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June 27, 2011

VIA OVERNIGHT MAIL

Mr. Jeff Derouen
Executive Director
Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, KY 40602-0615

RECEIVED

JUN 28 2011

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 (Bowling Green Rate Center, Area Code 270)

Dear Mr. Derouen:

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 Bowling Green Rate Center. Thank you for your consideration of this request.

Sincerely,

Mary K. Keyer

Enclosures

925238

RECEIVED

COMMONWEALTH OF KENTUCKY

JUN 28 2011

BEFORE THE PUBLIC SERVICE COMMISSION

PUBLIC SERVICE COMMISSION

In the Matter of:

BellSouth Telecommunications, Inc.,)	
d/b/a AT&T Kentucky's, Petition Requesting)	Case No. _____
the Commission's Intervention in NANPA)	
NXX Code Assignments (NPA 270))	

BELLSOUTH TELECOMMUNICATIONS, INC.,
d/b/a AT&T KENTUCKY'S, PETITION FOR REVIEW
OF NXX CODE DENIAL IN THE BOWLING GREEN 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 270 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 June 20, 2011, 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 three blocks of a thousand numbers (270-NXX-2XXX, 270-NXX-4XXX, 270-NXX-6XXX) needed to meet the numbering demand for three blocks of one thousand consecutive numbers each for Fruit of the Loom in Bowling Green, Kentucky. The application is attached hereto as Attachment 1.
8. 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.
9. The code assignment request was for an NXX in the 270 NPA to meet Fruit of the Loom's request for sequential numbers. AT&T Kentucky, however, did not have the sufficient number of resources available within its inventory in the Bowling Green 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 Bowling Green rate center had a MTE of 52, 53, and 55 and a utilization of 62.32%. AT&T Kentucky submitted this code request because the Bowling Green switch that serves the customer

does not have a block of sequential numbers large enough to meet the customer's needs. On June 20, 2011, 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 and utilization criteria 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 two pages of Attachment 1.

10. AT&T Kentucky's inability to provide this important customer – Fruit of the Loom - with the requested numbers 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 Fruit of the Loom's need is inconsistent with the FCC's position that "[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.

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.

11. 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").
12. 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.

13. AT&T Kentucky requests that the Commission reverse NANPA's decision to withhold numbering resources from AT&T Kentucky.
14. 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 requirements.

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 three, one thousand blocks of numbers for the switch identified herein, and
3. Grant the requested relief as soon as practicable.

Respectfully submitted this 27th day of June, 2011.



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

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

Pooling Administration System

MARTA.ANTELO@ATT.COM (SP)

Sign Out

Time : 06/20/2011 05:13:35 PM EDT

Printable Version

TBPAG Attachment 1 - March 19, 2007

- Individual Block Requests
- CO/NXX Code Requests
- Withdraw Pending Requests
- Confirm Resources In Service
- Donate Blocks
- Submit Forecast
- Search Forms
- Reports
- User Profile

Thousands-Block Application Form - Part 1A

Tracking Number: **270-BOWLNGGREN-KY-453165**
Full NXX: Pool Replenishment

Type of Application: New Change Disconnect

GENERAL APPLICATION INFORMATION

1.1 Contact Information:

Block Applicant:

Company Name: **BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL**
 Headquarters Address: **2600 CAMINO RAMON**
 City, State, Zip: **SAN RAMON, CA, 94583**
 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@ATT.COM**

Pooling Administrator: ⁱⁱ

Contact Name: **Genevieve Bettiga**
 Contact Address: **1800 Sutter St**
 City,State,Zip: **Concord ,CA,94520**
 Phone: **925-363-7652** FAX: **925-363-7683**
 E-mail: **genevieve.bettiga@neustar.biz**

1.2 General Information:

Check one : No LRN needed **X** LRN needed ⁱⁱⁱ

NPA: **270** LATA: **464** OCN: ^{iv} **9419** Parent Company's OCN **9400**

Number of Thousands-Blocks Requested : **3**

Switching Identification(Switch Entity/POI) : ^v

BWLGKYMADS0

City or Wire Center Name : _____

Rate Center: ^{vi}

BOWLNGGREN

Rate Center Sub Zone: _____

1.3 Dates:

Date of Application: ^{vii} 06/20/2011

Requested Block Effective Date: ^{viii} 08/25/2011

By selecting this checkbox, I acknowledge that I am requesting the earliest possible effective date the Administrator can grant. Please note that this only applies to a reduction in the Administrator's processing time, however the request will still be processed in the order received.

