

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 20th day of  
June, 2002.

In the Matter of the Application of GTE Midwest )  
Incorporated, d/b/a Verizon Midwest, for Review and ) **Case No. TO-2002-481**  
Reversal of North American Number Plan Administrator's )  
Decision to Withhold Numbering Resources. )

**ORDER GRANTING ADDITIONAL NUMBERING RESOURCES**

On April 8, 2002, GTE Midwest Incorporated, doing business as Verizon Midwest, filed its Application and Motion for Expedited Treatment, seeking an Order of the Commission reversing the decision of the North American Number Plan Administrator to deny Verizon's request for additional numbering resources. Verizon sought these resources in order to meet the needs of its customer, Kanakuk Kamps, for 2,000 numbers in four sequential blocks. In its application, Verizon states that it submitted a Central Office Code (NXX) Assignment Request to the Administrator on March 14, 2002. Verizon notes that this request was somewhat unusual because all of the numbers must be available within a single central office and none can begin with either a "1" or a "0."

Verizon states that it submitted the request as required by the Administrator and included all necessary supporting documentation. Nonetheless, on March 27, 2002, the Administrator denied Verizon's request on the grounds that Verizon had not met the rate-center-based months-to-exhaust criteria set out in the Central Office Code Guidelines. Verizon asserts that the Commission has authority to override the decision of the Administrator pursuant to the decision of the Federal Communications Commission in its Number Resource Optimization Docket, issued on March 31, 2000. <sup>[1]</sup>

On April 23, 2002, the Commission issued its Order Directing Notice, setting an intervention deadline of May 9, 2002. No requests for intervention were received.

Meanwhile, on April 26, 2002, the Staff of the Missouri Public Service Commission filed its Recommendation and Memorandum. Therein, Staff states that the Commission should grant Verizon's request and enter its Order overriding the decision of the North American Number Plan Administrator. Staff states further that Verizon has currently exhausted about 89 percent of its numbering resources compared to the threshold federal standard for requesting additional resources of 60 percent. Furthermore, Staff states that the 6,212 codes currently available to Verizon are not sequential as requested by their customer, Kanakuk Kamps. Without additional number resources, Verizon cannot meet the needs of its customer, Kanakuk Kamps.

No requests for intervention have been received and no party has requested a hearing. The requirement for a hearing is met when the opportunity for hearing has been provided and no proper party has requested the opportunity to present evidence. Since no one has requested a hearing, the Commission may grant the relief requested based on the verified application.<sup>[2]</sup>

The Code of Federal Regulations provides, in pertinent part:<sup>[3]</sup>

The NANPA shall withhold numbering resources from any U.S. carrier that fails to comply with the reporting and numbering resource application requirements established in this part. \* \* \* The carrier may challenge the NANPA's decision to the appropriate state regulatory commission. The state commission may affirm, or may overturn, the NANPA's decision to withhold numbering resources from the carrier based on its determination that the carrier has complied with the reporting and numbering resource application requirements herein. The state commission also may 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.

On June 12, 2002, the Commission issued its Order Directing Filing, requesting its Staff to provide additional explanation as to one aspect of its recommendation in this case, that the requested number resources take the form of two blocks of 1,000 sequential numbers rather than four blocks of 500. Staff filed its response on June 19, explaining that the change is necessary to conserve numbers. Beginning in calendar year 2003, when number

conservation is initiated in the 419 area code, providers will be required to surrender unused blocks of 1,000 numbers. By assigning numbers to Verizon in four blocks of 500, as many as 4,000 numbers will be lost as carriers are not required to surrender unused numbers in any partially used – or “contaminated” -- thousand-number block . Thus, assignment in the form of two blocks of 1,000 will potentially conserve as many as 2,000 numbers.

The Commission has reviewed the verified Application and Staff’s two Recommendations and Memoranda. The Commission has determined that Verizon has demonstrated a “verifiable need” for the numbering resources in question and that it has “exhausted all other available remedies.” The record shows that the numbering resources available to Verizon are insufficient to meet the needs of its customer, Kanakuk Kamps. For these reasons, the Commission will override the determination of the North American Number Plan Administrator. The Commission will, as directed by Staff, order Verizon to assign the numbers in two sequential blocks of 1,000.

**IT IS THEREFORE ORDERED:**

1. That the Application and Motion for Expedited Treatment filed on April 8, 2002, by GTE Midwest Incorporated, doing business as Verizon Midwest, is granted.
2. That the North American Number Plan Administrator shall provide numbering resources to GTE Midwest Incorporated, doing business as Verizon Midwest, in two blocks of 1,000 sequential numbers.
3. That GTE Midwest Incorporated, doing business as Verizon Midwest, shall assign telephone numbers to its customer Kanakuk Kamps in two blocks of 1,000 sequential telephone numbers.
4. That this Order shall become effective on June 30, 2002.
5. That this case may be closed on July 1, 2002.

**BY THE COMMISSION**

( S E A L )

**Dale Hardy Roberts**

## Secretary/Chief Regulatory Law Judge

Simmons, Ch., Murray, Lumpe,  
Gaw, and Forbis, CC., concur.

Thompson, Deputy Chief Regulatory Law Judge

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[1] *Number Resource Optimization*, Report and Order, CC Docket No. 99-200, FCC No. 00-104, at Appendix A; see also 47 C.F.R. 52.15(g)(3)(iv) (Attachment D).

[2] *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494, 496 (Mo. App., W.D. 1989).

[3] Regulation 47 C.F.R. Section 52.15(g)(4). "NANPA" is North American Number Plan Administrator.