



AT&T Kentucky
601 W. Chestnut Street
Room 407
Louisville, KY 40203

T: 502.582.8219
F: 502.582.1573
mary.keyer@att.com

2007-401

September 6, 2007

Elizabeth O'Donnell
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, Kentucky 40602-0615

RECEIVED
SEP 07 2007
PUBLIC SERVICE
COMMISSION

Re: BellSouth Telecommunications, Inc.'s, d/b/a AT&T Kentucky,
Petition Requesting the Commission's Intervention in NANPA
NXX Code Assignments (Rose Terrace Rate Center, Area
Code 502 – U.S. Army at Fort Knox)

Dear Ms. O'Donnell:

Enclosed are the original and ten (10) copies of BellSouth Telecommunications, Inc., d/b/a AT&T Kentucky's, Petition for Review of NXX Code Denial in the Rose Terrace Rate Center. Thank you for your consideration of this request.

Sincerely,


Mary K. Keyer

Enclosures

689776

BEFORE THE
KENTUCKY PUBLIC SERVICE COMMISSION

Re: BellSouth Telecommunications, Inc.,)
d/b/a AT&T Kentucky's, Petition Requesting)
the Commission's Intervention in NANPA)
NXX Code Assignments (NPA 502)) Case No. _____

BELLSOUTH TELECOMMUNICATIONS. INC.,
d/b/a AT&T KENTUCKY'S, PETITION FOR REVIEW
OF NXX CODE DENIAL IN THE ROSE TERRACE RATE CENTER

BellSouth Telecommunications, Inc., d/b/a AT&T Kentucky ("AT&T Kentucky"), through its undersigned counsel, pursuant to the rules adopted by the Federal Communications Commission ("FCC") for challenging determinations of the North American Numbering Plan Administrator ("NANPA"), petitions the Kentucky Public Service Commission ("Commission") for review of NANPA's denial of AT&T Kentucky's application for use of central office numbering resources in the 502 area code. In support of its petition, AT&T Kentucky states:

1. AT&T Kentucky is a telecommunications utility regulated by the Commission. It provides, among other services, intraLATA local exchange telecommunications services in the Commonwealth of Kentucky.
2. NANPA is an independent non-governmental entity that is responsible for administering and managing the North American Numbering Plan ("NANP"). See 47 C.F.R. Sec. 52.13 (a), (b).
3. On March 31, 2000, the FCC issued a Report and Order and Further Notice of Proposed Rule Making relating to numbering resource

optimization (“FCC 00-104”). The goal of FCC 00-104 was to implement uniform standards governing requests for telephone numbering resources in order to increase efficiency in the use of telephone numbers and to avoid further exhaustion of numbers under the NANP.

4. Among other things, FCC 00-104 adopted a revised standard for assessing a carrier’s need for numbering resources by requiring carriers to report rate-center-based utilization data to NANPA, rather than switch-specific utilization data. The FCC further required that, to qualify for access to new numbering resources, applicants must establish that existing inventory within the applicant’s rate center will exhaust within six (6) months of the application. The FCC reaffirmed this requirement in two subsequent orders. FCC 00-429 at para. 29 (rel. Dec. 29, 2000); FCC 01-362 at para. 48-49 (rel. Dec. 28, 2001).
5. The shift to a rate center basis for determining the need for new numbering resources was intended to “more accurately reflect how numbering resources are assigned” and to allow carriers “to obtain numbering resources in response to specific customer demands.” FCC 00-104, para. 105.
6. In addition to the months-to-exhaust (“MTE”) requirement described above, the FCC’s rules also require carriers to meet a rate center utilization threshold of seventy-five percent (75%) in order to receive additional numbering resources in a given rate center. FCC 00-429 at para. 22; FCC 01-362, para. 50-52. Based on the FCC’s orders, carriers

must meet both the MTE requirement and the utilization threshold requirement on a rate center basis in order to obtain additional numbering resources. Id.

