

**THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS**

Before Commissioners:     Dwight D. Keen, Chair  
                                  Shari Feist Albrecht  
                                  Susan K. Duffy

In the Matter of an Application of Cox     )  
Kansas Telecom, LLC for Expedited     )  
Commission Review of NANPA or PA     )     Docket No. 20-COXT-069-MIS  
Decision to Deny Growth Numbering     )  
Resources in the Salina Rate Center.     )

**ORDER OVERTURNING NANPA'S DECISION DENYING COX KANSAS TELECOM,  
LLC GROWTH NUMBERING RESOURCES**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed its files and records, and being duly advised in the premises, the Commission makes the following findings:

1.     On August 7, 2019, the Cox Kansas Telecom, LLC (Cox) filed a Petition with the Commission requesting the Commission review and reverse a decision of the Thousands-Block Numbering Pooling Administrator (PA) for the assignment of additional telephone numbers in the Salina, Kansas Rate Center. Cox's filing is made requesting expedited review and processing, as set forth in Docket No. 01-GIMT-552-GIT.

2.     On August 14, 2019, Commission Staff (Staff) submitted its Report and Recommendation (R&R) recommending the Commission overturn the PA's decision and direct that the PA assign the requested numbers in the Salina, Kansas Rate Center, as originally requested by Cox. According to Staff, Salina Regional Health Center (SHRC), a customer of Cox, seeks a contiguous block of 10,000 numbers to accommodate growth in its main campus and in its ancillary facilities. SHRC's business location at 400 South Santa Fe, Salina, Kansas

would like additional numbers with a single common prefix. The grant of the instant Petition would allow SHRC to meet projected growth.

3. Staff relates that the PA and the North American Numbering Plan Administrator (NANPA) are independent third parties responsible for the non-discriminatory administration and assignment of numbering resources. NANPA is responsible for administering and assigning central office codes (10,000 numbers) and area code matters. In rate centers where Pooling has been implemented, the PA is responsible for assignment and administration of numbering resources in blocks of a thousand (1,000) numbers; and the Salina, Kansas, Rate Center is one of them. Staff states that the Federal Communications Commission (FCC), in its Number Resource Optimization proceedings (FCC, CC Docket 99-200), established two thresholds service providers must meet before the Administrator can assign additional (growth) numbers; utilization of existing numbers must be at least 75% utilization; and there must be no more than six (6) months to exhaust of existing numbers. Notwithstanding these two thresholds, state commissions have been given authority to review and, if appropriate, reverse denials by the PA and/or the NANPA (47 CFR 52.15(g)(4)), establishing an Expedited Review Process in these matters.<sup>1</sup>

4. On July 19, 2019, Cox, on behalf of SHRC, requested ten (10) 1,000 blocks of Direct Inward Dialing (DID) numbers from the PA for a total of 10,000 numbers. According to Cox's application, utilization of exiting numbers assigned to the Petitions in the Salina, Kansas Rate Center is 68.07% with an estimated .91 months-to-exhaust. Having failed the utilization (75% or greater), the Pooling Administrator denied the Application, in accordance with FCC rule 47 CFR 52.15.

5. Staff states that it is sensitive to, and supportive of, the customer's need for additional numbers that fit into its existing dialing plan. Although Staff believes the FCC's

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<sup>1</sup>Report and Recommendation, page 2.

Number Pool donation rules are, and will continue to be, effective in maintaining and improving number resource utilization going forward; Staff also believes it is appropriate to grant this request and overturn the PA's denial of this request.

6. In conclusion, Staff states that the most recent NRUF and NPA Exhaust Analysis which was completed in April of 2019, shows that the 785 area code will not exhaust until the second quarter of 2037.

7. The Commission finds that Cox has demonstrated verifiable need for additional numbering resources and further finds Staff's determinations and recommendation to be reasonable and that it should adopt the same.

**IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:**

A. The decision of the PA is overturned, and the PA shall assign the numbering block in the Salina, Kansas Rate Center as originally requested by Cox Kansas Telecom, LLC.

B. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).<sup>2</sup>

C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further order, or orders, as it may deem necessary and proper.

