

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

In the Matter of the Application of )  
Southwestern Bell Telephone Company )  
d/b/a AT&T Missouri For Review and )  
Reversal Of North American Number )  
Plan Thousands-Block Pooling )  
Administrator's Decision to Withhold )  
Numbering Resources )

Case No. TO-2009-0014

**STAFF RECOMMENDATION**

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and  
for its recommendation respectfully states:

1. On July 2, 2008, Southwestern Bell Telephone Company d/b/a AT&T Missouri (AT&T) filed an Application for Review and Reversal of North American Number Plan Thousands-Block Pooling Administrator's Decision to Withhold Numbering Resources.

2. The Pooling Administrator, NeuStar, Inc., had denied AT&T's request for four blocks of 1,000 Metropolitan Calling Area (MCA) numbers in the Fenton rate center on the grounds that AT&T had not met the utilization criteria.

3. The Commission may overturn the Pooling Administrator's decision to withhold numbering resources from AT&T if the Commission determines that AT&T has demonstrated a verifiable need for numbering resources and has exhausted all other available remedies. 47 C.F.R. §52.15(g)(4).

4. In the attached Memorandum, labeled Appendix A, the Staff agrees that AT&T has demonstrated a verifiable need for numbering resources and has exhausted all other verifiable remedies with regard to half of the numbering resources requested by the

company. For the reasons set forth in Appendix A, Staff disagrees that AT&T has a need to contaminate 4 blocks of 1,000 MCA numbers in the Fenton rate center to meet the needs of this customer. Staff's recommendation is that AT&T can meet the needs of its customer with two blocks of 1,000 telephone numbers rather than four blocks.

5. Without an order from the Commission partially approving AT&T's request and allowing the company to receive two 1,000-number blocks in the Fenton rate center, AT&T will be unable to meet the needs of its customer. The Staff recommends that the Commission issue an order partially overturning the Pooling Administrator's decision and grant AT&T two 1,000-blocks of numbers in the Fenton rate center. Staff further recommends that the Commission issue an order denying in part AT&T's request.

WHEREFORE, the Staff recommends that the Commission, at its earliest convenience, issue an order that:

- (1) grants in part and denies in part AT&T's request for four blocks of 1,000 MCA telephone numbers in the 636 area code within the range of 2000, 3000, 4000, or 5000.
- (2) grants AT&T two blocks of 1,000 MCA telephone numbers in the Fenton rate center and denies AT&T the additional two blocks of 1,000 MCA telephone numbers in the Fenton rate center that it has requested.

Respectfully submitted,

/s/ Jennifer Heintz

Jennifer Heintz

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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 18th day of August 2008.

/s/ Jennifer Heintz

# MEMORANDUM

To: Missouri Public Service Commission Official Case File  
Case No. TO-2009-0014  
Southwestern Bell Telephone Company d/b/a AT&T Missouri

From: Sara Buyak  
Telecommunications Department

William Voight 8-18-08  
Utility Operations Division/Date

Jennifer Heinz 8-18-08  
General Counsel's Office/Date

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

Date: August 18, 2008

## Summary

On July 2, 2008, Southwestern Bell Telephone Company d/b/a AT&T Missouri (AT&T) filed a request to review and reverse a decision of the North American Numbering Plan Administrator (Pooling Administrator) for 4 blocks of one-thousand telephone numbers in the Metropolitan Calling Area (MCA) in the Fenton rate center. Federal Communication Commission guidelines allow a carrier to appeal such denials with the appropriate regulatory commission. The Missouri Commission Staff (Staff) recommends the Commission should overturn NeuStar's decision for only 2 blocks of one-thousand telephone numbers rather than 4 blocks of one-thousand telephone numbers. Included in this filing is the Thousands-Block Application Form – Part 1A (Part 1), a letter from SSM Health Care – St. Louis and SSM St. Clare Health Center (St. Clare), Pooling Administrator's Response/Confirmation – Part 3 Form (Part 3), Months to Exhaust Utilization Certification Worksheet, and AT&T's number Utilization Form (Exhibit E).

