

FISCHER & DORITY
PROFESSIONAL CORPORATION

Attorneys at Law
Regulatory & Governmental Consultants

101 Madison, Suite 400
Jefferson City, MO 65111
Telephone: (573) 636-6758
Fax: (573) 636-0383

James M. Fischer
Larry W. DORITY

May 23, 2002

Secretary of the Missouri
Public Service Commission
200 Madison Street, Suite 100
P.O. Box 360
Jefferson City, Missouri 65102-0360

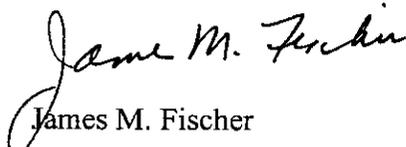
*Kanakuk Kamps, Inc. v. Verizon Communications, Case No. ~~TC 2002-493~~
XC-2002-1054*

Dear Mr. Roberts:

Enclosed for filing in the above-referenced matter are the original and eight (8) copies of GTE Midwest Incorporated d/b/a Verizon Midwest's Motion To Dismiss, Answer And Affirmative Defenses. A copy of the foregoing Application and Motion has been hand-delivered or mailed this date to each party of record.

Thank you for your attention to this matter.

Sincerely,


James M. Fischer

Enclosures

cc: Dana K. Joyce, General Counsel
Mike Dandino, Office of the Public Counsel
Charles J. Fain

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Kanakuk Kamps, Inc.,)
Complainant,)

v.)

Verizon Communications,)
Respondent.)

Case No. ~~TC-2002-493~~
XC-2002-1054

MOTION TO DISMISS, ANSWER AND AFFIRMATIVE DEFENSES
OF RESPONDENT VERIZON MIDWEST

COMES NOW Respondent, GTE Midwest Incorporated d/b/a Verizon Midwest ("Verizon"), pursuant to Commission Rule 4 CSR 240-2.070, and respectfully submits its Motion to Dismiss, Answer and Affirmative Defenses to the Complaint filed in this matter on April 25, 2002.

INTRODUCTION

1. Verizon is sympathetic to the concerns raised by Complainant in its Complaint filed on April 25, 2002, related to the release of additional numbering resources for its use. In fact, prior to the filing of this Complaint, Verizon had filed an Application And Motion For Expedited Treatment before the Missouri Public Service Commission ("Commission") in Case No. TO-2002-481 (Attachment No. 1) that was intended to resolve this matter. In its Application, Verizon requested that the Commission overturn the North American Numbering Plan Administrator's (NANPA) previous determination to deny Verizon the numbering resources necessary to meet the needs of Kanakuk Kamps. On April 26, 2002,

the Staff filed its Staff Recommendation in Case No. TO-2002-481 (Attachment No. 2) in which Staff "recommends that the Commission enter an Order approving the request for additional numbering resources, subject to the requirement that the Commission Order Verizon to assign the additional telephone numbers sequentially pursuant to the requirements of the Code of Federal Regulations. . . . " This matter is now ripe for decision by the Commission. In the event that the Commission grants Verizon's Application in Case No. TO-2002-481, then the Complaint filed herein should be resolved following the release of the numbering resources by NANPA.

2. While Verizon has pursued relief for Kanakuk Kamps in Case No. TO-2002-481, Verizon must nevertheless respond to the formal Complaint filed by Kanakuk Kamps in this proceeding. For the reasons stated below, the Complaint should be dismissed.

MOTION TO DISMISS

For its Motion to Dismiss, pursuant to Commission Rule 4 CSR 240-2.070(6), Verizon states:

1. The instant Complaint fails to comply with the requirements set forth in Commission Rule 4 CSR 240-2.070, in that it does not contain the information required by said Rule. Among the deficiencies, most notable is the total omission of any statement "setting forth any act or thing done or omitted to be done by any person, corporation, or public utility, including any rule or charge established or fixed by or for any person, corporation or public utility, in violation or claimed to be in violation of any provision of law or of any rule or order or

decision of the commission." The Complaint also fails to state the "jurisdiction of the commission over the subject matter of the complaint."

2. Complainant has failed to state a claim upon which relief can be granted. As fully set forth in Subsections (1) and (3) of the Commission's Rule, the complainant must be aggrieved by a violation of any statute, rule, order or decision within the Commission's jurisdiction. No such allegation is contained in the complaint; rather, the Complaint merely alleges: "A request for a certain block of numbers was requested of the phone company but these have been denied."

ANSWER

For its Answer, pursuant to Commission Rule 4 CSR 240-2.070(8), Verizon states as follows:

1. Respondent has insufficient information and knowledge to admit the allegations contained in Paragraph 1 and therefore denies the allegations contained in Paragraph 1 of the Complaint.

2. Respondent has insufficient information and knowledge to admit the allegations contained in Paragraph 2 and therefore denies the allegations contained in Paragraph 2 of the Complaint.

3. Respondent has insufficient information and knowledge to admit the allegations contained in Paragraph 3 and therefore denies the allegations contained in Paragraph 3 of the Complaint.

4. Verizon denies the allegations in Paragraph 4. Verizon admits that Exhibit A appears to be a copy of a letter request from Kanakuk to "Verizon

Telecommunications." Verizon denies the remainder of the allegations in Paragraph 4.

5. Since there are no factual allegations contained in Paragraph 5, but merely a request for hearing in the Branson, Missouri area, Verizon will not admit or deny the statements contained in Paragraph 5.

AFFIRMATIVE DEFENSES

For its Affirmative Defenses, Verizon states as follows:

1. Verizon re-alleges the facts contained in its Application in Case No. TO-2002-481 and incorporates its Application herein by reference.

2. For its Second Affirmative Defense, Verizon re-alleges the facts contained in Paragraph 1 of the Introduction above.

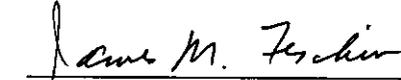
3. Verizon has taken reasonable steps to request that the Commission overturn the decision of the NANPA to deny the numbering resources requested by Complainant.

4. The Complaint has failed to join necessary parties in this proceeding.

5. The Complaint has named "Verizon Communications, a Texas phone Co." as Respondent and not the legal entity that provides local exchange service in Taney County, Missouri, and as a result, there is a misjoinder of parties.