Request Expedited Treatment? (See Section 8.6) Yes _____ No X

1.4 Type of Service Provider Requesting the Thousands-Block :

a) Type of Service Provider : Incumbent Local Exchange Carrier (ILEC)
(LEC, IXC, CMRS, Other)

b) Primary type of service Blocks to be used for : Wireline

c) Thousands-Block(s) (NXX-X) assignment Preference (Optional) _____
CUSTOMER IS REQUESTING 3 BLOCKS IN NPA 270 AND THE BLOCKS NEED TO BE 270-NXX-2XXX, 270-NXX-4XXX AND 270-NXX-6XXX. THERE ARE NONE IN THE POOL LIST THAT MEET THIS CRITERIA, THEREFORE, WE ARE REQUESTING A FULL NXX FOR REPLENISHMENT. 270-xxx-2, 270-xxx-4, 270-xxx-6

d) Thousands-Block(s) (NXX-X) that are undesirable for this assignment , if any _____
ALL OTHERS.

e) If requesting a code for LRN purposes, indicate which block(s) you will be keeping (the remainder of the blocks will be given to the pool) N/A

1.5 Type of Request:

Initial block for rate center : Yes _____ If Yes , attach evidence of authorization and proof of capability to provide service within 60 days.

Growth block for rate center : Yes X If Yes , attach months to exhaust worksheet

By selecting this checkbox, I acknowledge that I am willing to accept a block in red and explicitly understand that the underlying CO code may not yet be activated in the PSTN and loaded in the NPAC on the block effective date.

Type of change(Mark **all** that apply)

OCN:Intra-company ^{ix} Switching Id Part 1B

OCN:Inter-company ^x Effective Date

Change block : Yes _____ If Yes , list NPA-NXX-X _____

1.6 Block Return :

a) Is this block Contaminated Yes _____ No _____

b) If Yes how many TNs are NOT available for assignment : _____

- c) Have all new Intra SP ports been completed in the NPAC Yes _____ No _____
- d) Has this block been protected from further assignment Yes _____ No _____

Disconnect block : Yes _____ If Yes , list NPA-NXX-X _____

Remarks:

I hereby certify that the above information requesting an NXX-X block is true and accurate to the best of my knowledge and that this application has been prepared in accordance with the Thousands-Block (NXX-X) Pooling Administration Guidelines(ATIS-0300066) available on the ATIS web site (<http://www.atis.org/inc>) or by contacting inc@atis.org as of the date of this application.

MARTA ANTELO

ASSOC
TECH
SUPPORT **06/20/2011**
ANLYS
NTWK

Signature of Block Applicant

Title Date

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

Section 1.1 Contact information requires that Service Providers supply under "Block Applicant" the company name, company headquarters address, a contact within the company, an address where the contact person may be reached, in addition to the correct phone, fax, and e-mail address. The Pooling Administrator section also requires the Service Provider to fill in the Pooling Administrator s name, address, phone, fax and e-mail.

Section 1.2 Service Providers who need a thousands-block assignment or for an Location Routing Number (LRN) are required to fill in this section. If needed for an LRN, a CO Code Application needs to also be submitted to the PA. The Service Provider should supply the Numbering Plan Area (NPA); the Local Access Transport Area (LATA), which is a three-digit number that can be found in the Telcordia™ LERG™ Routing Guide. The Operating Company Number (OCN) assigned to the service provider and the OCN its parent company. An OCN is a four-character alphanumeric assigned by Telcordia™ Routing Administration (TRA). In addition, the number of thousands-blocks requested should be supplied. The Switch Identification as well as the city or wire center name, rate center, rate center sub zone, homing tandem and CLLI™ tandem of the facilities based provider ^{xi}. Explanations of these terms may be found in the footnotes.

Section 1.3 The date the Service Provider completes the application should be entered in this section, as well as the Effective Date of the requested thousands-block.