7. On August 27, 2007, AT&T Kentucky submitted a Central Office Code (NXX) Assignment Request and CO Code Assignment/Months-to-Exhaust Certification Request Worksheet to NANPA for the assignment of two special NXX codes needed to meet the numbering demands for U.S. Army in Fort Knox, KY. Specifically, the customer is requesting NXX codes 502/612 and 502/613 be assigned. The affected AT&T Kentucky customer will be served by the Rose Terrace switch in the Rose Terrace rate center. The application is attached hereto as Attachment 1.
8. AT&T Kentucky has one switch in the Rose Terrace rate center. The codes requested were submitted for AT&T Kentucky's Rose Terrace switch.
9. AT&T Kentucky completed the application in accordance with the Industry Numbering Committee's Guidelines and filled out the necessary Months-To-Exhaust Certification Worksheets as required.
10. The code assignment request was for two growth codes in the 502 NPA to meet the U.S. Army's request for two Dedicated Codes (502/612 and 502/613) of 10,000 sequential numbers each due to planned personnel expansion at Fort Knox. AT&T Kentucky, however, did not have the sufficient number of resources available within its inventory in the Rose Terrace rate center and was unable to meet the customer's specific

request for numbering resources. At the time of the filing of the code request, the Rose Terrace rate center had a MTE of 5.688 and a utilization of 58.2%. AT&T Kentucky submitted this code request because the Rose Terrace switch that serves the customer does not have blocks of sequential numbers large enough to meet the customer's needs. On August 27, 2007, NANPA's Central Office Code Administration denied AT&T Kentucky's code request on the grounds that AT&T Kentucky had not met the rate-center-based months-to-exhaust criterion now set forth in the Central Office (NXX) Guidelines. NANPA denied AT&T Kentucky's code requests despite the fact that AT&T Kentucky does not have adequate numbering resources needed to satisfy its customer's demands in the above referenced switch. NANPA's response is on the last screen of Attachment 1.

11. AT&T Kentucky's inability to provide this important customer – U.S. Army at Fort Knox - with the requested numbers within the same NXXs prevents AT&T Kentucky from providing the quality of service this customer desires, needs, and expects. If AT&T Kentucky is not assigned the code needed to meet the customer's request, AT&T Kentucky will be unable to provide the telecommunications services requested by the customer.¹ NANPA's refusal to grant numbering resources sufficient to meet the U.S. Army at Fort Knox's needs is inconsistent with the FCC's position that

¹ AT&T Kentucky employs a number administration technique called "sequential numbering" in order to preserve the largest blocks of consecutive numbers for as long as possible. The lack of consecutive numbers in the switches referred to above is the consequence of a high level of utilization, not any failure on AT&T Kentucky's part to conserve blocks of consecutive numbers.

“[u]nder no circumstances should consumers be precluded from receiving telecommunications services of their choice from providers of their choice for want of numbering resources.” FCC 00-429 at para.61.

12. Both the FCC’s rules and the Central Office Code (NXX) Guidelines provide that state regulatory authorities have the power and authority to review NANPA’s decision to deny a request for numbering resources. See FCC 01-362, Appendix A, Final Rules, para. 52.15(g)(4)(“The carrier may challenge the NANPA’s decision to the appropriate state regulatory commission.”) FCC 01-362 at para. 61-66; Central Office Code (NXX) Guidelines para. 13.0 (“Appeals may include but are not limited to one or more of the following options: . . . C. The CO Code Administrator(s) and code holders/applicants may pursue the disagreement with the appropriate governmental/regulatory body”).
13. Prior to the FCC’s orders and the resulting change in the Central Office Code (NXX) Assignment Guidelines, the MTE procedures used by NANPA permitted a carrier to receive a code assignment, even if the MTE requirement at the switch level was not met. These waivers or exceptions were granted where customer hardships could be demonstrated or where the service provider’s inventory did not have a block of sequential numbers large enough to meet the customer’s specific request. Under today’s procedures, NANPA looks at the MTE for the entire rate center without any exceptions. The FCC has determined, however, that States may 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.” FCC 01-362, para. 64. In addition, the FCC has ruled that, “States . . . may grant requests for customers seeking contiguous blocks of numbers.” Id.

