Available f			ers (A)		=	49.987			
Average Monthly Forecast (Sum of months	#1-6 (Part F	Number	rs Available f	or Assignme Monthly Fore - Excluded N	ecast (G)		* 100	=	49.987 64.179			

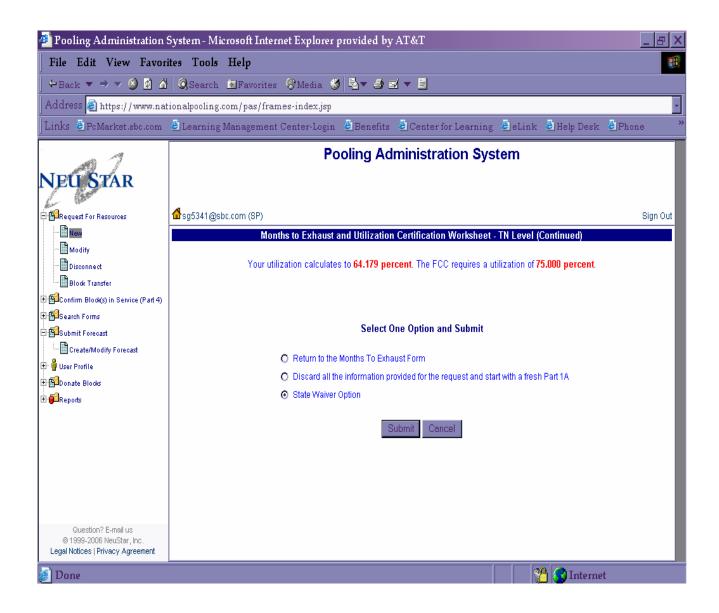
¹ A copy of this worksheet is required to be submitted to the Pooling Administrator when requesting additional numbering resources in a rate center. For auditing purposes, the applicant must retain a copy of this document.

² Net change in TNs no longer available for assignment in each previous month, starting with the most distant month as Month #1, and Month #6 as the current month.

³ Forecast of TNs needed in each following month, starting with the most recent month as Month #1.

⁴ To be assigned an additional thousands-block (NXX-X) for growth, "Months to Exhaust" must be less than or equal to 6 months. (FCC 00-104, § 52.15 (g) (3) (iii)).

⁵ Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (g)(3)(ii))



636-FSSCRSTLCY - ATT TR# MO00000767 07/17/07

EXHIBIT E

IS

HIGHLY CONFIDENTIAL

IN ITS ENTIRETY