

ORIGINAL

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE PETITION) CAUSE NO. 43868
OF VERIZON NORTH INC. FOR THE)
ASSIGNMENT OF 4,500 BLOCK CODES) APPROVED: JUN 16 2010
IN THE 574 NPA)

BY THE COMMISSION
Larry S. Landis, Commissioner
David E. Veleta, Administrative Law Judge

On March 9, 2010, Verizon North Inc. ("Verizon" or "Petitioner") filed an Emergency Petition for Allocation and Assignment of five uncontaminated consecutive thousand number block codes in the Goshen rate center to satisfy the request of its customer, Goshen Health System ("Goshen Health" or "Customer") based in Goshen, Indiana, for 4,500 additional consecutive Direct Inward Dial ("DID") station numbers to meet growth plans.

On March 19, 2010, the Indiana Utility Regulatory Commission ("Commission") issued its legal notice setting the matter for evidentiary hearing on April 12, 2010. The Commission conducted a properly noticed evidentiary hearing in this Cause on April 12, 2010, at 11:30 a.m., in the Judicial Courtroom 224 of the National City Center, Indianapolis, Indiana, pursuant to published legal notice.

Verizon and the Office of Utility Consumer Counselor ("OUCC") appeared by counsel at the hearing. Verizon offered into evidence as its case-in-chief a copy of its Petition, together with a verification page executed on its behalf by Matthew T. Kelley. Verizon's witnesses, Matthew T. Kelley and Timothy Blue of Goshen Health System, testified under oath at the April 12, 2010 evidentiary hearing in response to questions from the Presiding Officers.

Mr. Kelley testified in support of Verizon's case-in-chief. Mr. Blue testified that Goshen Hospital requires the number blocks to accommodate expected future line extension growth and expanded services at Goshen General Hospital and clinic locations. According to Mr. Blue, Goshen Health requires the DID numbers to provide patients and colleagues direct dial numbers to their extensions. In addition, the requested numbers are needed for a number of doctor's answering services, as well as for enhanced 911 services that will identify the caller's actual location within Goshen Health's facilities.

Additionally, Goshen Health will consolidate the telecommunications needs of nineteen clinic locations into its switch at 200 High Park Avenue in Goshen. The OUCC, the statutory representative of Indiana utility customers and the general public, expressed no objection to the relief requested. No petitions to intervene were filed in this Cause, and no members of the public appeared at the evidentiary hearing.

1 Because the consecutive numbers can only be ordered in 1000 number blocks, Verizon is requesting 5,000 number block codes.

Based upon the applicable law and evidence, the Commission now finds:

1. **Notice and Jurisdiction.** Due, legal and timely notice of the public hearing was given and published by the Commission as required by law. Verizon is a “public utility” within the meaning of the Public Service Commission Act, as amended. The Commission has jurisdiction over Verizon and the subject matter of this Cause in the manner and to the extent provided under state and federal telecommunications laws, including, but not limited to, Ind. Code § 8-1-2.6, Ind. Code § 8-1-2-113(a), 47 C.F.R. § 251(e)(1) and the Federal Communications Commission’s “safety valve” mechanism announced in the *In the Matter of Numbering Resource Optimization, Third Report and Order and Second Order on Reconsideration*, 17 F.C.C.R. 252, FCC 01-362, (adopted Dec. 12, 2001, rel. Dec. 28, 2001).

2. **Summary of the Evidence.** In November 2009, Goshen Health, a community hospital dedicated to meeting the health-care needs of area residents, submitted a letter to Verizon explaining its immediate telecommunications needs.² Goshen Health is expanding services that will include direct dial to phone extensions for colleagues and patients, an expanded Doctor’s Answering Service and enhanced 911 identification of the caller’s exact location within the Goshen Health facility. In addition, it will be consolidating the telecommunications needs of nineteen Goshen Health clinic locations into its switch at 200 High Park Avenue. Goshen Health will return 700 of its existing DID numbers after it has completed its expanded services. The return of the numbers may occur after an 18 month transition period, to ensure that the public is fully aware of the new numbers.

