



601 Broadway • Paducah, KY 42001

Ph: (270) 441-7799 • Fax: (270) 441-7917

**RECEIVED**

**JUL 22 2009**

**PUBLIC SERVICE  
COMMISSION**

July 21, 2009

Mr. Jeff Derouen  
Executive Director  
Public Service Commission  
211 Sower Boulevard  
Frankfort, KY 40602-0615

Re: E-tel, LLC, Petition requesting the commission's intervention in NANPA  
1,000 block number assignments (Murray rate center, area code 270)

Dear Mr. Derouen:

Enclosed are the original and ten (10) copies of E-tel, LLC's petition for review of the 1,000 block denial in the Murray rate center. Thank you for your consideration of this request.

Sincerely,

A handwritten signature in cursive script that reads "Charlie McKenzie".

Charlie McKenzie  
CIO E-tel, LLC

RECEIVED

JUL 22 2009

PUBLIC SERVICE  
COMMISSION

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

E-tel, LLC's petition requesting )  
the commissions intervention in )  
NANPA 1,000 block assignments )

Case No. 2009-00284

E-TEL, LLC'S PETITION FOR REVIEW OF NXX  
CODE DENIAL IN THE MURRAY RATE CENTER

E-tel, LLC, pursuant to the rules adopted by the Federal Communications Commission ("FCC") for challenging determinations of the North American Numbering Plan Administrator ("NANPA"), petitions the Kentucky Public Service Commission ("Commission") for review of NANPA's denial of E-tel, LLC's application for use of central office numbering resources in the 270 area code. In support of its petition, E-tel, LLC states:

1. E-tel, LLC is a telecommunications utility regulated by the Commission. It provides intraLATA local exchange telecommunications services in the Commonwealth of Kentucky.
2. NANPA is an independent non-governmental entity that is responsible for the administering and managing the North American Numbering Plan.
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"). 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 NANPA. The FCC further required that, applicants must establish that the existing inventory within the rate center will exhaust in six (6) months of the application.
4. In addition to the months-to-exhaust requirement, the FCC also requires carriers to meet a rate center utilization threshold of seventy-five percent (75%) in order to receive additional numbering resources in that rate center.
5. On July 16, 2009, E-tel, LLC filed a request with NANPA for one (1) 1,000 block of numbers and a months-to-exhaust worksheet.
6. The 1,000 block request was to meet the Murray-Calloway County Hospital's request for a dedicated block of 1,000 sequential numbers. E-tel, LLC did not have the sufficient number of resources available within its inventory in the Murray rate center and was unable to meet the customer's specific request.
7. On July 16, 2009, NANPA denied E-tel, LLC's 1,000 block numbering request on the grounds that E-tel, LLC had not meet the months-to-exhaust criteria. NANPA denied this request despite the fact that E-tel, LLC does not

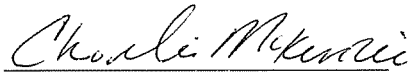
have adequate sequential numbering resources to satisfy its customer demands. NANPA's response is on the last page of attachment 1.

8. E-tel, LLC's inability to provide this important customer—Murray Calloway County Hospital—with the requested numbers prevents E-tel, LLC from providing the quality of service this customer desires, needs and expects. If E-tel, LLC is not assigned the 1,000 block requested, E-tel, LLC will be unable to provide the services requested by the customer.
9. Both the FCC's rules and the Central Office Code guidelines provide the state regulatory authorities have the authority to review NANPA's decision to deny a request for numbering resources.

WHEREFORE, E-TEL, LLC request that the commission:

1. Reverse the decision of NANPA to deny E-tel, LLC's request for additional numbering resources,
2. Direct NANPA to provide the requested 1,000 block identified, and
3. Grant the requested relief as soon as acceptable.

Respectfully submitted this 21<sup>st</sup> day of July, 2009.



