

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF MCIMETRO)	
ACCESS TRANSMISSION SERVICES LLC)	
D/B/A VERIZON ACCESS TRANSMISSION)	CASE NO.
SERVICES FOR REVIEW AND REVERSAL OF)	2023-00082
POOLING ADMINISTRATOR'S DECISION TO)	
WITHHOLD NUMBERING RESOURCES)	

ORDER

On March 3, 2023, MCImetro Access Transmission Service LLC d/b/a Verizon Access Transmission Services (Verizon Access) filed a petition requesting that this Commission review and overturn a determination by the Pooling Administrator.¹ The petition was filed pursuant to 47 C.F.R. § 52.15(g)(5), wherein the Commission is granted the authority to “overturn the NANPA’s [and the Pooling Administrator’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.”

In its petition, Verizon Access explains that it has requested numbering resources associated with telecommunications services requested by a specific customer, Encompass Health, in the Lexington, Kentucky, rate center located within the 859 Numbering Plan Area (NPA). Encompass Health requires direct inward-dialing (DID)

¹ The North American Numbering Plan Administrator (NANPA) and the Pooling Administrator are independent non-governmental entities selected by the Federal Communication Commission (FCC) and are individually responsible for administering and managing the North American Numbering Plan and national thousands-block number pools, respectively.

lines to service the phone system of an existing hospital in Lexington, Kentucky.² This requires a contiguous range of 300 DID numbers for NPA 859.³ Verizon Access, to meet this need, has requested a thousands-block of consecutive numbers.⁴

On January 13, 2023, Verizon Access applied to the Pooling Administrator for the required numbering resources in the Lexington rate center.⁵ The application process with the Pooling Administrator requires the submission of information used for a Months-To-Exhaust (MTE) and Utilization Certification Worksheet about the affected rate centers.⁶ Based on the submitted information and resulting calculations, the Pooling Administrator concluded that Verizon Access did not meet the FCC's MTE requirements or the utilization threshold criteria.⁷ Therefore, the Pooling Administrator determined that Verizon Access's requests for additional numbering resources should be denied.

The Pooling Administrator is not a policy-making entity. In making assignment decisions, the Pooling Administrator follows regulatory directives and industry-developed guidelines. The Pooling Administrator's responsibilities are defined in FCC rules and in

² Application at 1.

³ Application at 2.

⁴ Application at 2.

⁵ Application at 3. Current FCC rules require the evaluation of number utilization for the entire rate center before assignment of new numbering resources.

⁶ In accordance with 47 C.F.R. § 52.15(g)(4), the MTE and utilization level are calculated by the Worksheet based on various inputs supplied by the applying carrier.

⁷ The NANPA/Pooling Administrator denied the applications due to the failure to meet both criteria in the rate center as described below:

<u>NPA</u>	<u>Rate Center</u>	<u>Purpose</u>	<u>Resource Requested</u>	<u>MTE</u>	<u>Utilization</u>
859	Lexington	NXX-X	300 Consecutive	12.846	91.95%

comprehensive technical requirements drafted by the telecommunications industry and approved by the FCC.⁸

Pursuant to 47 C.F.R. § 52.15(g)(5), this Commission may overturn the Pooling Administrator's determination if the requesting carrier has demonstrated a verifiable need for numbering resources and all other available remedies have been exhausted.⁹

The Commission finds that Verizon Access has demonstrated a verifiable need for the assignment of numbering resources by presenting a request from a specific telecommunications customer, Encompass Health, for one thousands-block of consecutive numbers to be utilized for the purpose of providing service within the Lexington, Kentucky, rate center. Verizon Access asserts that it does not have sufficient numbering resources available in the affected rate center, and due to the Pooling Administrator's denial of its application, Verizon Access cannot provide service without the requested resources. The Commission further finds that Verizon Access has exhausted all available remedies to the extent that no combination of existing numbering resources in the associated rate center can be employed to meet the need for one thousands-blocks consecutive numbers in the rate center.

Therefore, the Commission finds that the Pooling Administrator's determination to deny Verizon Access the additional numbering resources described herein should be overturned, and the Pooling Administrator should be directed to assign Verizon Access

⁸ See generally 47 C.F.R. §52.


⁹ See also, *In Re Numbering Resource Optimization Implementation of Local Competition Provisions of Telecommunications Act of 1996*, 17 F.C.C. Rcd. 252, 312 (2001) ("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.")

one new thousands-block for the Lexington rate center in Kentucky. The Commission notes that the numbering resources considered in this Order are to be assigned for the sole use of serving Verizon Access's customer, Encompass Health, in the Lexington rate center. If the numbering resources requested by Verizon Access are not needed to meet the service requirements of its customer, Encompass Health, the associated numbering resources approved in this Order should be returned to the Pooling Administrator and may not be utilized for other service arrangements without first meeting the industry numbering resource guidelines.

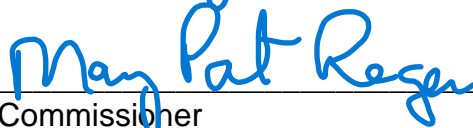
IT IS THEREFORE ORDERED that:

1. Verizon Access's petition regarding the Pooling Administrator's denial of its application for assignment of additional numbering resources is granted.
2. The decision of the Pooling Administrator denying Verizon Access's request for the assignment of one new thousands-block for the Lexington, Kentucky, rate center is hereby overturned.
3. The Pooling Administrator shall assign Verizon Access one thousands-block of 1,000 consecutive numbers for the Lexington, Kentucky, rate center.
4. The numbering resources considered in this Order are to be assigned for the sole use of Verizon Access's customer, Encompass Health. If the numbering resources requested by Verizon Access are no longer required to meet the service, the associated numbering resources approved in this Order shall be returned to the Pooling Administrator.
5. This case is closed and removed from the Commission's docket.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ENTERED
JUN 06 2023
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KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

*Carey R. Gagnon
General Counsel
MCImetro Access Transmission Services LLC
600 Hidden Ridge
Irving, TX 75038

*MCImetro Access Transmission Services LLC
600 Hidden Ridge
Irving, TX 75038

*Kathryn A Eckert
McBrayer PLLC
201 East Main Street
Suite 900
Lexington, KENTUCKY 40507

*Katherine Yunker
McBrayer PLLC
201 East Main Street
Suite 900
Lexington, KENTUCKY 40507