

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF BELLSOUTH	)	
TELECOMMUNICATIONS, INC., D/B/A AT&T	)	
KENTUCKY, REQUESTING THE	)	CASE NO.
COMMISSION'S INTERVENTION IN NANPA	)	2008-00082
NXX CODE ASSIGNMENTS (NPA 502)	)	

O R D E R

On March 4, 2008, BellSouth Telecommunications, Inc., d/b/a AT&T Kentucky ("AT&T Kentucky") filed a petition requesting this Commission review and overturn a determination by the North American Numbering Plan Administration ("NANPA").<sup>1</sup> The petition was filed pursuant to 47 C.F.R. § 52.15(g)(4) wherein the Commission is granted the authority to "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."

AT&T Kentucky explains the assignment of an NXX code is needed to meet the numbering demands of Jewish Hospital in Louisville, Kentucky, a customer of AT&T Kentucky. Specifically, the code assignment request is for a growth code in the 502 NPA to meet Jewish Hospital's request for a dedicated code of 10,000 sequential numbers due to growth and increased administrative efficiencies.<sup>2</sup> AT&T Kentucky

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<sup>1</sup> The NANPA is an independent non-governmental entity selected by the Federal Communications Commission ("FCC") and is responsible for administering and managing the North American Numbering Plan ("NANP"). Neustar, Inc. is currently contracted by the FCC as the NANPA and Pooling Administrator.

<sup>2</sup> See AT&T Kentucky's Petition for Review.

does not have sufficient number resources available within its inventory in the available pool for the specified wire center in the Louisville Rate Center and is unable to meet Jewish Hospital's specific need for numbering resources. Hence, on February 27, 2008, AT&T Kentucky electronically submitted to the NANPA an application requesting assignment of a new central office code (NXX) in the Louisville rate center in order to address the business needs of Jewish Hospital.<sup>3</sup> The application process with the NANPA requires the submission of information used for a Months-To-Exhaust ("MTE") and Utilization Certification Worksheet ("Worksheet") pertaining to the affected rate center.<sup>4</sup> Based on the submitted information and resulting calculations, the NANPA concluded AT&T Kentucky did not meet the FCC's required guideline for MTE of 6 months or less<sup>5</sup> and determined AT&T Kentucky's request for additional numbering resources should be denied.

The NANPA is not a policy-making entity. In making assignment decisions, the NANPA follows regulatory directives and industry-developed guidelines. The NANPA's responsibilities are defined in FCC rules and in comprehensive technical requirements drafted by the telecommunications industry and approved by the FCC.<sup>6</sup>

Pursuant to 47 C.F.R. § 52.15(g)(4), this Commission may overturn the determination of the NANPA if the requesting carrier has demonstrated a verifiable need

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<sup>3</sup> Specifically, the code block request submitted by AT&T Kentucky was for its Armory Place switch, but current FCC rules require the evaluation of number utilization for the entire rate center before assignment of new numbering resources.

<sup>4</sup> In accordance with 47 C.F.R. § 52.15(g)(3), the MTE and utilization level are calculated by the Worksheet based on various inputs supplied by the applying carrier.

<sup>5</sup> According to the Worksheet, the MTE for the Louisville rate center was calculated to be 45.089 months with a utilization rate of 67.731 percent.

<sup>6</sup> See generally, 47 C.F.R. § 52.

for numbering resources and all other available remedies have been exhausted. The Commission finds AT&T Kentucky has demonstrated a verifiable need for additional numbering resources by presenting the request of a specific customer, Jewish Hospital, for dedicated code of 10,000 sequential numbers. AT&T Kentucky advises it will be unable to provide telecommunications services requested by the customer without additional numbering resources in the Louisville rate center. The Commission further finds AT&T Kentucky has exhausted all available remedies in the Louisville rate center to the extent that no combination of existing numbering resources in the Louisville rate center can be employed to meet the customer's demand for a dedicated code of 10,000 sequential numbers. According to AT&T Kentucky, its Armory Place switch serving the Louisville rate center does not have a large enough block of sequential numbers to meet the customer's need.

This Commission finds the NANPA determination to deny AT&T Kentucky the additional numbering resources described herein should be overturned, and the NANPA directed to assign to AT&T Kentucky a new central office code in the Louisville rate center. The Commission notes the numbering resources considered in this Order are to be assigned for the sole use of serving AT&T Kentucky's customer, Jewish Hospital, in the Louisville rate center. If the service requested by Jewish Hospital is withdrawn, declined, or terminated, the associated numbering resources approved in this Order should be returned to the NANPA and may not be utilized to serve other customers without first meeting the NANPA numbering resource guidelines.

IT IS THEREFORE ORDERED that:

1. AT&T Kentucky's petition regarding the NANPA's denial of its application for assignment of additional numbering resources in the 502 Numbering Plan Area is granted.

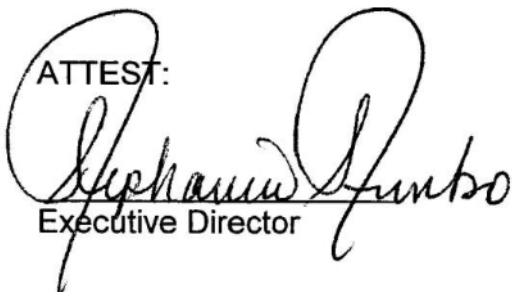
2. The decision of the NANPA denying AT&T Kentucky's request for assignment of an additional central office code block in the Louisville rate center is hereby overturned.

3. The NANPA shall assign AT&T Kentucky an available central office code (NXX) for the Armory Place switch in the Louisville rate center.

4. The numbering resources considered in this Order are to be assigned for the sole use of serving AT&T Kentucky's customer, Jewish Hospital, in the Louisville rate center. If the service requested by Jewish Hospital is withdrawn, declined, or terminated, the associated numbering resources approved in this Order shall be returned to the NANPA.

Done at Frankfort, Kentucky, this 1<sup>st</sup> day of April, 2008.

By the Commission

ATTEST:  
  
Executive Director

Case No. 2008-00082