

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BELLSOUTH TELECOMMUNICATIONS, INC'S)	
DBA AT&T KENTUCKY, PETITION REQUESTING)	CASE NO.
THE COMMISSION'S INTERVENTION IN NANPA)	2012-00536
NXX CODE ASSIGNMENTS (PRESTONSBURG)	
RATE CENTER, AREA CODE 606))	

O R D E R

On December 5, 2012, BellSouth Telecommunications, LLC 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").¹ The petition was filed pursuant to 47 C.F.R. Section 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 that the assignment of a single block of 1,000 numbers in the 606 numbering plan area ("NPA") is needed to meet the numbering demands of Highlands Health Systems in Prestonsburg, Kentucky, a customer of AT&T Kentucky. The code assignment request is for a growth block in the 606 NPA to meet Highland

¹ 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. Neustar, Inc. is currently contracted by the FCC as the NANPA and Pooling Administrator.

Health System's request for 1,000 consecutive numbers.² Specifically, the block assignment request is for the five thousand block of the 263 central office code ("NXX") in the 606 NPA (606-263-5XXX).

AT&T Kentucky does not have sufficient number resources available within its inventory in the available pool for the specified wire center in the Prestonsburg rate center and is unable to meet Highland Health System's specific need for numbering resources. Hence, on December 1, 2012, AT&T Kentucky electronically submitted to NANPA an application requesting assignment of one block of 1,000 numbers in the Prestonsburg rate center in order to address the business needs of Highland Health System.³ The application process with NANPA requires the submission of information used for a Months-To-Exhaust ("MTE") and Utilization Certification Worksheet ("Worksheet") pertaining to the affected rate center.⁴ Based on the submitted information and resulting calculations, NANPA concluded that AT&T Kentucky did not meet the FCC's required guideline for MTE of six months or less or the utilization threshold requirement of 75 percent.⁵ Therefore, NANPA determined that AT&T Kentucky's request for additional numbering resources should be denied.

NANPA is not a policy-making entity. In making assignment decisions, NANPA follows regulatory directives and industry-developed guidelines. NANPA's

² See AT&T Kentucky's Petition for Review.

³ Specifically, the NXX request submitted by AT&T Kentucky was for its Prestonsburg switch, but current FCC rules require the evaluation of number utilization for the entire rate center before assignment of new numbering resources.

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

⁵ According to the Worksheet, the MTE for the Prestonsburg rate center was calculated to be 17.347 months with a utilization rate of 72.579 percent.

responsibilities are defined in FCC rules and in comprehensive technical requirements drafted by the telecommunications industry and approved by the FCC.⁶

Pursuant to 47 C.F.R. Section 52.15(g)(4), this Commission may overturn the determination of NANPA if the requesting carrier has demonstrated a verifiable need for numbering resources and that all other available remedies have been exhausted. The Commission finds that AT&T Kentucky has demonstrated a verifiable need for additional numbering resources by presenting the request of a specific customer, Highland Health System, for one block of 1,000 numbers in Prestonsburg, Kentucky in the 606 NPA. AT&T Kentucky advises that it will be unable to provide telecommunications services requested by the customer without additional numbering resources in the Prestonsburg rate center. The Commission further finds that AT&T Kentucky has exhausted all available remedies in the Prestonsburg rate center to the extent that no combination of existing numbering resources in the Prestonsburg rate center can be employed to meet the customer's demand for a dedicated thousand-number block. According to AT&T Kentucky, its Prestonsburg switch serving the Prestonsburg rate center does not have a large enough block of sequential numbers to meet the customer's need.

This Commission finds that NANPA's determination to deny AT&T Kentucky the additional numbering resources described herein should be overturned and NANPA directed to assign to AT&T Kentucky the five thousand block of the 263 NXX in the Prestonsburg rate center. The Commission notes that the numbering resources considered in this Order are to be assigned for the sole use of serving AT&T Kentucky's customer, Highland Health System, in the Prestonsburg rate center. If the service requested by Highland Health System is withdrawn, declined, or terminated, the

⁶ See generally, 47 C.F.R. Section 52.

associated numbering resources approved in this Order should be returned to NANPA and may not be utilized to serve other customers without first meeting NANPA's numbering resource guidelines.

IT IS THEREFORE ORDERED that:

1. AT&T Kentucky's Petition regarding NANPA's denial of its application for assignment of additional numbering resources in the 606 Numbering Plan Area is granted.

2. The decision of NANPA denying AT&T Kentucky's request for assignment of a single block of 1,000 numbers in the Prestonsburg rate center is hereby overturned.

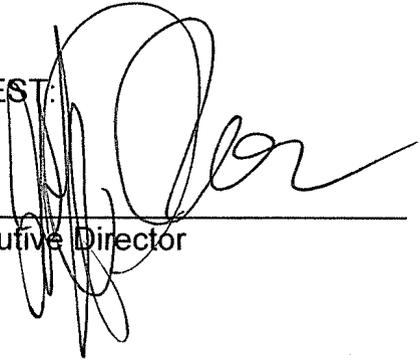
3. NANPA shall assign AT&T Kentucky the five thousand block of the 263 NXX (606-263-5XXX) in the Prestonsburg rate center.

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

By the Commission

ENTERED 
JAN 07 2013
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

Honorable Mary K Keyer
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