Goshen Health is requesting that new DID numbers be assigned to the 1000 through 5499 range for several reasons. First, it requires the assignment to correspond with the extension numbers that reside within the same NXX for all Goshen Health’s locations that operate through the same switch. Further, it seeks the expanded numbers to eliminate confusion and avoid misdialed numbers. It also makes the request to streamline telephone numbers in its marketing materials.

Verizon’s Goshen exchange currently includes the following NPA-NXXs: 574-533, 574-534, 674-535, 574-537 and 574-538. A new NPA-NXX would be required in order to accommodate Goshen Health’s request.

Upon receipt of Goshen Health’s request, Verizon immediately reviewed it and began its analysis to determine whether any uncontaminated number block codes were available from Verizon’s central office in Goshen. No uncontaminated thousand block codes were available.

On November 10, 2009, Verizon submitted a Central Office Code Assignment Request Form Part 1 to the Pooling Administrator (“PA”) for the assignment of 5,000 consecutive new numbers necessary to meet Goshen’s request.³ Verizon completed the application in accordance with the Thousands Block Number (NPA-NXX) Pooling Administration Guidelines and

² A copy of this letter was attached to Verizon’s Petition as Exhibit A.

³ A copy of this application was attached to Verizon’s Petition as Exhibit B.

completed the necessary Months to Exhaust Certification.⁴ On November 11, 2009, the PA, via the Pooling Administration System (“PAS”), denied the request on the grounds that Verizon had not met the rate-center-based months-to-exhaust criteria set forth in the Thousands Block Number (NPA-NXX) Pooling Administration Guidelines, notwithstanding the fact that Verizon did not have the numbering resources needed to satisfy Goshen Health’s demand.⁵

Goshen Health confirmed that all of the numbers requested will be used at the Goshen Hospital switch and that the numbering resources currently assigned to Goshen Health are not sufficient to meet its immediate numbering needs.

The evidence presented at the April 12, 2010 evidentiary hearing in this case shows that the current telecommunications system at Goshen has 700 assigned DID numbers in the following ranges:

<u>Verizon North Goshen Rate Center</u> <u>NPA-NXX-XXX Codes</u>	<u>Number of Codes</u> <u>Currently Assigned</u>
574-535-2400 through 2999	600
574-537-5000 through 5099	<u>100</u>
Total:	700

Goshen Health requires a new NPA-NXX to number its lines from 1000 – 5499 to correspond with the extension numbers that reside in Goshen Health’s switch.

Following the deployment of the new numbers and an adequate time to notify the public of its new numbers, Goshen Health has committed, with Verizon’s help, to return its existing 700 DID numbers that will not be required after the new requested blocks have been assigned.

3. Findings and Conclusions. This Commission has previously touched on the factors it will consider in evaluating a request for relief invoking our emergency authority under Ind. Code § 8-1-2-113(a) and the so-called “safety valve” procedures enunciated by the FCC in its *In the Matter of Numbering Resource Optimization, Third Report and Order and Second Order on Reconsideration*, 17 F.C.C.R. 252, FCC 01-362, (adopted Dec. 12, 2001, rel. Dec. 28, 2001).⁶

⁴ A copy of this application was attached to Verizon’s Petition as Exhibit C.

⁵ The PA’s decision was attached to Verizon’s Petition as Exhibit D.