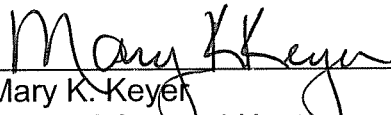
14. AT&T Kentucky requests that the Commission reverse NANPA’s decision to withhold numbering resources from AT&T Kentucky. AT&T Kentucky’s request for numbering resources would not materially impact exhaustion of the remaining five NXXs available in the 502 area code.
15. This Commission, as well as the Commissions in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee, has previously addressed similar situations and ordered NANPA to provide AT&T Kentucky with the numbering resources, even though AT&T Kentucky was unable to satisfy the required months-to-exhaust criterion. See Order, KPSC 2006-00529, January 9, 2007; Order, KPSC Case No. 2005-00516, January 20, 2006; KPSC Case No. 2005-00342, October 7, 2005; Order, KPSC Case No. 2005-00157, April 28, 2005; Order, KPSC Case No. 2005-00021, February 2, 2005; and Order, KPSC Case No. 2004-00521, February 2, 2005.

WHEREFORE, AT&T Kentucky requests that the Commission:

1. Reverse the decision of NANPA to deny AT&T Kentucky’s requests for additional numbering resources,
2. Direct NANPA to provide the requested Central Office Code for the switch identified herein, and

3. Grant the requested relief as soon as practicable.

Respectfully submitted this 6th day of September, 2007.



Mary K. Keyer
General Counsel-Kentucky
601 W. Chestnut Street, Room 407
Louisville, KY 40203
(502) 582-8219

COUNSEL FOR BELLSOUTH
TELECOMMUNICATIONS, INC.,
d/b/a AT&T KENTUCKY

689756

Central Office Code Assignment Guidelines (COCAG)
Central Office Code (NXX) Assignment Request – Part 1 (ATIS-0300050.p1)
December 9, 2005

Tracking Number: _____

Type of Application: New Change¹ Delete

1.0 GENERAL INFORMATION

1.1 Contact Information:

Code Applicant:

Company/Entity Name: BellSouth
Headquarters Address: 600 NW 79th Avenue, Room 336
City, State, Zip: Miami, FL 33126
Contact Name: Marta Antelo
Contact Address: 600 NW 79th Avenue, Room 336
City, State, Zip: Miami, FL 33126
Phone: 305-260-8213 Fax: 305-264-2918 E-Mail: Marta.Antelo@BellSouth.com

Code Administrator²:

Name: David Morgan
Address: 4600 Center Oak Plaza
City, State, Zip: Sterling, VA 20166
Phone: 571-434-5381 Fax: 571-434-5502

1.2 NPA: 502 NXX³: *** LATA: 462 OCN⁴: 9419 Parent Company's OCN(s): 9400
Switching Identification (Switching Entity/POI)⁵: RSTRKYESDS0
Locality/City/Wire Center: ROSETRRACE Rate Center⁶: ROSE TERRACE
Homing Tandem Operating Co.⁷: BST Tandem Homing CLLI^{7,8}: LSVLKYAP2GT

1.3 Dates: Date of Application: 08/27/07 Requested Effective Date^{9,10}: 11/05/07

1.4 a). Type of company/entity requesting the code: LEC (LEC, IC, CMRS, Other)
b). Type of Service POTS (e.g., Cellular – Type 2)
c). Code Assignment Preference (Optional) *** Requesting NXX to be 612
d). Codes that are undesirable, if any 666, 800, 900
e). Type of Change (Mark **all** that apply):
 OCN: Intra-company¹¹ Switching Id Rate Center Tandem Homing CLLI
 OCN: Inter-company¹² Effective Date LATA Extend Reservation

