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STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE PETITION OF INDIANA) CAUSE NO. 43898
BELL TELEPHONE COMPANY, INC., FOR)
ASSIGNMENT OF 1,000 BLOCKS IN THE 317 NPA) APPROVED: JUL 14 2010

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

On May 17, 2010, Indiana Bell Telephone Company, Incorporated d/b/a AT&T Indiana (“AT&T Indiana”) filed a Petition for the Assignment of eight consecutive thousand number blocks in the 317 NPA (“Petition”) requesting that the Indiana Utility Regulatory Commission (“Commission” or “TURC”) direct the Pooling Administrator (“PA”) to provide AT&T Indiana with eight uncontaminated thousand number blocks to satisfy the request of its customer, St. Francis Hospital & Health Centers of Indianapolis (“St. Francis”). St. Francis has requested 7,900 consecutive direct inward dial (DID) numbers to be used at a newly constructed medical facility located at 8111 South Emerson Avenue, Indianapolis. This facility is being expanded to accommodate the combination of operations with that of the St. Francis facility located in Beech Grove, resulting in a new 720-bed facility at the Emerson Avenue site.

Pursuant to notice duly published as required by law, proof of which was incorporated into the record by reference and placed in the official files of the Commission, a public hearing was held in this Cause at 1:30 p.m. on June 28, 2010, in Room 224, PNC Center, 101 West Washington Street, Indianapolis, Indiana.

AT&T Indiana and the Indiana Office of Utility Consumer Counselor (“OUCC”) appeared by counsel at the hearing. AT&T Indiana offered into evidence as its case-in-chief, a copy of the Affidavits of its witnesses, Leila M. Tolentino and John Widau. The OUCC did not file testimony or present other evidence at the hearing. No petitions to intervene were filed in this Cause, and no members of the public appeared at the evidentiary hearing.

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. AT&T Indiana is a communications service provider as defined in the Indiana Code. The Commission has jurisdiction over AT&T Indiana 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 Indiana Code § 8-1-2.6, 47 C.F.R. §251(e)(1) and the Federal Communications Commission’s “safety valve” mechanism announced in the *Third Report and Order and Second Order on Reconsideration in the Matter of Numbering Resources Optimization*, CC Docket No. 96-98, and CC Docket No. 99-200, FCC 01-362 (rel. December 28, 2001).

2. Summary of the Evidence. St. Francis has asked AT&T Indiana to provide it with 7,900 consecutive direct inward dial (DID) numbers to be used at a new medical facility under construction at 8111 South Emerson Avenue, Indianapolis, Indiana, within AT&T’s Greenwood rate

center. St. Francis currently operates a hospital at this location and is constructing a new facility there to consolidate its Indianapolis operations with operations currently located in Beech Grove at 1600 Albany Street.

The combined Beech Grove and Indianapolis locations currently have 7,590 numbers assigned to them, of which 7,373 are currently in use, leaving a reserve inventory of 217 (2.8%) numbers. With the construction of the new hospital in Indianapolis, the Saint Francis - Indianapolis campus will expand its current bed capacity from 500 beds to 1,220 beds. The hospital projects that it will increase clinical services along with the new hospital, eventually expanding from 4,300 employees to 5,600 employees.

The record indicates that St. Francis plans to consolidate the current 8 dialing prefixes into a single prefix, allowing 4-digit dialing within the new site and between the new site and all off-site locations. St. Francis requested a consecutive block of 8,000 DID numbers to facilitate this consolidation plan. With a block of 8,000 numbers, St. Francis will have the ability to departmentalize its dialing plan while maintaining a modest reserve of numbers for future expansion of employment and facilities.

After the migration to the new Indianapolis campus and implementation of the new dialing plan, St. Francis will return its current 7,590 numbers to AT&T Indiana. Six thousand (6,000) DID numbers will be returned by the end of 2011, with the balance of DID numbers and all non-DID numbers returned to AT&T in 2012.

The affidavit of Leila Tolentino indicates that AT&T Indiana does not have the requested numbers in its inventory. Consequently, AT&T Indiana requested numbering resources from NeuStar but was denied because it did not meet the FCC-established Months-To-Exhaust (MTE)¹ criteria. To be eligible for growth resources from the pool, the FCC's rules require that carriers meet a two-pronged test. Carriers must maintain no more than a six-month inventory based on forecasts. The record demonstrates that AT&T Indiana has a larger than 6-month inventory, but does not have the consecutive numbers needed by the customer. In addition, the FCC requires that carriers utilize existing inventory at a minimum of 75%.² AT&T Indiana's current utilization rate in the Greenwood rate center is 66.54%.

3. Findings and Conclusions. This Commission has previously described the factors to consider in evaluating a request for relief invoking the "safety valve" procedures enunciated by the FCC in its *Third Report and Order and Second Order on Reconsideration in the Matter of Numbering Resources Optimization*, CC Docket No. 96-98, and CC Docket No. 99-200, FCC 01-362, released December 28, 2001.³

The efforts to conserve numbering resources are industry-wide and nationally practiced. While the cited FCC Order allows the Commission some flexibility in requiring the release of thousand number blocks, the exercise of that flexibility will not be casually exercised. This Commission has considered the following additional criteria when evaluating safety valve requests:

(1) Is the requested relief reasonable considering the projected need?

¹ See 47 C.F.R. §52.15(g)(3)(B)(iii).

² See 47 C.F.R §52.15(h).

³ See e.g., *In the Matter of the Petition of Indiana Bell Telephone Company, Inc., for Assignment of 1,000 Block NXX Codes in the 317 NPA*, Cause No. 42917, Ind. PUC LEXIS 359 (November 9, 2005).

- (2) Has the Petitioner thoroughly examined all alternatives available to satisfy the projected need?
- (3) Has the petitioner demonstrated a good-faith effort to participate in the program to conserve numbering resources?⁴

These criteria are addressed below.

First, the requested relief is reasonable given the projected need. As demonstrated by the record evidence, St. Francis is expanding and reconfiguring its hospital facilities and is implementing a dialing plan that will improve the provision of critical care, and AT&T has detailed the projected need for the numbers requested. Second, AT&T Indiana has thoroughly examined all alternatives available to satisfy the customer's request. Pursuant to its standard procedures, AT&T Indiana has checked whether it held any blocks in the Greenwood rate center that could be exchanged for previously donated AT&T blocks in Greenwood as permitted by industry guidelines. Finally, AT&T has demonstrated good-faith participation in the program to conserve numbering resources. As documented in the Affidavit of Leila Tolentino, in 2009 AT&T donated 4 pristine and 22 contaminated blocks back to the pool. These efforts have contributed to significant revision of forecast exhaust dates in Indiana area codes. For example, the 219 NPA is now projected to exhaust in the 4th Quarter of 2031.

The Commission finds and concludes that the public interest is served by the PA releasing eight thousand blocks in the Greenwood rate center for AT&T Indiana to meet the needs of its customer, St. Francis.

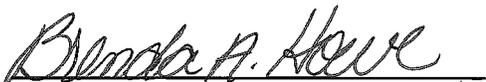
IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION THAT:

1. Consistent with our findings, the PA shall release eight thousand blocks in the Greenwood rate center for AT&T Indiana to meet the numbering needs of its customer, St. Francis.
2. This Order shall be effective on and after the date of its approval.

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

APPROVED: JUL 14 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

⁴ *Id.*