Charlie Mckenzie  
CIO E-tel, LLC  
601 Broadway  
Paducah, KY 42001  
(270) 441-7799

# **ATTACHMENT 1**

# Pooling Administration System



charlie@e-tel-llc.com (SP)

• Sign Out

Time : 07/20/2009 11:44:21 AM EDT

Printable Version

TBPAG Attachment 1 - March 19, 2007

- Individual Block Requests
- CO/NXX Code Requests
- Withdraw Pending Requests
- Confirm Resources In Service
- Donate Blocks
- Submit Forecast
  - Create/Modify Forecast
- Search Forms
  - View Form
  - List Forms
- Reports
- User Profile

## Thousands-Block Application Form - Part 1A

Tracking Number: **270-MURRAY-KY-305382**  
**Individual Block Request**

Type of Application:       New       Change       Disconnect

### GENERAL APPLICATION INFORMATION

#### 1.1 Contact Information:

##### Block Applicant:

Company Name: **E-TEL, LLC - KY**  
 Headquarters Address: **401 Olive St.**  
 City, State, Zip: **Murray, KY, 42071**  
 Contact Name: **Charlie Mckenzie**  
 Contact Address: **401 Olive St.**  
 City, State, Zip: **Murray , KY , 42071**  
 Phone: **270-761-0021**      FAX:           E-mail: **charlie@e-tel-llc.com**

##### Pooling Administrator: <sup>ii</sup>

Contact Name: **Genevieve Bettiga**  
 Contact Address: **1800 Sutter St**  
 City, State, Zip: **Concord ,CA, 94520**  
 Phone: **925-363-7652**      FAX: **925-363-7683**  
 E-mail: **genevieve.bettiga@neustar.biz**

#### 1.2 General Information:

Check one : No LRN needed  LRN needed <sup>iii</sup>

NPA: 270    LATA: 464    OCN: <sup>iv</sup> 5196    Parent Company's OCN 5196

Number of Thousands-Blocks Requested : 1

Switching Identification(Switch Entity/POI) : <sup>v</sup>

MRRYKY15DS0

City or Wire Center Name : MURRAY Rate Center: <sup>vi</sup> MURRAY  
 Rate Center Sub Zone: \_\_\_\_\_

**1.3 Dates:**

Date of Application: <sup>vii</sup> 07/16/2009 Requested Block Effective Date: <sup>viii</sup> 08/16/2009

By selecting this checkbox, I acknowledge that I am requesting the earliest possible effective date the Administrator can grant. Please note that this only applies to a reduction in the Administrator's processing time, however the request will still be processed in the order received.

Request Expedited Treatment? (See Section 8.6) Yes \_\_\_\_\_ No  X

**1.4 Type of Service Provider Requesting the Thousands-Block :**

- a) Type of Service Provider : CAP OR CLEC (LEC, IXC, CMRS, Other)
- b) Primary type of service Blocks to be used for : Wireline
- c) Thousands-Block(s) (NXX-X) assignment Preference (Optional) \_\_\_\_\_  
270-752-2
- d) Thousands-Block(s) (NXX-X) that are undesirable for this assignment , if any \_\_\_\_\_
- 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) \_\_\_\_\_

**1.5 Type of Request:**

Initial block for rate center : Yes \_\_\_\_\_ If Yes , attach evidence of authorization and proof of capability to provide service within 60 days.  
 Growth block for rate center : Yes  X If Yes , attach months to exhaust worksheet

By selecting this checkbox, I acknowledge that I am willing to accept a block in red and explicitly understand that the underlying CO code may not yet be activated in the PSTN and loaded in the NPAC on the block effective date.