Section 1.4 Service Providers should indicate their type, e.g., local exchange carrier, competitive local exchange carrier, interexchange carrier, CMRS. The also indicate the primary type of business in which the numbering resource is to be used. Service Providers also may indicate their preference for a particular thousands-block, e.g., 321-9XXX, or indicate any thousands-blocks that may be undesirable, e.g., 321-6XXX.

Section 1.5 Service Providers indicate the type of request. Initial requests are for first applications for thousands-blocks in a rate center, growth for additional thousands-blocks in a rate center in which the applicant already has numbering resources, and provide the required evidence as ordered by the FCC.

Section 1.6 Service Providers must indicate the updated/current information in regards to contaminated TNs on the block they are returning to the pool. Blocks with over 10% contamination (101 TNs or more) shall not be returned to the pool unless they meet criteria outlined in section 9.1.2 of these Guidelines. If the block being returned is over 10% contaminated the PA shall seek a new block holder. If question c and/or d have a response of No, the request for return shall be denied. The thousands-block applicant

certifies veracity of this form by signing their name, and providing their title and date.

Foot Notes :

- ⁱ Identify the type of change(s) in Section 1.5.
- ⁱⁱ The Pool Administrator is available to assist in completing these forms.
- ⁱⁱⁱ A CO Code application will also need to be submitted to the PA.
- ^{iv} Operating Company Number (OCN) assignments must uniquely identify the applicant. Relative to CO Code assignments, NECA-assigned Company Codes may be used as OCNs. Companies with no prior CO Code or Company Code assignments should contact NECA (800 524-1020) to be assigned a Company Code(s). Since multiple OCNs and/or Company Codes may be associated with a given company, companies with prior assignments should direct questions regarding appropriate OCN usage to (TRA) (732-699-6700).
- ^v This is an eleven-character descriptor of the switch provided by the owning entity for the purpose of routing calls. This is the 11 character CLLI™ code of the switch /POI.
- ^{vi} Rate Center name must be a tariffed Rate Center.
- ^{vii} Acknowledgment and indication of disposition of this application will be provided to applicant within seven calendar days from the date of receipt of this application. An incomplete form may result in delays in processing this request.
- ^{viii} Please ensure that the NPA-NXX of the LRN to be associated with this block(s) is/will be active in the network prior to the effective date of the block(s).
- ^{ix} Select if you are the current Block Holder.
- ^x Select if you are not the current Block Holder
- ^{xi} Telcordia, LERG Routing Guide, and CLLI are trademarks of Telcordia Technologies, Inc.

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Time : 06/20/2011 05:14:59 PM EDT

- Individual Block Requests
- CO/NXX Code Requests
- Withdraw Pending Requests
- Confirm Resources In Service
- Donate Blocks
- Submit Forecast
- Search Forms
- Reports
- User Profile

Printable Version
May 16, 2008

Appendix 3
MONTHS TO EXHAUST and UTILIZATION CERTIFICATION WORK SHEET - TN Level¹
(Thousands-Block Number Pooling Growth Block Request)

Tracking Number: **270-BOWLNGGREN-KY-453165**

Date: **06/20/2011** OCN:**9419** Company Name: **BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL**

Rate Center: **BOWLNGGREN**

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

Name of Block Applicant: **MARTA ANTELO** Signature: **MARTA ANTELO**

Title: **ASSOC TECH SUPPORT ANLYS NTWK** Telephone No.: **305-260-8213**
FAX No.: **305-264-2918**

E-mail: **MARTA.ANTELO@ATT.COM**

A. Available Numbers: **37324**

B. Assigned Numbers: **65783**

C. Total Numbering Resources: **105561**

D. Quantity of numbers activated in the past 90 days (increments of 1,000 or 10,000) and excluded from the Utilization calculation ²: **0**

List Excluded Code(s) or Block(s):

	Month #1	Month #2	Month #3	Month #4	Month #5	Month #6	Month #7	Month #8	Month #9	Month #10	Month #11	Month #12
E. Growth History - Previous 6 months ³	136	222	209	166	59	531						
F. Forecast - Next 12 months ⁴	221	221	221	3221	221	221	221	221	221	221	221	221

G. Average Monthly Forecast (Sum of months 1-6 (Part F above) divided by 6): **721.0**

H. Months to Exhaust⁵ = $\frac{\text{Numbers Available for Assignment to Customers(A)}}{\text{Average Monthly Forecast(G)}}$

Block Requested	Available Numbers	Months To Exhaust
1	37324	51.767
2	38324	53.154
3	39324	54.541

I. Utilization⁶ = $\frac{\text{Assigned Numbers(B)} - \text{Excluded Numbers(D)}}{\text{Total Numbering Resources(C)} - \text{Excluded Numbers(D)}} \times 100 = \mathbf{62.318}$

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.

