BellSouth Telecommunications, Inc.
601 W. Chestnut Street
Room 407
Louisville, KY 40203

Dorothy.Chambers@BellSouth.com

Dorothy J. Chambers
General Counsel/Kentucky

502 582 8219
Fax 502 582 1573

December 2, 2005

RECEIVED

DEC 0 5 2005

PUBLIC SERVICE
COMMISSION

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

> Re: BellSouth Telecommunications, Inc.'s Petition
> Requesting the Commission's Intervention in Neustar
> Thousand Block Assignments (Louisville Rate Center, Area
> Code 502 – Kentucky Air National Guard)

Dear Ms. O'Donnell: Case No. 2005-00516

Enclosed are the original and ten (10) copies of BellSouth Telecommunications, Inc.'s Petition for Review of NXX Code Thousand Block Denial in the Louisville Rate Center.

Very truly yours,

Cheryl R Winn

for Dorothy Chambers

Enclosures

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BellSouth Telecommunications, Inc.'s)
Petition Requesting the Commission's Intervention)   Case No. _2005-00516_
In NANPA NXX Code Assignments (NPA 502))

BELLSOUTH'S PETITION FOR REVIEW OF NXX CODE DENIAL IN THE LOUISVILLE RATE CENTER

BellSouth Telecommunications, Inc. ("BellSouth"), 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"),

Neustar petitions the Kentucky Public Service Commission ("Commission") for review of

Neustar's denial of BellSouth's application for use of central office numbering resources in the

502 area code.

In support of this petition BellSouth states:

1.   BellSouth is a telecommunications utility regulated by the Commission. It

       provides, among other services, intraLATA local exchange telecommunications

       services in the Commonwealth of Kentucky.

2.   Neustar 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 Neustar, 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. 22-26; FCC 01-362, para. 50. 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.

2

7.   On November 30, 2005, BellSouth submitted a Central Office Code (NXX) Assignment Request ("Part 1") Thousand Block Application Request and CO Code Assignment/Months-to-Exhaust Certification Request Worksheet to Neustar for the assignment of one thousand block of numbers to meet the numbering demands of the Kentucky Air National Guard. The application is attached hereto as Attachment 1.

8.   BellSouth 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 a block of 1,000 consecutive numbers in the 502 NPA requested by the Kentucky Air National Guard. BellSouth, however, did not have sufficient number resources available within its inventory to meet the Kentucky Air National Guard's numbering needs and was unable to meet the customer's specific request for numbering resources. At the time of the filing of the Code request, the Louisville Rate Center had an MTE of 38.8 and a utilization of 74.08 %. BellSouth submitted this code request because the Louisville Beechmont switch does not have the numbers needed to meet the customer's needs. On November 30, 2005 Neustar's Central Office Code Administration denied BellSouth's code request on the grounds that BellSouth had not met the rate center utilization criterion now set forth in the Central Office (NXX) Guidelines. Neustar denied BellSouth's code request despite the fact that BellSouth does not have adequate numbering resources needed to satisfy its

customer's demands in the above referenced switch. Neustar's response is on the last screen of Attachment 1.

10.   BellSouth's inability to provide this important customer – the Kentucky Air National Guard - with the requested numbers prevents BellSouth from providing the quality of service this customer desires, needs, and expects. If BellSouth is not assigned the thousand block of numbers needed to meet the customer's request, BellSouth will be unable to provide the telecommunications services requested by the customer.[1] Neustar's refusal to grant numbering resources sufficient to meet the Kentucky Air National Guard's needs 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 a want of numbering resources." FCC 00-429 at para.61.

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 Neustar'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 Neustar'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").

---

[1] BellSouth 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 switch referred to above is the consequence of a high level of utilization, not any failure on BellSouth's part to conserve blocks of consecutive numbers.

12.   Prior to the FCC's orders and the resulting change in the Central Office Code

        (NXX) Assignment Guidelines, the MTE procedures used by Neustar 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, Neustar looks at the MTE and utilization 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.   BellSouth requests that the Commission reverse Neustar's decision to withhold

        numbering resources from BellSouth. BellSouth's request for numbering

        resources would not materially impact exhaustion of the remaining 129 NXXs

        available in the 502 area code in the Louisville rate center.

14.   This Commission, as well as the Commissions in Alabama, Florida, Georgia,

        Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee have all

        previously addressed similar situations and ordered Neustar to provide BellSouth

        with the numbering resources, even though BellSouth was unable to satisfy the

        required months-to-exhaust and utilization criteria.