## Background

AT&T is requesting 4 blocks of one-thousand consecutive MCA Direct Inward Dial (DID) telephone numbers in the Fenton rate center for St. Clare. Specifically, St. Clare requests 4 blocks of one-thousand telephone numbers within 2,000, 3,000, 4,000, and 5,000 to match the patient room numbers on each floor of the hospital. St. Clare will utilize 500 telephone numbers from each thousand block for a total of 2 blocks of one-thousand telephone numbers.

One June 18, 2008, AT&T submitted a request to NeuStar for 4 blocks of one-thousand telephone numbers because the inventory did not have unused blocks of telephone numbers within the Fenton rate center meeting this criteria.

On June 18, 2008, the Pooling Administrator denied AT&T's request because AT&T failed to meet either criteria. AT&T's utilization rate is 63.769 percent and months to exhaust is 21 months. The utilization level is below the 75% utilization rate and the months to exhaust

must be 6 months or less which of is required of FCC guidelines before a request for additional numbering resources is permissible as set forth in Regulation 47-CFR 52.15 (h).<sup>1</sup> These figures suggest AT&T has sufficient telephone numbers available to serve the customer from its existing base of available telephone numbers within the Fenton rate center.

St. Clare is requesting 4 blocks of one-thousand telephone numbers; however in contrast to AT&T's application St. Clare plans on using a total of only 2,000 telephone numbers. Specifically, St. Clare plans to use 250 telephone numbers for patient rooms and 1,750 telephone numbers for administrative use. The Staff is concerned issuing the blocks of telephone numbers as requested will result in 2,000 unused telephone numbers with only 50 percent utilization. In addition, the blocks can not be donated back to the Pooling Administrator because the blocks are over 10% contaminated.

### **Staff Analysis**

#### **A Comparison of this Case to Previous Commission Decisions to Override NeuStar Decisions Denying Requests for Additional Numbering Resources**

In Staff's opinion, no other company has filed a request with the Commission to use such a small portion of the requested blocks of telephone numbers. A brief review of recent numbering cases decided by the Commission is as follows:

Case No. TO-2007-0417 – This case involved a request by Holeim Inc. for 500 sequential telephone numbers within the range of 8000 to 8499 in the Festus-Crystal City rate center. This request resulted in opening 1 block of one-thousand telephone numbers – the minimum number required to satisfy the need for 500 additional telephone numbers. Unlike the instant request by St. Clare, the request by Holeim Inc. did not result in contamination of thousand blocks beyond that required to satisfy the quantity of telephone numbers requested by the customer.

Case No. TO-2007-0468 – This case involved a request by an auto dealership (Boemler Chevrolet) for 100 sequential MCA telephone numbers in the Imperial rate center. The request resulted in opening 1 additional thousand block of numbers – the minimum number required to satisfy the need for 100 additional numbers. Unlike the instant request by St. Clare, this request did not result in contamination of thousands blocks beyond that required to satisfy the quantity of telephone numbers requested by the customer.

Case No. TO-2008-0153 – This case also involved a request by an auto dealership (Butler Chevrolet) for 100 sequential MCA telephone numbers in the Fenton rate center. The request resulted in opening 1 block of one-thousand telephone numbers – the minimum number required to satisfy the need for 100 additional telephone numbers. Unlike the instant request by St. Clare, this request did not result in contamination of thousands blocks beyond that required to satisfy the quantity of telephone numbers requested by the customer.

Case No. TO-2008-0166 – This case involved a request by Hannibal-LaGrange College for 300 sequential telephone numbers within the range of 3000-3999 in the Hannibal rate center.

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

The request resulted in opening 1 block of one-thousand telephone numbers – the minimum number required to satisfy the need for 300 additional telephone numbers. Unlike the instant request by St. Clare, this request did not result in contamination of thousands blocks beyond that required to satisfy the quantity of telephone numbers requested by the customer.