²Quantity of numbers activated in the past 90 days is based on blocks and/or codes received from the administrator and shall be reported in increments of 1,000 or 10,000 TNs (e. g.: 2 blocks received=2,000 and 1 code received =10,000).

³Net 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.

⁴Forecast of TNs needed in each following month, starting with the most recent month as Month #1.

⁵To 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, section 52.15 (g) (3) (iii)).

⁶Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (g) (3)(ii))

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







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-  Individual Block Requests
-  CO/NXX Code Requests
-  Withdraw Pending Requests
-  Confirm Resources In Service
-  Donate Blocks
-  Submit Forecast
-  Search Forms
-  Reports
-  User Profile

Months to Exhaust and Utilization Certification Worksheet - TN Level(Continued)¹

Your Utilization calculates to **62.318%**. The FCC required the utilization of **75.000%**.
You have requested more blocks than you will exhaust in six months.

Select One Option and Submit

- Return to the Months To Exhaust Form
- Need to request a State Waiver
- Received a State Waiver



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Pooling Administration System	
MARTA.ANTELO@ATT.COM (SP)	Sign Out
Time : 06/20/2011 05:16:16 PM EDT	
<ul style="list-style-type: none"> Individual Block Requests CO/NXX Code Requests Withdraw Pending Requests Confirm Resources In Service Donate Blocks Submit Forecast Search Forms Reports User Profile 	<div style="text-align: right; font-size: small;">Printable Version Attachment 3</div> <p>November 21, 2003 ATIS-0300066.at3</p> <p style="text-align: center;">Pooling Administrator's Response/Confirmation TBPAG Part 3</p> <p>Tracking Number : <u>270-BOWLNGGREN-KY-453165</u></p> <p>Date of Application: <u>06/20/2011</u> Effective Date: _____ Date of Receipt: <u>06/20/2011</u> Date of Response: <u>06/20/2011</u></p> <p>Service Provider Name: <u>BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL</u> (TelcordiaTM LERGTM Routing Guide) OCN: <u>9419</u></p> <p>NPAC SOA SPID : _____</p> <p>Pooling Administrator Contact Information:</p> <p>Genevieve Bettiga Phone: <u>925-363-7652</u> Signature of Pooling Administrator</p> <p>Genevieve Bettiga Fax: <u>925-363-7683</u> Name (print)</p> <p>Email: <u>genevieve.bettiga@neustar.biz</u></p> <p>____ NPA-NXX or NPA-NXX-X : _____ Block Assigned: _____ Block Reserved : _____ Block Reservation Expiration Date : _____ Block/Code Modified : _____ Block/Code Disconnected : _____</p> <p>Block Contaminated(Yes or No) : _____ If Yes,enter the number of TNs contaminated : _____ Switch Identification(Switch Entity/POI): 1 <u>BWLGKYMADSO</u></p> <p>Rate Center: <u>BOWLNGGREN</u> Rate Center Sub Zone: _____</p>

Form Complete, request denied.

Explanation:

DR-57: You do not meet the MTE and/or Utilization requirements, therefore this request for a new code is denied. You may proceed with requesting a State Waiver from the appropriate state commission using this Part 3 denial. If you are in disagreement with the disposition of this request, please refer to the Thousands'Block Number (NXX-X) Pooling Administration Guidelines for the appeals process.

Request withdrawn.

Explanation:

Assignment activity suspended by the administrator.

Explanation:

Remarks:

¹ 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 shown on the Part 1A form (Telcordia, LERG ROUTING Guide and CLLI are trademarks of Telcordia Technologies, Inc.)

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