Type of change(Mark all that apply)

OCN:Intra-company <sup>ix</sup>      Switching Id      Part 1B  
 OCN:Inter-company <sup>x</sup>      Effective Date

Change block : Yes \_\_\_\_\_ If Yes , list NPA-NXX-X \_\_\_\_\_

**1.6 Block Return :**

- a) Is this block Contaminated Yes \_\_\_\_\_ No \_\_\_\_\_
- b) If Yes how many TNs are NOT available for assignment : \_\_\_\_\_
- c) Have all new Intra SP ports been completed in the NPAC Yes \_\_\_\_\_ No \_\_\_\_\_
- d) Has this block been protected from further assignment Yes \_\_\_\_\_ No \_\_\_\_\_

Disconnect block : Yes \_\_\_\_\_ If Yes , list NPA-NXX-X \_\_\_\_\_

Remarks:

I hereby certify that the above information requesting an NXX-X block is true and accurate to the best of my knowledge and that this application has been prepared in accordance with the Thousands-Block (NXX-X) Pooling Administration Guidelines(ATIS-0300066) available on the ATIS web site (<http://www.atis.org/inc>) or by contacting [inc@atis.org](mailto:inc@atis.org) as of the date of this application.

<u>Charlie Mckenzie</u>	<u>CIO</u>	<u>07/16/2009</u>
Signature of Block Applicant	Title	Date

**Instructions for filling out each Section of the Part 1A form:**

Section 1.1 Contact information requires that Service Providers supply under "Block Applicant" the company name, company headquarters address, a contact within the company, an address where the contact person may be reached, in addition to the correct phone, fax, and e-mail address. The Pooling Administrator section also requires the Service Provider to fill in the Pooling Administrator's name, address, phone, fax and e-mail.

Section 1.2 Service Providers who need a thousands-block assignment or for an Location Routing Number (LRN) are required to fill in this section. If needed for an LRN, a CO Code Application needs to also be submitted to the PA. The Service Provider should supply the Numbering Plan Area (NPA); the Local Access Transport Area (LATA), which is a three-digit number that can be found in the Telcordia™ LERG™ Routing Guide. The Operating Company Number (OCN) assigned to the service provider and the OCN its parent company. An OCN is a four-character alphanumeric assigned by Telcordia™ Routing Administration (TRA). In addition, the number of thousands-blocks requested should be supplied. The Switch Identification as well as the city or wire center name, rate center, rate center sub zone, homing tandem and CLLI™ tandem of the facilities based provider<sup>xi</sup>. Explanations of these terms may be found in the footnotes.

Section 1.3 The date the Service Provider completes the application should be entered in this section, as well as the Effective Date of the requested thousands-block.

Section 1.4 Service Providers should indicate their type, e.g., local exchange carrier, competitive local exchange carrier, interexchange carrier, CMRS. The also indicate the primary type of business in which the numbering resource is to be used. Service Providers also may indicate their preference for a particular thousands-block, e.g., 321-9XXX, or indicate any thousands-blocks that may be undesirable, e.g., 321-6XXX.

Section 1.5 Service Providers indicate the type of request. Initial requests are for first applications for thousands-blocks in a rate center, growth for additional thousands-blocks in a rate center in which the applicant already has numbering resources, and provide the required evidence as ordered by the FCC.

Section 1.6 Service Providers must indicate the updated/current information in regards to contaminated TNs on the block they are returning to the pool. Blocks with over 10% contamination (101 TNs or more) shall not be returned to the pool unless they meet criteria outlined in section 9.1.2 of these Guidelines. If the block being returned is over 10% contaminated the PA shall seek a new block holder. If question c and/or d have a response of No, the request for return shall be denied. The thousands-block applicant certifies veracity of this form by signing their name, and providing their title and date.