WHEREFORE, having fully answered and for the reasons set forth above, GTE Midwest Incorporated d/b/a Verizon Midwest requests the Commission to enter an Order dismissing the Complaint filed herein.

Respectfully submitted,



James M. Fischer, Esq. MBN 27543

e-mail: jfischerpc@aol.com

Larry W. Dority, Esq. MBN 25617

e-mail: lwdority@sprintmail.com

FISCHER & DORITY, P.C.

101 Madison Street, Suite 400

Jefferson City, Missouri 65101

Telephone: (573) 636-6758

Facsimile: (573) 636-0383

Attorneys for GTE Midwest Incorporated
d/b/a Verizon Midwest

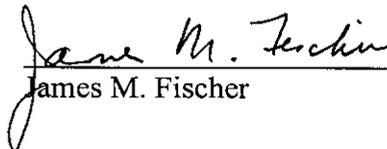
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was mailed or hand-delivered, this 23rd day of May, 2002, to:

Charles J. Fain
P.O. Box 434
Forsyth, MO 65653

Dana K. Joyce
General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102



James M. Fischer

FISCHER & DORITY
PROFESSIONAL CORPORATION

Attorneys at Law
Regulatory & Governmental Consultants

101 Madison, Suite 400
Jefferson City, MO 65101
Telephone: (573) 636-6758
Fax: (573) 636-0383

James M. Fischer
Larry W. DORITY

April 8, 2002

Secretary of the Missouri
Public Service Commission
200 Madison Street, Suite 100
P.O. Box 360
Jefferson City, Missouri 65102-0360

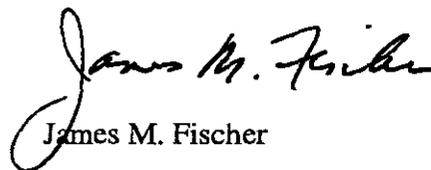
RE: In the matter of the Application of GTE Midwest Incorporated & b/a Verizon Midwest for Review and Reversal of North American Number Plan Administrator's Decision to Withhold Numbering Resources.

Dear Mr. Roberts:

Enclosed for filing in the above-referenced matter are the original and eight (8) copies of GTE Midwest Incorporated d/b/a Verizon Midwest's Application and Motion for Expedited Treatment. A copy of the foregoing Application and Motion has been hand-delivered or mailed this date to each party of record.

Thank you for your attention to this matter.

Sincerely,


James M. Fischer

/jr
Enclosures

cc: Dana K. Joyce, General Counsel
Mike Dandino, Office of the Public Counsel
Nancy Cowles, NANPA Code Administrator

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the matter of the Application of GTE)
Midwest Incorporated d/b/a Verizon Midwest)
For Review and Reversal of North American)
Number Plan Administrator's Decision To)
Withhold Numbering Resources.)

Case No. 70-2002-481

APPLICATION AND MOTION FOR EXPEDITED TREATMENT

Comes now GTE Midwest Incorporated d/b/a Verizon Midwest ("Verizon") and files this verified application, pursuant to 4 CSR 240-2.060, 4 CSR 240-2.080(17), and 47 C.F.R 52.15(g)(3)(iv), and respectfully requests that the Missouri Public Service Commission ("Commission") issue an order that:

(a) reviews and reverses the recent decision of the North American Numbering Plan Administrator ("NANPA") to withhold certain numbering resources to Verizon, in the form of a requested NXX code to serve the needs of Kanakuk Kamps, a customer of Verizon located near Branson, Missouri.

In support of its Application, Verizon states as follows:

1. Verizon is 'a corporation duly organized and existing under the laws of the State of Delaware; its principal office and place of business is located at 601 Monroe Street, Suite 304, Jefferson City, Missouri 65101. Verizon's telephone number is (573) 636-7196 and its fax number is (573) 636-6826. Verizon currently provides telecommunications service to customers located in the state of Missouri totaling approximately 369,000 access lines pursuant to certificates of public convenience and necessity issued by this Commission in Cases No. TA-88-81, TA-88-78, TA-88-43. Verizon is authorized to do business in Missouri and its fictitious name is duly registered with the Missouri Secretary of State. The requisite certificates and supporting information have been previously furnished to the Commission in preceding cases,

most recently in Case No. TO-2001-29, *In the Matter of GTE Midwest Incorporated's Name Change to GTE Midwest Incorporated d/b/a Verizon Midwest*, and Verizon hereby incorporates such information by reference. Verizon is a "telecommunications company" and a "public utility" as those terms are defined in §392.020, RSMo 2000, and, thus, is subject to the jurisdiction, supervision and control of this Commission.

2. All communications, correspondence, and pleadings in regard to this application should be directed to:

James Fischer
Fischer & Dority, P.C.
101 Madison, Suite 400
Jefferson City, MO 65 101
(573) 636-6758
(573) 636-0383 (fax)

Dave Evans
Verizon Midwest
601 Monroe Street, Suite 304
Jefferson City, MO 65101

3. Kanakuk Kamps, a customer of Verizon in Branson, Missouri, has requested 2,000 numbers to support its implementation of a new phone system in an effort to improve and eliminate deficiencies in its current system. Kanakuk Kamps has informed Verizon that these 2,000 numbers must be in four sequential blocks of 500 numbers and the first digit of the line number may not begin with a "0" or "1". These numbers will be placed in service as soon as the numbers are available.

4. On or about March 14, 2002, Verizon submitted a Central Office Code (NXX) Assignment Request to NANPA for the assignment of NXX resources necessary to meet the Kanakuk Kamps request. A copy of the application is attached as Attachment A. Verizon

completed the application in accordance with NANPA's Central Office Code (NXX) Assignment Guidelines and filled out the necessary Months to Exhaust Certification Worksheet, which is attached as Attachment B.

5. Verizon submitted the request for a new central office (NXX) codes because Verizon does not have 2,000 sequential numbers specified by Kanakuk Kamps available within the Branson central office. As Branson is a single switch rate center, Verizon is unable to use numbers from another switch within the rate center to satisfy the request.

6. On or about March 27, 2002, NANPA's Central Office Code Administrator denied the request on the grounds that Verizon had not met the rate center-based months-to-exhaust criteria set forth in the Central Office Code (NXX) Guidelines, notwithstanding the fact that Verizon does not have the numbering resources needed to satisfy its customer's demands in the switch at issue. That decision is attached as Attachment C.