1.5 Type of Request (Initial, Growth, etc.) GROWTH

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 Indicator¹³: Yes No

1.6 NPA Jeopardy Criteria Apply: Yes No

Central Office Code Assignment Guidelines (COCAG)
Central Office Code (NXX) Assignment Request – Part 1 (ATIS-0300050.p1)
December 9, 2005

1.7 Code request for new service (Explain): NON-POOLED CODE FOR DEDICATED CUSTOMER "US ARMY AT FORT KNOX"

1.8 Part 2 attached Part 2 is not attached for BIRRDS^{14 15}
 Additional Documentation is attached Additional Documentation is not attached

Comments: _____

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/inc/docs.asp>) as of the date of this application.¹⁶

<u>Marta Antelo</u>	<u>Code Administrator</u>	<u>08/27/07</u>
Signature of Code Applicant	Title	Date

Central Office Code Assignment Guidelines (COCAG)
Central Office Code (NXX) Assignment Request – Part 1 (ATIS-0300050.p1)
December 9, 2005

-
- ¹ Identify type and reason for change(s) in Section 1.4(e).
- ² A list of the current Code Administrator(s) who can provide assistance in completing this form is available upon request from NANPA.
- ³ The NXX field is required for any code request in which there is a change or the NXX is being returned.
- ⁴ 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 may contact NECA (973-884-8355) to be assigned a Company Code(s). Since multiple OCNs and/or Company Codes may be associated with a given company, companies with prior assignment should direct questions regarding appropriate OCN usage to the Telcordia™ Routing Administration (TRA) on 732-699-6700.
- ⁵ This is an eleven-character descriptor of the switch provided by the owning entity for the purpose of routing calls. This is the eleven-character Telcordia™ COMMON LANGUAGE CLLI™ Location Identification of the applicant's switch or POI. (Telcordia and CLLI are trademarks and COMMON LANGUAGE is a registered trademarks of Telcordia Technologies, Inc.)
- ⁶ Rate Center name must be a tariffed Rate Center associated with toll billing.
- ⁷ Applies to any code applicant connecting to the Public Switched Telephone Network via a tandem owned by a different carrier.
- ⁸ This is an eleven-character descriptor provided by the owning entity for the purpose of routing calls. This must be the CLLI™ Location Identification Code of the switching entity/POI, and is the same on Part 2, Form 1, Page 2 of 2.
- ⁹ Code applicants should request an effective date that is at least 66 calendar days from the submission of this form. It should be noted that interconnection arrangements and facilities need to be in place prior to activation of a code. Such arrangements are outside the scope of these guidelines.
- ¹⁰ Requests for code assignment should not be made more than six months prior to the requested effective date.
- ¹¹ Select if you are the current Code Holder
- ¹² Select if you are not the current Code Holder
- ¹³ The Applicant will indicate "Yes" if the NXX being requested will be used for thousands-block number pooling and will leave this field blank if it is not.
- ¹⁴ Applicant is not required to submit Part 2 of the code request form if it is doing its own Telcordia™ Business Integrate Routing and Rating Database System (BIRRDs) entries, or if the applicant has arranged for a third party to input the Part 2 forms data on its behalf.
- ¹⁵ WARNING! It is the code applicant's responsibility to arrange input of Part 2 information into BIRRDs. The 45-calendar day nationwide minimum interval cut-over for BIRRDs will not begin until input into BIRRDs has been completed.
- ¹⁶ An incomplete form may result in delays in processing this request.

Central Office Code Assignment Guidelines (COCAG)
Central Office Code (NXX) Assignment Request -- Part 1 (ATIS-0300050.p1)
December 9, 2005

Tracking Number: _____

Type of Application: New Change¹ Delete

1.0 GENERAL INFORMATION

1.1 Contact Information:

Code Applicant:

Company/Entity Name: BellSouth
Headquarters Address: 600 NW 79th Avenue, Room 336
City, State, Zip: Miami, FL 33126
Contact Name: Marta Antelo
Contact Address: 600 NW 79th Avenue, Room 336
City, State, Zip: Miami, FL 33126
Phone: 305-260-8213 Fax: 305-264-2918 E-Mail: Marta.Antelo@BellSouth.com