⁶ See, e.g., *In the Matter of the Petition of Indiana Bell Telephone Company, Inc. for the Assignment of 1,000 Block NXX Codes in the 317 NPA*; Cause No. 42371 (Ind. Util. Regulatory Comm’n Mar. 5, 2003); *In the Matter of the Petition of Verizon North, Inc. for the Assignment of 1000 Block NXX Codes in the 260 NPA*, Cause No. 42383 (Ind. Util. Regulatory Comm’n May 15, 2003); *In the Matter of the Petition of Verizon North, Inc. for the Assignment of 1000 Block NXX Codes in the 765 NPA*, Cause No 42723 (Ind. Util. Regulatory Comm’n Nov. 3, 2004); *In the Matter of the Petition of Verizon North, Inc. for the Assignment of Seven 1000 Block NXX Codes in the 219 NPA*, Cause No. 42781 (Ind. Util. Regulatory Comm’n Apr. 6, 2005); *In the Matter of the Petition of Verizon for the Assignment of 1000 Block NXX Codes in the 812 NPA*, Cause No. 43104 (Ind. Util. Regulatory Comm’n Nov. 30, 2006).

In this case, Verizon has requested 5 thousand-number blocks in order to give Goshen Health's patients and employees direct dial numbers to their extensions and to expand their services including a doctor's answering service. We consider the assignment of 5 thousand-number blocks to be extraordinary relief. The efforts to conserve numbering resources are industry-wide and nationally practiced. While the cited statute and FCC Order allow the Commission some flexibility in requiring the release of thousand-number blocks, the exercise of that flexibility will not be casually exercised. We will consider these requests in light of the following:

- Did the Petitioner react in a timely manner when it became aware of the apparent need for an additional 4,500 numbers in 5 thousand-number blocks?
- Is the requested relief reasonable considering the projected need?
- Has the Petitioner thoroughly examined all alternatives available to satisfy the projected need?
- Has the Petitioner demonstrated a good-faith effort to participate in the program to conserve numbering resources?

Verizon acted in a timely manner when it became aware of Goshen Health's needs. Moreover, the requested relief is required to meet Goshen Health's plans for future growth and it appears that this is the only option that Verizon has to meet its customer's plans for future growth. We note, as we did in Cause Nos. 42383, 42723, 42781 and 43104, that with regard to the "good-faith effort" requirement, Verizon has been responsive and proactive in donating back all clean number blocks and blocks with less than 10% contamination.

With that being said, the relief requested in this Cause is unreasonable given the evidence offered in support of the request. As demonstrated by the record, Verizon's request was made to accommodate expected future line extension growth and expanded services at Goshen General Hospital and clinic locations. The Commission has previously granted requests on a forward-looking basis. The evidence in this Cause demonstrates that Goshen Health needs approximately 2,548 numbers, but Goshen Health has requested 4,500 numbers. The Commission appreciates Goshen Health's goal of being ready for potential growth, however the request for 5 thousand-number blocks which is virtually double the total current needs, which are in turn based on a wide-ranging reconfiguration of the telecommunications services, appears excessive and has not been supported by the evidence filed in this Cause. Therefore, the Commission approves 4 thousand-number blocks. This will provide Goshen Health with room for growth, while continuing to conserve numbering resources.

The Commission finds and concludes that the public interest is served by the PA releasing 4 thousand-number blocks described herein necessary for Verizon to meet the needs of its customer, Goshen Health.

IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:

1. Consistent with our findings, the PA shall release the numbering resources described herein for Verizon to meet the numbering needs of its customer, Goshen Health.
2. At the end of the eighteen (18) month implementation period, or as Goshen Health's migration effort permits, Goshen Health shall promptly return to Verizon the vacant DID numbers no longer needed by Goshen Health.
3. Verizon, as appropriate, shall return thousand-number blocks to the Number Pooling Administrator that are uncontaminated and vacant from the Goshen rate center currently used as DIDs at Goshen Health.
4. This Order shall be effective on and after the date of its approval.

HARDY, ATTERHOLT, MAYS AND ZIEGNER CONCUR; LANDIS ABSENT:

APPROVED: JUN 16 2010

**I hereby certify that the above is a true
and correct copy of the Order as approved.**



**Brenda A. Howe
Secretary to the Commission**