7. Under earlier months-to-exhaust procedures used by NANPA, waivers or exceptions were granted where customer hardships were demonstrated or where the service provider's inventory did not have a block of numbers large enough to meet a customer's specific request. Under existing procedures, NANPA looks at the number of months to exhaust for the entire rate center without any exceptions. However, the FCC's March 31, 2000 Order in its Number Resource Optimization docket states that a carrier may challenge a NANPA decision to the appropriate state regulatory commission and the state commission may choose to affirm or overturn NANPA's decision to withhold numbering resources (*Number Resource Optimization, Report and Order, CC Dkt. No. 99-200, FCC No. 00-104, at App. A; See also 47 C.F.R. 52.15(g)(3)(iv)*(Attachment D) The Missouri Commission thus 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." (Id.)

8. Verizon seeks the Commission's review of NANPA's decision to withhold numbering resources. The CO Code Administration decision violates the intent and requirements of the FCC in allowing carriers access to numbering resources to meet specific customer demands upon a sufficient showing of need, and NANPA's denial of numbering resources interferes with Verizon's ability to serve its customers.

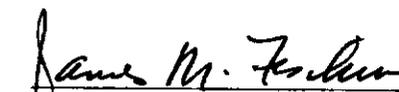
9. Verizon does not have any pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates, which action, judgment or decision has occurred within three (3) years of the date of the application.

10. Verizon does not have any annual report or assessment fees which are overdue in Missouri.

11. Verizon requests that the Commission act upon this Application as soon as possible. Kanakuk Kamps will not be able to install its new telephone system on a permanent basis until this Application is acted upon by the Commission, and the interim solution is not satisfactory for Kanakuk Kamps on a permanent basis. This pleading was filed as soon as it could have been filed.

WHEREFORE, Verizon respectfully requests that the Commission overturn NANPA's previous determination in this matter as soon as possible, and instruct NANPA to release the numbering resources necessary to meet the needs of Kanakuk Kamps.

Respectfully submitted,


James M. Fischer Mo. Bar No. 27543
Fischer & Dority, P.C.
101 Madison, Suite 400
Jefferson City, MO 65101
(573) 636-6758
(573) 636-0383

Attorneys for GTE Midwest Incorporated
d/b/a Verizon Midwest

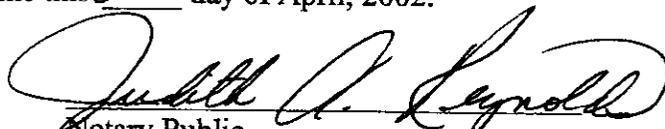
STATE OF MISSOURI

COUNTY OF COLE)
SS

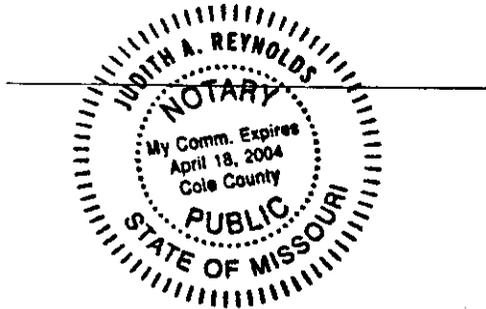
I, David W. Evans, of lawful age, **being first duly sworn upon my oath, state** that I am the Director of Regulatory Affairs of GTE Midwest Incorporated d/b/a Verizon Midwest; that I am authorized to execute this Application on behalf of Verizon Midwest; and that the facts set forth in the foregoing Application are true to the best of my knowledge, information and belief.


David W. Evans

Subscribed and sworn to before me this 9th day of April, 2002.


Notary Public

My Commission expires:



Certificate of Service

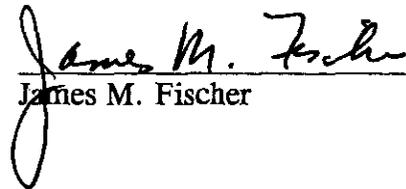
I hereby certify that a true and correct copy of the above and foregoing document was hand-delivered this 8th day of April, 2002 to:

Mr. Mike Dandino
Office of the Public Counsel
P.O. Box 7800
Jefferson City, Missouri 65102

Mr. Dan Joyce, General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

Nancy Cowles
NANPA Code Administrator
1800 Sutter Street-Suite 570
Concord, CA 94520

NANPA Telephone: (925)-363-8722


James M. Fischer

04/03/02 14:32
04/03/02 14:23 FAX 20651388842065138884
Family Health

NO.1000 P. 1

05

1553 Lakeshore Dr.
Branson, MO 65616Jeff K. Schneider
Director of Information Systems

E-mail: jeff@kanakuk.com

Phone: (417) 336-6589 ext. 220
Fax: (417) 239-3220Verizon Telecommunications
Cathy Finney (Fax: 972-317-2161)
Tricia Murray (Fax: 417-334-9755)

To Whom It May Concern:

Kanakuk Kamps is the largest Christian Athletics Camps in America. Including our sister organization, Kids Across America, we are made up of 10 camps in various locations throughout Missouri and 1 location in Colorado. We serve 20,000 campers every year and have a staff of 2,500. Communications is a crucial part of our business.

Kanakuk Kamps, in an effort to improve and eliminate deficiencies in its current telecommunications system, has purchased and is implementing a new phone system. This system will help ensure our customers get the best service we can offer. Kanakuk Kamps and its sister company, Kids Across America, has devoted over \$300,000 for this new telecommunications system. In addition, we will be paying tens of thousands of dollars in fees to Verizon each year for services such as ISDN PRI and DID numbers that play a part in this new system.

Below is a sampling of reasons for implementing this new phone system with DID Numbers:

1. Ensure that we have consistent telephone service at each of our camps each year.
 - a. Our camps are seasonal and require telephone service 4 months out of the year. In the past, it has been a challenge for Verizon to turn up and turn down our service. There have been many instances when one or more camps have gone days and sometimes weeks without necessary telephone service. Installing an ISDN PRI with DID numbers at our main year-round location and directing calls to the appropriate camps will eliminate this problem.
2. Improved customer relations by being more personal and improving efficiency for our customers and employees.
 - a. With the use of DID numbers, we will be able to give our customers direct phone numbers so they don't have to go through an automated attendant or an operator, both of which are less personal and inefficient.
3. Improved response time to customer faxes.
 - a. With the large volume of faxes we receive, providing each employee with a personal fax number via DID numbers, faxes from customers will be delivered to the appropriate person instantly with confidentiality.