Code Administrator:²

Name: David Morgan
Address: 4600 Center Oak Plaza
City, State, Zip: Sterling, VA 20166
Phone: 571-434-5381 Fax: 571-434-5502

1.2 NPA: 502 NXX³: *** LATA: 462 OCN⁴: 9419 Parent Company's OCN(s): 9400
Switching Identification (Switching Entity/POI)⁵: RSTRKYESDS0
Locality/City/Wire Center: ROSETRRACE Rate Center⁶: ROSE TERRACE
Homing Tandem Operating Co.⁷: BST Tandem Homing CLLI^{TM 8}: LSVLKYAP2GT

1.3 Dates: Date of Application: 08/27/07 Requested Effective Date^{9 10}: 11/05/07

1.4 a). Type of company/entity requesting the code: LEC (LEC, IC, CMRS, Other)
b). Type of Service POTS (e.g., Cellular – Type 2)
c). Code Assignment Preference (Optional) *** Requesting NXX to be 613
d). Codes that are undesirable, if any 666, 800, 900
e). Type of Change (Mark all that apply):
 OCN: Intra-company¹¹ Switching Id Rate Center Tandem Homing CLLI
 OCN: Inter-company¹² Effective Date LATA Extend Reservation

1.5 Type of Request (Initial, Growth, etc.) GROWTH

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 Indicator¹³: Yes No

1.6 NPA Jeopardy Criteria Apply: Yes No

Central Office Code Assignment Guidelines (COCAG)
Central Office Code (NXX) Assignment Request – Part 1 (ATIS-0300050.p1)
December 9, 2005

1.7 Code request for new service (Explain): NON-POOLED CODE FOR DEDICATED CUSTOMER 'US ARMY AT FORT KNOX'

1.8 Part 2 attached Part 2 is not attached for BIRRDS^{14 15}
 Additional Documentation is attached Additional Documentation is not attached

Comments: _____

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/inc/docs.asp>) as of the date of this application.¹⁶

<u>Marta Antelo</u>	<u>Code Administrator</u>	<u>08/27/07</u>
Signature of Code Applicant	Title	Date

Central Office Code Assignment Guidelines (COCAG)
Central Office Code (NXX) Assignment Request -- Part 1 (ATIS-0300050.p1)
December 9, 2005

¹ Identify type and reason for change(s) in Section 1.4(e).

² A list of the current Code Administrator(s) who can provide assistance in completing this form is available upon request from NANPA.

³ The NXX field is required for any code request in which there is a change or the NXX is being returned.

⁴ 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 may contact NECA (973-884-8355) to be assigned a Company Code(s). Since multiple OCNs and/or Company Codes may be associated with a given company, companies with prior assignment should direct questions regarding appropriate OCN usage to the Telcordia™ Routing Administration (TRA) on 732-699-6700.

⁵ This is an eleven-character descriptor of the switch provided by the owning entity for the purpose of routing calls. This is the eleven-character Telcordia™ COMMON LANGUAGE CLLI™ Location Identification of the applicant's switch or POI. (Telcordia and CLLI are trademarks and COMMON LANGUAGE is a registered trademarks of Telcordia Technologies, Inc.)

⁶ Rate Center name must be a tariffed Rate Center associated with toll billing.

⁷ Applies to any code applicant connecting to the Public Switched Telephone Network via a tandem owned by a different carrier.

TM Telcordia and CLLI are trademarks and COMMON LANGUAGE is a registered trademarks of Telcordia Technologies, Inc.

⁸ This is an eleven-character descriptor provided by the owning entity for the purpose of routing calls. This must be the CLLI™ Location Identification Code of the switching entity/POI, and is the same on Part 2, Form 1, Page 2 of 2.

⁹ Code applicants should request an effective date that is at least 66 calendar days from the submission of this form. It should be noted that interconnection arrangements and facilities need to be in place prior to activation of a code. Such arrangements are outside the scope of these guidelines.

