

FRC 1001

MAY 18 2008

PUBLIC SERVICE COMMISSION

COMMONWEALTH OF KENTUCKY

BEFORE THE KENTUCKY PUBLIC SERVICE COMMISSION

In the Matter of:

Windstream Kentucky West LLC's Petition for)
 Commission Review of a Decision of the North)
 American Number Pooling Administration in the)
 502 Area Code)
 Complainant)
 Vs.)
 North American Number Pooling Administrator)
 Defendant)

Case No. 2008 - 172

PETITION TO GRANT REQUEST FOR NUMBERING RESOURCES

Windstream Kentucky West, LLC., ("Windstream") hereby requests the Kentucky Public Service Commission ("Commission") to overturn a recent decision by the North American Number Pooling Administrator ("NANPA") denying Windstream's request for numbering resources in the Zoneton exchange located in Bullitt County, Kentucky. On May 2, 2008 Windstream filed requests with NANPA for ten (10) 1000 blocks of numbers to meet a specific customer request it was unable to satisfy with its existing numbering resources. NANPA denied Windstream's request on the grounds that Windstream has not satisfied the months-to-exhaust ("MTE") criteria established in the Central Office Code Assignment Guidelines.

Under federal numbering rules, a state commission may overturn NANPA's decision based on the determination that the carrier has demonstrated a verifiable need for the numbering resources and has exhausted all other available remedies.¹ For the

¹ 47 CFR 52.15(g)(4)

reasons set forth herein, Windstream believes the Commission is justified in overturning NANPA's decision and should grant Windstream's request for ten (10) 1000 blocks of numbers.

In its Third Report and Order in the Number Resource Optimization proceeding, the Federal Communications Commission ("FCC") found that "a carrier should be able to get additional number resources when there is verifiable need due to the carrier's inability to satisfy a specific customer request."² It also clarified that states may grant requests by carriers in such circumstances, as long as the request is for a customer seeking contiguous blocks of numbers and not vanity numbers.³ Thus, the Commission has the authority to overturn NANPA's decision in this matter.

In the instant case, Windstream received a request from North Bullitt High School ("North Bullitt") in Bullitt County for ten (10) one thousand block numbers in the Zoneton rate center – this request is considered a "growth block". North Bullitt currently has numbers in the 502-955 NXX in the Zoneton rate center.

Windstream is attaching copies of both its request and denial from NANPA. Further, Windstream notes that it meets the criterion that the MTE be at 6 months or less – the MTE in the Zoneton rate center is 4.4.

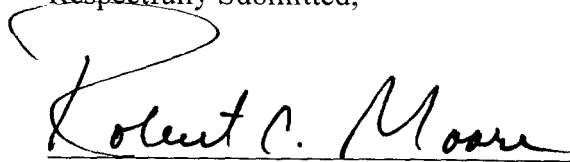
In summary, Windstream believes the request from North Bullitt High School for additional numbering resources demonstrates a verifiable need. Windstream is submitting this petition because of its inability to satisfy a specific customer's need. Therefore, Windstream requests that the Commission overturn the North American

² Number Resource Optimization, Third Report and Order and Second Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-2000, FCC 01-362, (rel. Dec 28, 2001) ("Third Report and Order") at ¶ 64

³ Id.

Number Pooling Administrator's decision and direct NANPA to grant Windstream's requests for numbering resources.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Robert C. Moore". The signature is written in black ink and is positioned below the phrase "Respectfully Submitted,". A thin horizontal line is drawn across the signature.

Robert C. Moore
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