We require 2000 DID numbers to be directed to an ISDN PRI to be installed at our main location at 1353 Lakeshore Drive, Branson, Missouri 65616. The main dialing number at this location is 417-334-2432. These 2000 DID numbers must conform to the following parameters:

1. We need a total of 2000 DID numbers consisting of 4 blocks of 500 consecutive numbers.
2. Each block of 500 consecutive numbers must be from the same NXX. We would prefer that all 2000 DID numbers be from the same NXX.
3. The last 4 digits of each DID number must follow these restrictions:
 - a. The first digit cannot start with a 0 or 9. These are reserved numbers in our new phone system and cannot be used.
 - b. The last 4 digits from all 2000 DID numbers must be unique. Our new phone system cannot handle duplicate numbers.
4. We would prefer that each consecutive block of 500 numbers start from X000 to X499, where X can be any number from 1 to 8.

Last printed 3-4-2002 2:45 PM

Page 1 of 2

M:\Jeff\Docs\Projects & Proposals\Phone
System\NewPhoneSystem\DID Numbers\Verizon
Formal Request for DID Numbers.doc

www.kanakuk.com

1553 Lakeshore Dr.
Branson, MO 65616

KANAKUK

ATTACHMENT A

1-



Jeff K. Schneider
Director of Information Systems

E-mail: jeff@kanakuk.com

Phone: (417) 336-6589 ext. 220..
Fax: (417) 239-3220

Our first choice for a block of 2000 DID numbers would be as follows:
417-NXX-2000 through 417-NXX-2499 (500 consecutive numbers)
417-NXX-3000 through 417-NXX-3499 (500 consecutive numbers)
417-NXX-4000 through 417-NXX-4499 (500 consecutive numbers)
417-NXX-5000 through 417-NXX-5499 (500 consecutive numbers)

Concerning the proposed DID numbers submitted to Kanakuk Kamps on February 27, 2002 from Verizon, we must decline with the following exception. We will TEMPORARILY accept the following four blocks of 100 and one block of 50 consecutive numbers submitted to us until the full 2000 DID numbers can be given to us.

1. 417-332-8600 through 417-332-8649 (50 consecutive numbers) (KAA Main Fax)
2. 417-332-8750 through 417-332-8849 (100 consecutive numbers) (KAA Kamps)
3. 417-332-8900 through 417-332-8999 (100 consecutive numbers) (KAA Main)
4. 417-336-7800 through 417-336-7899 (100 consecutive numbers) (Kanakuk Kamps)
5. 417-348-3200 through 417-348-3299 (100 consecutive numbers) (Kanakuk Main)

This small, partial list of DID numbers is strictly a band-aid. Implementation of our new phone system will be severely limited until we receive the block of 2000 DID numbers as requested. It is imperative that we receive the 2000 DID numbers as quickly as possible. We request that all means and resources be used to escalate the completion of this order.

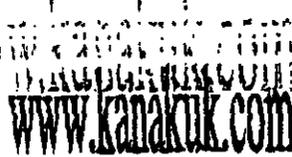
We completely and emphatically reject the remaining DID numbers submitted to us for the following reasons:

1. We requested 2000 DID numbers and received only 1848 numbers.
2. The 1848 numbers are made up of 145 various blocks of numbers spread across 6 different prefixes.
3. 93 blocks of these numbers contain less than 5 consecutive numbers.
4. 137 blocks of these numbers contain less than 50 consecutive numbers.
5. Over half of the numbers have last 4 digits that start with either a 0 or 9, which we cannot use.
6. The last 4 digits of the 1848 DID numbers are not all unique.

Jeff K. Schneider
Director of Information Systems

3-4-02

Date



Central Office Code (NXX) Assignment Request - Part 1
Revised September 11, 2000

Type of Application: X New Change Delete

1.0 GENERAL INFORMATION

1.1 Contact Information:

Code Applicant:

Company/Entity Name: VERIZON

Headquarters Address: 600 HIDDEN RIDGE DR

City, State, Zip: IRVING, TX 75038

Contact Name: ALICE JACKSON

Contact Address: 2094 MCGEE LANE

City, State, Zip: LEWISVILLE, TX 75077

Phone: 972-318-5334 FAX: 972-317-2161 E-Mail: ALICE.JACKSON@VERIZON.COM

Code Administrator:

Name: NANCY COWLES

Address: 1800 SUTTER STREET SUITE 570

City, State, Zip: CONCORD, CA 94520

Phone: 925-363-8772 FAX: 925-363-8734

1.2 NPA: 417 LATA: 522 OCN:³1922 Parent Company's OCN(s) -NONE
Switching Identification (Switching Entity/POI)⁴ BASNMOXADS0
Locality/City/Wire Center: BRANSON Rate Center:⁵ BRANSON
Homing Tandem Operating Co.: VERIZON MW INC.-MO Tandem Homing CLLITM: BASNMOXA10T

1.3 Dates: Date of Application: 03/14/2002 Requested Effective Date:^{8,9} 05/19/2002

1.4 Type of company/entity requesting the code:
a). LEC (LEC, IC, CMRS, Other)
b). Type of service EOC/POTS (e.g., Cellular - Type 2)
c). Code Assignment Preference (Optional) -ANY NXX
d). Codes that are undesirable, if any
e). Type of change:

1.5 Type of Request (Initial, growth, etc.): CUSTOMER REQUEST FOR SPECIFIC NUMBERS TO SUPPORT DIALING PLAN. NUMBERS NOT AVAILABLE IN CURRENT INVENTORY
If an initial code, attach (1) evidence of certification and (2) proof of ability to place code in service within 60 days. If a growth code, attach months to exhaust worksheet.