WHEREFORE, BellSouth requests that the Commission:

1. Reverse the decision of Neustar to deny BellSouth's requests for additional
    numbering resources,

2. Direct Neustar 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 2nd day of December, 2005.

DOROTHY J. CHAMBERS
601 W. Chestnut Street, Room 407
P. O. Box 32410
Louisville, KY 40232
(502) 582-8219

COUNSEL FOR BELLSOUTH
TELECOMMUNICATIONS, INC.

612612

File Edit View Favorites Tools Help

⇐ Back • ⇒ • ⊗ 🗗 🏠 | ⊗ Search 🖻 Favorites ⊗ 🖻 • 🖨 🖾 • 🖳

Address 🖉 https://www.nationalpooling.com/pas/frames-index.jsp   ▼ ⌀ Go

Pooling Administration System

NEU STAR

⌂ LoreneBarnes@bridge.bellsouth.com (SP)   Sign Out

- ⊟ 🖻 Request For Resources
  - 🗅 New
  - 🗅 Modify
  - 🗅 Disconnect
  - 🗅 Block Transfer
- ⊞ 🖻 Confirm Block(s) in Service (Part 4)
- ⊞ 🖻 Search Forms
- ⊟ 🖻 Submit Forecast
  - 🗅 Create/Modify Forecast
- ⊞ 🗐 User Profile
- ⊞ 🖻 Donate Blocks
- ⊞ 🖀 Reports

Request Resources

State [KENTUCKY   ▼]

NPA [502   ▼]

Rate Center [LOUISVILLE   ▼]

OCN [9419-BELLSOUTH SO CNTL ▼]

Type of Application [Application for Individual Blocks   ▼]

Quantity of Blocks Requested [1

[Continue]   [Cancel]

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

Question? E-mail us
© 1999-2005 NeuStar, Inc.
Legal Notices | Privacy Agreement

🖉   🖺 🍉 Internet

File Edit View Favorites Tools Help

⇐ Back • ⇒ • ⊗ 🗗 🏠 | ⊗ Search 🖻 Favorites ⊗ 🖻 • 🖨 🖾 • 🖳

Address 🖉 https://www.nationalpooling.com/pas/frames-index.jsp   ▼ ⌀ Go

Pooling Administration System

NEU STAR

⌂ LoreneBarnes@bridge.bellsouth.com (SP)   Sign Out

Part 1A

- ⊟ 🖻 Request For Resources
  - 🗅 New
  - 🗅 Modify
  - 🗅 Disconnect
  - 🗅 Block Transfer
- ⊞ 🖻 Confirm Block(s) in Service (Part 4)
- ⊞ 🖻 Search Forms
- ⊟ 🖻 Submit Forecast
  - 🗅 Create/Modify Forecast
- ⊞ 🗐 User Profile
- ⊞ 🖻 Donate Blocks
- ⊞ 🖀 Reports

Type of Application : New

1.1 Contact Information :

Note: If any of the contact info is incorrect, edit your user profile.

Block Applicant :

Company Name BELLSOUTH SO CNTL

Headquarters Address: 3535 COLONNADE PKWY RM W2-B

City: birmingham

State: AL

Zip: 35243

Contact Name Mrs LORENE M BARNES

Contact Address 3535 COLONNADE PKWY RM W2-B

City birmingham   State AL

Zip 35243

Telephone (205) 968-8682   Fax (205) 977-1546

E-mail lorene.barnes@bellsouth.com

Pooling Administrator :

Contact Name Ms Genevieve Paulino

Contact Address 1800 Sutter St. Ste. 780

City Concord   State CA

Zip 94520

Question? E-mail us
© 1999-2005 NeuStar, Inc.
Legal Notices | Privacy Agreement

🖉   🖺 🍉 Internet

File Edit View Favorites Tools Help

Back ▾ ⇨ ▾ ⊘ ⊡ ⌂ | ⊘Search ⊞Favorites ⊘ | ⊟▾ ⊜ ⊠ ▾ ▤

Address https://www.nationalpooling.com/pas/frames-index.jsp ▾ ⟶Go

NEU STAR

⊟ Request For Resources
   📄New
   📄Modify
   📄Disconnect
   📄Block Transfer
⊟ Confirm Block(s) in Service (Part 4)
⊟ Search Forms
⊟ Submit Forecast
   📄Create/Modify Forecast
⊟ User Profile
⊟ Donate Blocks
⊟ Reports

1.2 General Information

LRN Needed No

NPA 502   LATA * 462

OCN 9419-BELLSOUTH SO CNTL

Parent Company OCN * 9419

Number of Thousands-Blocks Requested 1

Switch Identification (Switching Identity/POI) * LSVLKYBEDS0   City or Wire Center Name