¹⁰ Requests for code assignment should not be made more than six months prior to the requested effective date.

¹¹ Select if you are the current Code Holder

¹² Select if you are not the current Code Holder

¹³ The Applicant will indicate "Yes" if the NXX being requested will be used for thousands-block number pooling and will leave this field blank if it is not.

¹⁴ Applicant is not required to submit Part 2 of the code request form if it is doing its own Telcordia™ Business Integrate Routing and Rating Database System (BIRRDs) entries, or if the applicant has arranged for a third party to input the Part 2 forms data on its behalf.

¹⁵ **WARNING!** It is the code applicant's responsibility to arrange input of Part 2 information into BIRRDs. The 45-calendar day nationwide minimum interval cut-over for BIRRDs will not begin until input into BIRRDs has been completed.

¹⁶ An incomplete form may result in delays in processing this request.

Pooling Administration System

loretta.archer@bridge.bellsouth.com (SP)

Sign Out

Request Resources

State

NPA

Rate Center

OCN

Type of Application

Continue

NOTE:

If you are selecting a Rate Center that is moving to a new NPA due to a split, PAS will automatically migrate the request to the new NPA once the mandatory dialing date occurs.

Pooling Administration System

loretta.archer@bridge.bellsouth.com (SP)

Sign Out

Request Full NXX (Dedicated Customer)

Do you already have a block/code in this rate center?

Yes No

Will all blocks be activated on the same switch? Yes

No

Will there be multiple block effective dates requested?

Yes No

Continue

Pooling Administration System

loretta.archer@bridge.bellsouth.com (SP)

Sign Out

Months to Exhaust and Utilization Certification Worksheet - TN Level

Date Monday, August 27, 2007

OCN 9419

Company Name BELLSOUTH SO CNTL

Rate Center ROSE TERRACE

List all Codes NPA(s)-NXXs and Blocks NPA(s)-NXX-X(s)

502-624 0	
502-624 1	
502-624 2	
502-624 3	
502-624 4	
502-624 5	
502-624 6	
502-624 7	
502-624 8	
502-624 9	

Name of Block Applicant Ms Loretta J Archer

Title Facility Specialist

Telephone Number (205) 968-8703

Fax Number (205) 977-3013

E-Mail loretta.archer@bellsouth.com

A. Available Numbers 19160

B. Assigned Numbers 28762

C. Total Numbering Resources 49428

D. Quantity of numbers activated in the past 90 days and excluded from the Utilization calculation 0

List excluded Code(s) or Block(s)

--	--

E. Growth History - Previous 6 months²

Month 1	33	Month 2	17
Month 3	14	Month 4	60
Month 5	41	Month 6	43

F. Forecast - Next 12 months³

Month 1	20035	Month 2	35
Month 3	35	Month 4	35
Month 5	35	Month 6	35
Month 7	35	Month 8	35
Month 9	35	Month 10	35
Month 11	35	Month 12	35

G. Average Monthly Forecast (Sum of months # 1-6 (Part F above) divided by 6)

3368.333

H. Months to Exhaust ⁴ (Numbers Available for Assignment to customers (A) / Average Monthly Forecast (G))

Block Requested	A. Available Numbers	H. Months to Exhaust
1	19160	5.688
I. Utilization ⁵ (Assigned Numbers (B)) / (Total Numbering Resources (C) - Excluded Numbers (D)) * 100		58.190

Explanation



¹A 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.

²Net 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.

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

⁴To 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)).

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

[Continue](#)

Pooling Administration System

loretta.archer@bridge.bellsouth.com (SP)

[Sign Out](#)

Months to Exhaust and Utilization Certification Worksheet - TN Level (Continued)

Your utilization calculates to 58.190 percent. The FCC requires a utilization of 75.000 percent.

Select One Option and Submit

- Return to the Months To Exhaust Form
- Discard all the information provided for the request and start with a fresh Part 1A
- State Waiver Option

[Submit](#)