Pool Indicator (YES)¹⁰

1.6 NPA Jeopardy Criteria Apply: Yes ___ No X

1.7 Code request for new service(Explain):

1.8 Part 2 is attached ___ Part 2 is not attached X for RDBS & BRIDS^{11,12}

I hereby certify that the above information requesting an NXX code is true and accurate to the best of my knowledge and that this application has been prepared in accordance with the Central Office Code (NXX) Assignment Guidelines posted to the ATIS Web Site (<http://www.atis.org/atis/cic/inc/incdocs.htm>) as of the date of this application¹³

Alice Jackson SPECIALIST - SERV INV 03/14/2002
Signature of Code Applicant¹⁴ Title Date

CO CODE ASSIGNMENT
MONTHS TO EXHAUST CERTIFICATION WORKSHEET - TN Level¹
 (Worksheet to be used for Requests for Additional Codes for Growth)

Date 03/14/02 Company Name: VERIZON

RateCenter: BRANSON

NPA(s)-NXXs included in growth calculation²: 417-239 330 332 334 335 336 337 339 348

Signature of Authorized Representative of Code Applicant: _____

Title: SPECIALIST - SERV INV Telephone No.: 972-318-5334 FAX No.: 972-317-2161

A. Telephone Numbers (TNs) Available for Assignment (See Glossary³): 6212

	Month #1	Month #2	Month #3	Month #4	Month #5	Month #6	Month #7	Month #8	Month #9	Month #10	Month #11	Month #12	
B. Previous 6-month growth history ⁴	<u>-188</u>	<u>377</u>	<u>-255</u>	<u>482</u>	<u>-292</u>	<u>-297</u>							
C. Forecast - Next months 1-12 ⁵	<u>300</u>	<u>300</u>	<u>300</u>	<u>300</u>	<u>300</u>	<u>300</u>	<u>300</u>	<u>300</u>	<u>300</u>	<u>300</u>	<u>300</u>	<u>300</u>	
D. Average Monthly Forecast (Sum of months 1-6 Part C above divided by 6):	<u>300</u>												
E. Months to Exhaust ⁶ =	<u>Telephone Numbers (TNs) Available for Assignment (A)</u>						=	<u>21</u>					
	<u>Average Monthly Forecast (D)</u>												
F. Utilization Level ⁷ =	<u>Telephone Numbers (TNs) Assigned</u>						X 100 =	<u>89%</u>					
	<u>Total Numbering Resources in Applicant's Inventory</u>												

Explanation:

- 1 Copy of this worksheet is required to be submitted to the Code Administrator; for audit purposes, it must be in the applicant's files.
- 2 Report on all resources for the requested geographic area, including newly acquired codes.
- 3 Definitions of terms may be found in the Glossary section of the Central Office Code (NXX) Assignment Guidelines.
- 4 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.
- 5 Forecast of TNs needed in each following month, starting with the most recent month as Month #1. In a jeopardy situation, only 6 months growth projection is required.
- 6 To be assigned an additional CO Code (NXX) for growth, "Months to Exhaust" must be less than or equal to 6 months. (FCC 00-104, § 52.15 (g) (3) (iii)).
- 7 Newly acquired numbers (see glossary) may be excluded from the utilization calculation (FCC 00-104, § 52.15 (g) (3) (ii)).

04/03/02 14:31 FAX 2065138884
 2065138884 Family Health
 04/04/02 20:36 VERIZON/REG/GOU AFF-JC → FISCHER
 NO. 950 P004/007

04/03/02 14:32

2065138884

04/03/02 14:23 FAX 2065138884

Family Health

@ 04

Request Tracking Number: 417-147188

Administrator's Response/Confirmation

Date of Application: March 14, 2002

Date of Receipt: March 14, 2002

Date of Response: March 27, 2002

Effective Date: _____

Company/Entity Name: GTE-MW DBA VERIZON MW INC.-MO (CONTEL)

Code Administrator Contact Information:

Nancy Cowles

Phone: 9253638772

Signature of Code Administrator

Nancy Cowles

Fax: 9253638734

Name (print)

NPA: 417

Code Assigned: _____ Date of NXX Code Assignment: _____

- a. Switch Identification (Switching Entity/POI): BASNMOXADS0 Rate Center: BRANSON
- b. The Code Administrator is _____ is not responsible for inputting Part 2 information into RDBS and BRIDS.
- c. Routing and Rating information complete: Yes _____ No
Additional RDBS and BRIDS information necessary as follows:
No

d. To be published in the LERG and TMP by _____
Additional RDBS and BRIDS information needs to be received by the code administrator no later than _____

Code Reserved: _____

Date of Reservation: _____

Your code will be honored until _____

Switch Identification (Switching Entity / POI): _____

Form incomplete

Additional information required in the following section(s):

Form complete, code request denied

Explanation: Please refer to the remarks below

Assignment activity suspended by the administrator

Explanation: _____

Further Action: _____

NPA in jeopardy: Yes _____ No

If yes, refer to Section 7 of the assignment guidelines.

Change/Disconnect List: _____

Remarks:

DR-11 According to the Central Office Code Assignment Guidelines, Section 4.2.1, code holders requesting growth codes must demonstrate that existing codes within the rate center will exhaust within 6.0 months. If you are in disagreement with the disposition of this code request, please refer to the Central Office Code (NXX) Assignment Guidelines for the appeals process.

CODE OF FEDERAL REGULATIONS
TITLE 47--TELECOMMUNICATION
CHAPTER I--FEDERAL COMMUNICATIONS
COMMISSION
SUBCHAPTER B--COMMON CARRIER
SERVICES
PART 52--NUMBERING
SUBPART B--ADMINISTRATION
Current through March 19, 2002; 67 FR 12824

§ 52.15 Central office code administration.

(a) Central Office Code Administration shall be performed by the NANPA, or another entity or entities, as designated by the Commission.

(b) Duties of the entity or entities performing central office code administration may include, but are not limited to:

(1) Processing central office code assignment applications and assigning such codes in a manner that is consistent with this part;

(2) Accessing and maintaining central office code assignment databases;

(3) Contributing to the CO Code Use Survey (COCUS), an annual survey that describes the present and projected use of CO codes for each NPA in the NANP;

(4) Monitoring the use of central office codes within each area code and forecasting the date by which all central office codes within that area code will be assigned; and

(5) Planning for and initiating area code relief, consistent with § 52.19.

(c) Any telecommunications carrier performing central office code administration:

(1) Shall not charge fees for the assignment or use of central office codes to other telecommunications carriers, including paging and CMRS providers, unless the telecommunications carrier assigning the central office code charges one uniform fee for all carriers, including itself and its affiliates; and

(2) Shall, consistent with this subpart, apply identical standards and procedures for processing all central office code assignment requests, and for assigning such codes, regardless of the identity of the

telecommunications carrier making the request.