Rate Center LOUISVILLE   Rate Center Sub Zone

1.3 Dates

Date of Application Wednesday, November 30, 2005

Requested Block Effective Date 31 ▾ Dec ▾ 2005 ▾

Request Expedited Treatment ○ Yes ◉ No

1.4 Type of Service Provider Requesting the Thousands-Block

a) Type of Service Provider * Incumbent Local Exchange Carrier (ILEC) ▾

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

c) Thousands-Block(s) (NPA-NXX-X) assignment preference
Click here to see the available blocks in the pool.   502-471-4

---

c) Thousands-Block(s) (NPA-NXX-X) assignment preference
Click here to see the available blocks in the pool.   502-471-4

NOTE: The blocks available list shows blocks that are available at the time a request is submitted. These same blocks may not be available at the time the request is processed. Therefore, it is recommended that you provide additional block preferences in the event those blocks are not available   >>>   Delete

d) Thousands-Block(s) (NPA-NXX-X) that are undesirable for this assignment, if any   >>>   Delete

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

Growth block for rate center ◉ Yes

Change block N/A

File   Edit   View   Favorites   Tools   Help

Back   •   •   •   Search   Favorites   •   •   •

Address   https://www.nationalpooling.com/pas/frames-index.jsp   Go

NEU STAR

- Request For Resources
    - New
    - Modify
    - Disconnect
    - Block Transfer
- Confirm Block(s) In Service (Part 4)
- Search Forms
- Submit Forecast
    - Create/Modify Forecast
- User Profile
- Donate Blocks
- Reports

Question? E-mail us
© 1999-2005 NeuStar, Inc.
Legal Notices | Privacy Agreement

Pooling Administration System

LoreneBarnes@bridge.bellsouth.com (SP)   Sign Out

Months to Exhaust and Utilization Certification Worksheet - TN Level

Date Wednesday, November 30, 2005
OCN 9419
Company Name BELLSOUTH SO CNTL
Rate Center LOUISVILLE
List all Codes NPA(s)-NXXs and Blocks NPA(s)-NXX-X(s)

Name of Block Applicant Mrs LORENE M BARNES
Title BAC SPECIALIST
Telephone Number (205) 968-8682
Fax Number (205) 977-1546
E-Mail lorene.barnes@bellsouth.com

A. Available Numbers * 213438

B. Assigned Numbers * 805879

C. Total Numbering Resources * 1089184

Done   Internet

File   Edit   View   Favorites   Tools   Help

Back   •   •   •   Search   Favorites   •   •   •

Address   https://www.nationalpooling.com/pas/frames-index.jsp   Go

NEU STAR

- Request For Resources
    - New
    - Modify
    - Disconnect
    - Block Transfer
- Confirm Block(s) In Service (Part 4)
- Search Forms
- Submit Forecast
    - Create/Modify Forecast
- User Profile
- Donate Blocks
- Reports

Question? E-mail us
© 1999-2005 NeuStar, Inc.
Legal Notices | Privacy Agreement

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 months[2] *

Month 1	-3605	Month 2	7163
Month 3	2453	Month 4	10383
Month 5	2825	Month 6	3789

F. Forecast- Next 12 months[3] *

Month 1	3835	Month 2	13835
Month 3	3835	Month 4	3835
Month 5	3835	Month 6	3835
Month 7	3835	Month 8	3835
Month 9	3835	Month 10	3835
Month 11	3835	Month 12	3835

Done   Internet

NEU STAR

Request For Resources
New
Modify
Disconnect
Block Transfer
Confirm Block(s) in Service (Part 4)
Search Forms
Submit Forecast
Create/Modify Forecast
User Profile
Donate Blocks
Reports

month 11 |5635   month 12 |5635

G Average Monthly Forecast (Sum of months # 1-6 (Part F above) divided by 6)   5501.667

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	213438	38.795

I Utilization[5] (Assigned Numbers (B)) / (Total Numbering Resources (C) - Excluded Numbers (D)) *   73.989
100

Explanation

1. A 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.
2. Net 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
3. Forecast of TNs needed in each following month, starting with the most recent month as Month #1.
4. To 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))
5. Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (g)(3)(ii))

Question? E-mail us
© 1999-2005 NeuStar, Inc.
Legal Notices | Privacy Agreement

[Show Calculations]   [Continue]   [Cancel]

Done   Internet

NEU STAR

Request For Resources
New
Modify
Disconnect
Block Transfer
Confirm Block(s) in Service (Part 4)
Search Forms
Submit Forecast
Create/Modify Forecast
User Profile
Donate Blocks
Reports

Pooling Administration System

LoreneBarnes@bridge.bellsouth.com (SP)   Sign Out

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

Your utilization calculates to 73.989 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]   [Cancel]

Question? E-mail us
© 1999-2005 NeuStar, Inc.
Legal Notices | Privacy Agreement

Internet