

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JOSEPH L. FRANKLIN	)	
	)	
COMPLAINANT	)	
	)	
v.	)	CASE NO. 99-301
	)	
BELLSOUTH TELECOMMUNICATIONS	)	
INC. and GTE SOUTH INCORPORATED	)	
	)	
DEFENDANTS	)	

O R D E R

Joseph L. Franklin has filed a formal complaint against BellSouth Telecommunications, Inc. ("BellSouth") and GTE South Incorporated ("GTE") alleging problems associated with BellSouth's assignment to him of the phone number 502-231-5100. According to Franklin, the difficulties have arisen when persons attempting to reach him reach 606-231-5100, which has been assigned by GTE to a major hotel in Lexington. Franklin asserts that the problem is due to trunking arrangement errors and to the failure of directory assistance operators to provide area codes along with the seven digit numbers. He alleges that as many as 1000 calls per year have been received by him since BellSouth assigned him the number in 1993. Franklin does indicate in his complaint that BellSouth has offered on numerous occasions to change his phone number. However, this is not the relief he seeks.

In its response, BellSouth asserts that Franklin has failed to state a cause of action. Moreover, BellSouth asserts that ten digit dialing information has been given

to all callers of directory assistance since March 1999 and that any Louisville customer who called 411 and asked for a Lexington telephone number has been provided a ten digit number since 1997.

BellSouth contends that since two months after the telephone number was assigned to him in 1993, it has offered Franklin the only remedy available through its tariffs - a different telephone number. Franklin has refused the offer. As BellSouth asserts, according to its tariff, telephone numbers are the property of BellSouth and are assigned to the service furnished to the subscriber. The subscriber has no property right to the telephone number. See General Subscriber Services Tariff A2. 3. 12.

GTE argues that Franklin is not its customer and that GTE's directory assistance always provides ten digit numbers.

The Commission, having considered the complaint and the answers thereto and having been otherwise sufficiently advised, finds that the complaint should be dismissed. It is not possible for each customer in Kentucky to have a unique seven-digit number. The seven-digit numbers are unique only to specific area codes. There is no indication that BellSouth or GTE have acted improperly in the assignment of numbers. Moreover, as indicated in Franklin's complaint and in BellSouth's answer, BellSouth has offered to change Franklin's number on numerous occasions. Directory assistance service, whether offered by GTE or BellSouth, supplies ten digit numbers that are unique to each customer.

The complainant also has indicated that a local college was given his telephone number rather than that of the major hotel in Lexington on a Web site regarding

conference information. This undoubtedly led to many of the erroneous calls to his residence. However, these calls were not caused by either of the telephone companies. Furthermore, there is no indication of trunking arrangement difficulties between the two carriers that would cause the difficulties asserted by Franklin.

Accordingly, IT IS THEREFORE ORDERED that the complaint is dismissed. The difficulties alleged by Franklin may be corrected by the assignment of a new telephone number if he chooses.

Done at Frankfort, Kentucky, this 24<sup>th</sup> day of January 2000.

By the Commission

ATTEST:

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Executive Director