(d) Central Office (CO) Code Administration functional requirements. The NANPA shall manage the United States CO code numbering resource, including CO code request processing, NPA code relief and jeopardy planning, and industry notification functions. The NANPA shall perform its CO Code Administration functions in accordance with the published industry numbering resource administration guidelines and Commission orders and regulations at 47 CFR chapter I. Subject to the approval of the Commission, the NANPA shall develop a transition plan to transfer CO code assignment from the current administrators to itself and shall submit this plan to the Commission within 90 days of the effective date of a Commission order announcing the selection of the NANPA. The NANPA shall complete the transfer of CO code assignment functions from existing administrators to itself no more than 18 months after the NANPA has assumed all of said administrators' current NANPA function.

(e) The new NANPA shall perform the numbering administration functions currently performed by Bellcore, and the CO code administration functions currently performed by the eleven CO code administrators, at the price agreed to at the time of its selection. The new NANPA may request from NANC, with subsequent approval by the Commission, an adjustment in this price if the actual number of CO Code assignments made per year, the number of NPAs requiring relief per year or the number of NPA relief meetings per NPA exceeds 120% of the NANPA's stated assumptions for the tasks at the time of its selection.

(f) Mandatory reporting requirements--

(1) Number use categories. Numbering resources must be classified in one of the following categories:

(i) Administrative numbers are numbers used by telecommunications carriers to perform internal administrative or operational functions necessary to maintain reasonable quality of service standards.

(ii) Aging numbers are disconnected numbers that are not available for assignment to another end user or customer for a specified period of time. Numbers previously assigned to residential customers may be aged for no more than 90 days. Numbers previously assigned to business customers may be aged for no more than 360 days.

(iii) Assigned numbers are numbers working in the Public Switched Telephone Network under an agreement such as a contract or tariff at the request of specific end users or customers for their use, or numbers not yet working but having a customer service order pending. Numbers that are not yet working and have a service order pending for more than five days shall not be classified as assigned numbers.

(iv) Available numbers are numbers that are available for assignment to subscriber access lines, or their equivalents, within a switching entity or point of interconnection and are not classified as assigned, intermediate, administrative, aging, or reserved.

(v) Intermediate numbers are numbers that are made available for use by another telecommunications carrier or non-carrier entity for the purpose of providing telecommunications service to an end user or customer. Numbers ported for the purpose of transferring an established customer's service to another service provider shall not be classified as intermediate numbers.

(vi) Reserved numbers are numbers that are held by service providers at the request of specific end users or customers for their future use. Numbers held for specific end users or customers for more than 180 days shall not be classified as reserved numbers.

(2) Reporting carrier. The term "reporting carrier" refers to a telecommunications carrier that receives numbering resources from the NANPA, a Pooling Administrator or another telecommunications carrier.

(3) Data collection procedures.

(i) Reporting carriers shall report utilization and forecast data to the NANPA.

(ii) Reporting shall be by separate legal entity and must include company name, company headquarters address, Operating Company Number (OCN), parent company OCN, and the primary type of business in which the reporting carrier is engaged. The term "parent company" refers to the highest related legal entity located within the state for which the reporting carrier is reporting data.

(iii) All data shall be filed electronically in a format approved by the Common Carrier Bureau.

(4) Forecast data reporting.

(i) Reporting carriers shall submit to the NANPA a five-year forecast of their yearly numbering resource requirements.

(ii) In areas where thousands-block number pooling has been implemented:

(A) Reporting carriers that are required to participate in thousands-block number pooling shall report forecast data at the thousands-block (NXX-X) level per rate center;

(B) Reporting carriers that are not required to participate in thousands-block number pooling shall report forecast data at the central office code (NXX) level per rate center.

(iii) In areas where thousands-block number pooling has not been implemented, reporting carriers shall report forecast data at the central office code (NXX) level per NPA.

(iv) Reporting carriers shall identify and report separately initial numbering resources and growth numbering resources.

(5) Utilization data reporting.

(i) Reporting carriers shall submit to the NANPA a utilization report of their current inventory of numbering resources. The report shall classify numbering resources in the following number use categories: assigned, intermediate, reserved, aging, and administrative.

(ii) Rural telephone companies, as defined in the Communications Act of 1934, as amended, 47 U.S.C. 153(37), that provide telecommunications service in areas where local number portability has not been implemented shall report utilization data at the central office code (NXX) level per rate center in those areas.

(iii) All other reporting carriers shall report utilization data at the thousands-block (NXX-X) level per rate center.

(6) Reporting frequency.

(i) Reporting carriers shall file forecast and utilization reports semi-annually on or before February 1 for the preceding reporting period ending on December 31, and on or before August 1 for the preceding reporting period ending on June 30. Mandatory reporting shall commence August 1,

2000.

(ii) State commissions may reduce the reporting frequency for NPAs in their states to annual. Reporting carriers operating in such NPAs shall file forecast and utilization reports annually on or before August 1 for the preceding reporting period ending on June 30, commencing August 1, 2000.

(iii) A state commission seeking to reduce the reporting frequency pursuant to paragraph (f)(6)(ii) of this section shall notify the Common Carrier Bureau and the NANPA in writing prior to reducing the reporting frequency.

(7) Access to data and confidentiality--States shall have access to data reported to the NANPA provided that they have appropriate protections in place to prevent public disclosure of disaggregated, carrier-specific data.

(g) Applications for numbering resources--

(1) General requirements. All applications for numbering resources must include the company name, company headquarters address, OCN, parent company's OCN(s), and the primary type of business in which the numbering resources will be used.

(2) Initial numbering resources. Applications for initial numbering resources shall include evidence that:

(i) The applicant is authorized to provide service in the area for which the numbering resources are being requested; and

(ii) The applicant is or will be capable of providing service within sixty (60) days of the numbering resources activation date.

(3) Growth numbering resources.

(i) Applications for growth numbering resources shall include:

(A) A Months-to-Exhaust Worksheet that provides utilization by rate center for the preceding six months and projected monthly utilization for the next twelve (12) months; and

(B) The applicant's current numbering resource utilization level for the rate center in which it is seeking growth numbering resources.