**BY THE COMMISSION IT IS SO ORDERED.**

Keen, Chair; Albrecht, Commissioner; Duffy, Commissioner

Dated: 08/22/2019 \_\_\_\_\_

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Lynn M. Retz  
Executive Director

<sup>2</sup> K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

**REPORT AND RECOMMENDATION  
UTILITIES DIVISION**

**TO:** Chair Dwight D. Keen  
Commissioner Shari Feist Albrecht  
Commissioner Susan K. Duffy

**FROM:** Kelly Mabon, Senior Telecommunications Analyst  
Christine Aarnes, Chief of Telecommunications  
Jeff McClanahan, Director of Utilities

**DATE:** August 14, 2019

**SUBJECT:** 20-COXT-069-MIS  
In the Matter of an Application of Cox Kansas Telcom for Expedited Commission Review of NANPA or PA Decision to Deny Growth Numbering Resources in the Salina Rate Center.

**EXECUTIVE SUMMARY:**

On August 7, 2019, Cox Kansas Telcom, LLC (Cox) filed a Petition requesting the Commission review and reverse a decision of the Thousands-Block Number Pooling Administrator (PA) for the assignment of additional telephone numbers in the Salina, Kansas, Rate Center. This filing is made requesting expedited review and processing, as set forth in Docket No. 01-GIMT-552-GIT. Staff recommends approval of this filing.

**BACKGROUND:**

The PA and the North American Numbering Plan Administrator (NANPA) are independent third parties responsible for the non-discriminatory administration and assignment of numbering resources. The NANPA is responsible for administering and assigning central office codes (10,000 numbers) and area code matters. In those rate centers where Pooling has been implemented, the PA is responsible for the assignment and administration of numbering resources in blocks of a thousand (1,000) numbers; the Salina, Kansas, Rate Center is one of them.

The FCC, in its Number Resource Optimization proceedings (FCC, CC Docket 99-200), has established two thresholds service providers must meet before the Administrator can assign additional (growth) numbers: utilization of existing numbers must be at least 75% utilization; and there must be no more than six (6) months to exhaust the use of existing numbers.

However, State Commissions have been given authority to review and, if appropriate, reverse denials by the PA and/or the NANPA (47 CFR 52.15(g)(4)). This authority was addressed by this Commission in Order #5 in Docket 01-GIMT-552-GIT, establishing an Expedited Review Process in such matters.

Pursuant to the Commission's Expedited Review Process, Commission staff will evaluate the information provided by the parties, balancing the needs of the carrier, the need to conserve numbering resources and applicable federal and state rules.

The Petitioner is a facilities-based and resale carrier providing telecommunication services in Salina, Kansas, and selected locations throughout the state.

### **ANALYSIS:**

Salina Regional Health Center (SRHC) is a Cox customer operating out of the Salina, Kansas, Rate Center. SRHC needs additional numbering resources to accommodate growth in its main campus and in its ancillary facilities surrounding its location at 400 South Santa Fe, Salina, KS. SRHC would like additional numbers with a single common prefix. SRHC does not have the capacity to fulfill its projected growth needs over the next 12 months. The Company's growth plans anticipate rapid additions of new facilities and a new in-house communications system requiring NPA-NXX numbering of 785-xx8. SRHC needs a contiguous block of 10,000 DID numbers from 785-xx8-0000 to 785-xx8-9999.

On July 19, 2019, Cox, on behalf of SRHC, requested ten (10) 1,000 blocks of DID numbers from the PA for a total of 10,000 numbers. According to the Application, utilization of existing numbers assigned to the Petitioner in the Salina, Kansas, Rate Center is 68.07% with an estimated .91 months till exhaust. Having failed the utilization (75% or greater), the Pooling Administrator denied the Application, in accordance FCC rule 47 CFR 52.15.

Staff is sensitive to, and supportive of, the customer's need for additional numbers that fit into its existing dialing plan. Although Staff believes the FCC's Number Pool donation rules are, and will continue to be, effective in maintaining and improving number resource utilization going forward; Staff believes it is appropriate to grant this request and overturn the PA's denial of this request.

The most recent NRUF and NPA Exhaust Analysis which was completed in April of 2019, shows that the 785 area code will not exhaust until the second quarter of 2037.

### **RECOMMENDATION:**

Staff has reviewed this Petition and recommends the Commission overturn the PA's decision in this matter and direct them to assign the requested numbers in the Salina, Kansas, Rate Center, as originally requested by the Petitioner.

**CERTIFICATE OF SERVICE**

20-COXT-069-MIS

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of  
electronic service on 08/22/2019.

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/S/ DeeAnn Shupe  
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DeeAnn Shupe