**Foot Notes :**

- <sup>i</sup> Identify the type of change(s) in Section 1.5.
- <sup>ii</sup> The Pool Administrator is available to assist in completing these forms.
- <sup>iii</sup> A CO Code application will also need to be submitted to the PA.
- <sup>iv</sup> Operating Company Number (OCN) assignments must uniquely identify the applicant. Relative to CO Code assignments, NECA-assigned Company Codes may be used as OCNs. Companies with no prior CO Code or Company Code assignments should contact NECA (800 524-1020) to be assigned a Company Code(s). Since multiple OCNs and/or Company Codes may be associated with a given company, companies with prior assignments should direct questions regarding appropriate OCN usage to (TRA) (732-699-6700).
- <sup>v</sup> This is an eleven-character descriptor of the switch provided by the owning entity for the purpose of routing calls. This is the 11 character CLLI™ code of the switch /POI.
- <sup>vi</sup> Rate Center name must be a tariffed Rate Center.
- <sup>vii</sup> Acknowledgment and indication of disposition of this application will be provided to applicant within seven calendar days from the date of receipt of this application. An incomplete form may result in delays in processing this request.
- <sup>viii</sup> Please ensure that the NPA-NXX of the LRN to be associated with this block (s) is/will be active in the network prior to the effective date of the block(s).
- <sup>ix</sup> Select if you are the current Block Holder.
- <sup>x</sup> Select if you are not the current Block Holder
- <sup>xi</sup> Telcordia, LERG Routing Guide, and CLLI are trademarks of Telcordia Technologies, Inc.

[Back](#)

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## Pooling Administration System

charlie@e-tel-llc.com (SP)
• Sign Out

Time : 07/20/2009 11:44:42 AM EDT

- Individual Block Requests
- ICO/NXX Code Requests
- Withdraw Pending Requests
- Confirm Resources In Service
- Donate Blocks
- Submit Forecast
  - Create/Modify Forecast
- Search Forms
  - View Form
  - List Forms
- Reports
- User Profile

Printable Version  
May 16, 2008

**Appendix 3**  
**MONTHS TO EXHAUST and UTILIZATION CERTIFICATION WORK SHEET - TN Level<sup>1</sup>**  
**(Thousands-Block Number Pooling Growth Block Request)**

Tracking Number: **270-MURRAY-KY-305382**

Date: **07/16/2009**      OCN: **5196**      Company Name: **E-TEL, LLC - KY**

Rate Center: **MURRAY**

List all Codes NPA(s)-NXX(s) and Blocks NPA(s)-NXX-X(s): **270-761**

Name of Block Applicant: **Charlie Mckenzie**      Signature: **Charlie Mckenzie**

Title: **CIO**      Telephone No.: **270-761-0021**      FAX No.:

E-mail: **charlie@e-tel-llc.com**

A. Available Numbers: **6500**

B. Assigned Numbers: **3500**

C. Total Numbering Resources: **10000**

D. Quantity of numbers activated in the past 90 days (increments of 1,000 or 10,000) and excluded from the Utilization calculation <sup>2</sup>: **0**

List Excluded Code(s) or Block(s):

	Month #1	Month #2	Month #3	Month #4	Month #5	Month #6	Month #7	Month #8	Month #9	Month #10	Month #11	Month #12
E. Growth History - Previous 6 months <sup>3</sup>	<b>35</b>	<b>38</b>	<b>40</b>	<b>41</b>	<b>34</b>	<b>29</b>						
F. Forecast - Next 12 months <sup>4</sup>	<b>38</b>	<b>38</b>	<b>38</b>	<b>38</b>	<b>38</b>	<b>38</b>	<b>38</b>	<b>38</b>	<b>38</b>	<b>38</b>	<b>38</b>	<b>38</b>

G. Average Monthly Forecast (Sum of months 1-6 (Part F above) divided by 6): **38.0**

H. Months to Exhaust<sup>5</sup>      Numbers Available for Assignment to Customers(A)

=	Average Monthly Forecast(G)		
	<u>Block Requested</u>	<u>Available Numbers</u>	<u>Months To Exhaust</u>
	<b>1</b>	<b>6500</b>	<b>171.053</b>

1. Utilization<sup>6</sup>  $\frac{\text{Assigned Numbers(B)} - \text{Excluded Numbers(D)}}{\text{Total Numbering Resources(C)} - \text{Excluded Numbers(D)}} \times 100 = \mathbf{35.0}$

=

Total Numbering Resources(C)-Excluded  
Numbers(D)

Explanation: \_\_\_\_\_

<sup>1</sup>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.