(ii) The numbering resource utilization level shall be calculated by dividing all assigned numbers by the total numbering resources in the applicant's inventory and multiplying the result by 100. Numbering resources activated in the Local Exchange Routing Guide (LERG) within the preceding 90 days of reporting utilization levels may be excluded from the utilization calculation.

(iii) All service providers shall maintain no more than a six-month inventory of telephone numbers in each rate center or service area in which it provides telecommunications service.

(iv) The NANPA 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 NANPA shall not issue numbering resources to a carrier without an OCN. The NANPA must notify the carrier in writing of its decision to withhold numbering resources within ten (10) days of receiving a request for numbering resources. The carrier may challenge the NANPA's decision to the appropriate state regulatory commission. The state commission may 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.

(4) Non-compliance. The NANPA 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 NANPA shall not issue numbering resources to a carrier without an Operating Company Number (OCN). The NANPA must notify the carrier in writing of its decision to withhold numbering resources within ten (10) days of receiving a request for numbering resources. The carrier may challenge the NANPA's decision to the appropriate state regulatory commission. The state commission may affirm, or may overturn, the NANPA's decision to withhold numbering resources from the carrier based on its determination that the carrier has complied with the reporting and numbering resource application requirements herein. The state commission also may overturn the NANPA's decision to withhold numbering resources from the carrier based on its determination that the carrier has demonstrated a verifiable need for numbering resources and has exhausted all other available remedies.

(5) State access to applications. State regulatory commissions shall have access to service provider's applications for numbering resources. The state commissions should request copies of such applications from the service providers operating within their states, and service providers must comply with state commission requests for copies of numbering resource applications. Carriers that fail to comply with a state commission request for numbering resource application materials shall be denied numbering resources.

(h) National utilization threshold. All applicants for growth numbering resources shall achieve a 60% utilization threshold, calculated in accordance with paragraph (g)(3)(ii) of this section, for the rate center in which they are requesting growth numbering resources. This 60% utilization threshold shall increase by 5% on June 30, 2002, and annually thereafter until the utilization threshold reaches 75%.

(i) Reclamation of numbering resources.

(1) Reclamation refers to the process by which service providers are required to return numbering resources to the NANPA or the Pooling Administrator.

(2) State commissions may investigate and determine whether service providers have activated their numbering resources and may request proof from all service providers that numbering resources have been activated and assignment of telephone numbers has commenced.

(3) Service providers may be required to reduce contamination levels to facilitate reclamation and/or pooling.

(4) State commissions shall provide service providers an opportunity to explain the circumstances causing the delay in activating and commencing assignment of their numbering resources prior to initiating reclamation.

(5) The NANPA and the Pooling Administrator shall abide by the state commission's determination to reclaim numbering resources if the state commission is satisfied that the service provider has not activated and commenced assignment to end users of their numbering resources within six months of receipt.

(6) The NANPA and Pooling Administrator shall initiate reclamation within sixty days of expiration of the service provider's applicable activation deadline.

(7) If a state commission declines to exercise the authority delegated to it in this paragraph, the entity or entities designated by the Commission to serve as the NANPA shall exercise this authority with respect to NXX codes and the Pooling Administrator shall exercise this authority with respect to thousands-blocks. The NANPA and the Pooling Administrator shall consult with the Common Carrier Bureau prior to exercising the authority delegated to it in this provision.

(j) Sequential number assignment.

(1) All service providers shall assign all available telephone numbers within an opened thousands-block before assigning telephone numbers from an uncontaminated thousands-block, unless the available numbers in the opened thousands-block are not sufficient to meet a specific customer request. This requirement shall apply to a service provider's existing numbering resources as well as any new numbering resources it obtains in the future.

(2) A service provider that opens an uncontaminated thousands-block prior to assigning all available telephone numbers within an opened thousands-block should be prepared to demonstrate to the state commission:

(i) A genuine request from a customer detailing the specific need for telephone numbers; and

(ii) The service provider's inability to meet the specific customer request for telephone numbers from the available numbers within the service provider's opened thousands-blocks.

(3) Upon a finding by a state commission that a service provider inappropriately assigned telephone numbers from an uncontaminated thousands-block, the NANPA or the Pooling Administrator shall suspend assignment or allocation of any additional numbering resources to that service provider in the applicable NPA until the service provider demonstrates that it does not have sufficient numbering resources to meet a specific customer request.

(k) Numbering audits.

(1) All telecommunications service providers shall be subject to "for cause" and random audits to verify carrier compliance with Commission regulations and applicable industry guidelines relating to numbering

administration.

(2) The Enforcement Bureau will oversee the conduct and scope of all numbering audits conducted under the Commission's jurisdiction, and determine the audit procedures necessary to perform the audit. Numbering audits performed by independent auditors pursuant to this section shall be conducted in accordance with generally accepted auditing standards and the American Institute of Certified Public Accountants' standards for compliance attestation engagements, as supplemented by the guidance and direction of the Chief of the Enforcement Bureau.

(3) Requests for "for cause" audits shall be forwarded to the Chief of the Enforcement Bureau, with a copy to the Chief of the Common Carrier Bureau. Requests must state the reason for which a "for cause" audit is being requested and include documentation of the alleged anomaly, inconsistency,

or violation of the Commission rules or orders or applicable industry guidelines. The Chief of the Enforcement Bureau will provide carriers up to 30 days to provide a written response to a request for a "for cause" audit.

[62 FR 55182, Oct. 23, 1997; 65 FR 37707, June 16, 2000; 65 FR 43251, July 13, 2000; 66 FR 9531, Feb. 8, 2001; 66 FR 11237, Feb. 23, 2001; 67 FR 6434, Feb. 12, 2002]

<General Materials (GM) - References, Annotations,
or Tables >

47 C. F. R. § 52.15

47 CFR § 52.15

END OF DOCUMENT

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of GTE)
Midwest Incorporated d/b/a Verizon)
Midwest For Review of North American)
Number Plan Administrator's Decision To)
Withhold Numbering Resources.)