Case No. TO-2008-0196 – This case involved a unique request by a large insurance brokerage firm in Kansas City (Lockton Companies, LLC) for 500 facsimile and 500 direct telephone numbers (the original request was for 1,000 each). However, the Lockton request was for a unique application in which the last four digits of the facsimile numbers were to be the same as the last four digits of the employee's direct telephone number. Because of this unique arrangement, granting the request did involve contamination of one additional thousands block beyond that which would have been required to satisfy the quantity of telephone numbers requested by the customer. In this regard, the Lockton request is somewhat similar to the instant request by St. Clare. However, there are three differences: 1) The Lockton case represents an application whereby facsimile telephone numbers were matched to direct telephone numbers for business purposes, while the St. Clare application proposes to match telephone numbers with patient room numbers; and 2) The Lockton application resulted in unnecessary contamination of one thousands block, while the proposed St. Clare application would result in unnecessary contamination of at least two additional thousands blocks and; 3) The number of patient rooms in the St. Clare application is reported to be 240, which, if AT&T's full request is granted, would leave 1,760 telephone numbers reserved for administrative use (AT&T's application states that St. Clare will utilize 2,000 of the 4,000 numbers). In the Staff's view, the St. Clare/ATT's application does not adequately explain how these 1,760 numbers will be utilized.

Case No. TO-2004-0170 – This case involved a request by St. John's Mercy Medical Center (St. John's) for a code (10,000 telephone numbers) of DID telephone numbers in the Ladue rate center. Although St. John's did assign telephone numbers equating to patient room numbers, St. John's further utilized the remaining telephone numbers for a new cancer center and other business and administrative needs. The telephone applications at St. John's resulted in an initial 87 percent utilization of the additional numbering resources granted by the Commission and is anticipated that this number will reach 100 percent with the new facilities. This contrasts with what is to be at most a 50 percent utilization level by St. Clare. In the Staff's view, there is little or no similarity between what the Commission granted in the St. John's case with what is being requested in the St. Clare case.

### **Recommendation**

Staff recommends the Commission issue an order overturning the decision of the Pooling Administrator by granting AT&T 2 blocks of one-thousand MCA telephone numbers in the 636 area code in the Fenton rate center. The 2 blocks of one-thousand telephone numbers should be within the ranges of 2,000, 3,000, 4,000, or 5,000. The Commission should deny AT&T's request for 2 blocks of one-thousand MCA telephone numbers because there is not a verifiable need for all 4,000 telephone numbers. Specifically, Staff recommends the Commission's order include a statement substantially as follows:

1. AT&T's request for 4 blocks of one-thousand MCA telephone numbers in the 636 area code within the range of 2,000, 3,000, 4,000, or 5,000 is granted in part and denied in part.
2. The Commission grants AT&T 2 blocks of one-thousand MCA telephone numbers and deny 2 blocks of one-thousand MCA telephone numbers in the Fenton rate center.

Staff is unaware of any other filing that may affect or be affected by this filing.

☒ The Company is not delinquent in filing an annual report and paying the PSC assessment.

☐ The Company is delinquent. Staff recommends the Commission grant the requested relief/action on the condition the applicant corrects the delinquency. The applicant should be instructed to make the appropriate filing in this case after it has corrected the delinquency.

(☐ No annual report ☐ Unpaid PSC assessment. Amount owed: )

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

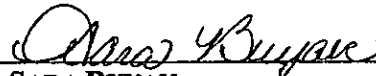
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**AFFIDAVIT OF Sara Buyak**

STATE OF MISSOURI       )  
  ) ss:  
COUNTY OF COLE        )


Sara Buyak, employee of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that she has participated in preparing the accompanying staff recommendation, and that the facts therein are true and correct to the best of her knowledge and belief.

  
SARA BUYAK

Subscribed and affirmed before me this 18<sup>th</sup> day of August 2008.



SUSAN L. SUNDERMEYER  
My Commission Expires  
September 21, 2010  
Callaway County  
Commission #06942086

  
NOTARY PUBLIC