<sup>2</sup>Quantity of numbers activated in the past 90 days is based on blocks and/or codes received from the administrator and shall be reported in increments of 1,000 or 10,000 TNs (e. g.: 2 blocks received=2,000 and 1 code received =10,000).

<sup>3</sup>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.

<sup>4</sup>Forecast of TNs needed in each following month, starting with the most recent month as Month #1.

<sup>5</sup>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, section 52.15 (g) (3) (iii)).

<sup>6</sup>Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (g) (3)(ii))

Question? Email us  
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**Charlie Mckenzie**

---

**From:** genevieve.bettiga@neustar.biz  
**Sent:** Thursday, July 16, 2009 8:44 AM  
**To:** charlie@e-tel-llc.com  
**Cc:** PA\_Part3@neustar.biz  
**Subject:** PAS - Pooling Administrator's Response/Confirmation for Tracking Number: 270-MURRAY-KY-305382

 **Pool Administration System**

Dated 16 July 2009

November 21, 2003  
ATIS-0300066.at3

Attachment 3

Pooling Administrator's Response/Confirmation  
TBPAG Part 3

**Tracking Number :** 270-MURRAY-KY-305382

Date of Application: 07/16/2009 Effective Date: \_\_\_\_\_  
Date of Receipt: 07/16/2009 Date of Response: 07/16/2009

Service Provider Name: E-TEL, LLC - KY  
(Telcordia <sup>TM</sup> LERG <sup>TM</sup> Routing Guide ) OCN: 5196

NPAC SOA SPID : \_\_\_\_\_

**Pooling Administrator Contact Information:**

Genevieve Bettiga Phone: 925-363-7652  
Signature of Pooling Administrator  
Genevieve Bettiga Fax: 925-363-7683  
Name (print)  
Email: genevieve.bettiga@neustar.biz

NPA-NXX or NPA-NXX-X : \_\_\_\_\_

Block Assigned: \_\_\_\_\_  
Block Reserved : \_\_\_\_\_  
Block Reservation Expiration Date : \_\_\_\_\_  
Block/Code Modified : \_\_\_\_\_  
Block/Code Disconnected : \_\_\_\_\_

Block Contaminated(Yes or No) :

If Yes,enter the number of TNs contaminated :

Switch Identification(Switch Entity/POI): <sup>1</sup>

Rate Center:

Rate Center Sub Zone:

\_\_\_\_\_

\_\_\_\_\_

**MRRYKY15DS0**

**MURRAY**

\_\_\_\_\_

\_\_\_\_\_

**X Form Complete, request denied.**

\_\_\_\_\_

Explanation:

**DR-57: You do not meet the MTE and/or Utilization requirements, therefore this request for a new block is denied. You may proceed with requesting a State Waiver from the appropriate state commission using this Part 3 denial. If you are in disagreement with the disposition of this request, please refer to the Thousands-Block Number (NXX-X) Pooling Administration Guidelines for the appeals process.**

\_\_\_\_\_

**Request withdrawn.**

\_\_\_\_\_

Explanation:

\_\_\_\_\_

**Assignment activity suspended by the administrator.**

\_\_\_\_\_

Explanation:

\_\_\_\_\_

**Remarks:**

\_\_\_\_\_

<sup>1</sup> This is an eleven-character descriptor provided by the owning entity for the purpose of routing calls. This must be the CLLI <sup>TM</sup> Location Identification code of the switching entity/POI shown on the Part 1A form (Telcordia, LERG ROUTING Guide and CLLI are trademarks of Telcordia Technologies, Inc.)