Case No. TO-2002-481

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff) by and through Counsel, and for its Recommendation, states as follows:

1. On April 8, 2002, GTE Midwest Incorporated d/b/a Verizon Midwest (Verizon) filed a proposed request for additional numbering resources with the Commission.
2. Verizon had previously submitted a request for the additional numbering resources to the North American Numbering Plan Administrator (NANPA) via a Central Office Assignment (COA). The NANPA denied the request because Verizon did not demonstrate that existing codes within the rate center would exhaust within six months as required by Central Office Code Assignment Guidelines, Section 4.2.1.
3. Staff has reviewed the request for additional numbering resources and has summarized its conclusions in a Memorandum, which has been attached hereto, labeled Appendix A, and incorporated by reference. Specifically, Staff has also reviewed the "months to exhaust" forecast data that Verizon submitted to NANPA. Staff has concluded that the request is reasonable because Verizon has currently exhausted about 89% of its numbering resources and the threshold federal standard for requesting such additional resources is 60%. (See Appendix

A.) Thus, the exhaustion percentage is well above the minimum standard for seeking additional resources. In addition, the 6,212 assignable codes currently available to Verizon are not sequential as requested by their customer, Kanakuk Kamps.

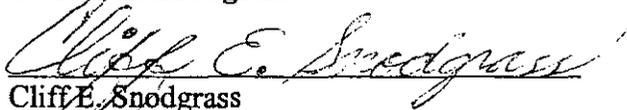
4. 47 CFR §52.15 (g)(3)(iv) provides, in part, that a state regulatory commission may affirm or overturn NANPA's decision regarding numbering if the carrier has shown a verifiable need for numbering resources and has exhausted all other available resources.

5. Based on the foregoing, Staff recommends that the Commission enter an Order approving the request for additional numbering resources, subject to the requirement that the Commission Order Verizon to assign the additional telephone numbers *sequentially* pursuant to the requirements of the Code of Federal Regulations cited in the attached Memorandum.

Respectfully submitted,

DANA K. JOYCE
General Counsel

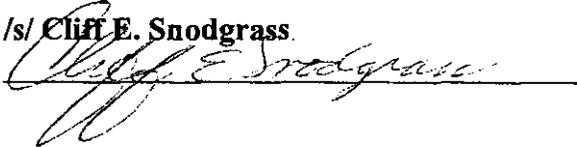
/s/ Cliff E. Snodgrass


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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record this 26th day of April, 2002.

/s/ **Cliff E. Snodgrass**
A handwritten signature in cursive script, appearing to read "Cliff E. Snodgrass", is written over a solid horizontal line.

MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case No. TO-2002-481
GTE Midwest Incorporated d/b/a Verizon Midwest

From: /s/ Sara Buyak ^{SB}
Telecommunications Department

B. Hest 04/25/02
B. Hest / Chantelle Dietrich
Utility Operations Division/Date

W. K. Haas 04/25/02
W. K. Haas
General Counsel's Office/Date

0854-26-02

Subject: Staff Recommendation to Approve Request for Additional Numbering Resources

Date: April 25, 2002

On April 8, 2002, GTE Midwest Incorporated d/b/a Verizon Midwest (Verizon), filed a proposed request for additional numbering resources to the Missouri Public Service Commission (Commission). Verizon states, a customer, Kanakuk Kamps (Kanakuk) requested 2,000 telephone numbers in blocks of 500 sequential telephone numbers to support its implementation of a new phone system in an effort to improve and eliminate deficiencies in its current system. Included in this filing is a copy of Kanakuk's letter, the Central Office Code (NXX) Assignment Request - Part 1 (Part 1), Central Office Code Assignment Months to Exhaust Certification Worksheet (CO Assignment), North American Numbering Plan Administration's (NANPA) response/confirmation letter, and the Code of Federal Regulations Title 47-Telecommunication Chapter 1-Federal Communications Commission (47-CFR).

Background

On March 14, 2002, Verizon submitted a Part I to NANPA. The CO Assignment includes the previous 6-month growth history, forecast for the next 12 months, average monthly forecast, months to exhaust, utilization level, and telephone numbers available for assignment. On March 27, 2002, NANPA denied the CO Assignment because according to the Central Office Code Assignment Guidelines, Section 4.2.1, code holders requesting growth codes must demonstrate that existing codes within the rate center will exhaust within 6.0 months.'

The Telecommunications Department Staff (Staff) reviewed the months to exhaust forecast data that Verizon submitted to NANPA in the CO assignment form. The forecast, which includes projected monthly usage for telephone numbers over the next twelve months, does not include the request from Kanakuk for 2,000 codes. Verizon's utilization level of 89% is above the Federal Communications Corporation (FCC) guidelines of 60% which is required before a request for additional numbering resources is permissible as set forth in Regulation 47-CFR 52.15 (h).2

¹ Administrator's Response/Confirmation, remarks, DR1 1, March 27, 2002.

² Code of Federal Regulations Title 47-Telecommunication Chapter 1 - Federal Communications Commission, Subchapter B - Common Carrier Services, Part 52 Numbering.

Recommendation

Regulation 47-CFR 52.15 (g)(3)(iv) states, NANPA 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 NANPA's decision to the appropriate state regulatory commission and the state commission may affirm, or may overturn, NANPA's decision to withhold numbering resources from the carrier based on its determination that carrier has demonstrated a verifiable need for numbering resources and has exhausted all other available resources.

Staff has reviewed Verizon's filing and agrees that Verizon has demonstrated a verifiable need for numbering resources to satisfy Kanakuk's request given that Kanakuk's new telephone system requires four blocks of 500 consecutive numbers. Staff recommends approval of the proposed request for additional numbering resources. **However, Staff requests the Commission order Verizon to assign telephone numbers to Kanakuk in two blocks of 1,000 sequential telephone numbers.** Regulation 47-CFR 52.15 (j)(1) states, All service providers shall assign all available telephone numbers within an opened thousands-block before assigning telephone numbers from an uncontaminated thousands-block, unless the available numbers in the opened thousands-block are not sufficient to meet a specific customer request. This requirement shall apply to a service provider's existing numbering resources as well as any new numbering resources it obtains in the future.

Summary

NANPA denied Verizon's request for 2,000 telephone numbers because the months to exhaust forecast data exceeded 6 months. However, Verizon has demonstrated a verifiable need for additional numbers to meet a specific customer request because the 6,212 assignable telephone numbers are not sequential. Staff recommends approval of the proposed request for additional numbering resources. Staff is unaware of any other filing that may affect or be affected by this filing.

Service List for
Case No. TO-2002-481
Verified: April 26, 2002 (SW)

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