

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

October 24, 2008

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| IN RE: |) | |
| |) | |
| REQUEST OF CONCORD TELEPHONE EXCHANGE, INC. |) | DOCKET NO. |
| FOR EXPEDITED REVIEW OF GROWTH CODE DENIAL |) | 08-00178 |

ORDER APPROVING REQUEST OF CONCORD TELEPHONE EXCHANGE, INC.
FOR EXPEDITED REVIEW OF GROWTH CODE DENIAL AND
REVERSING CENTRAL OFFICE CODE DENIAL

This matter came before Chairman Tre Hargett, Director Eddie Roberson and Director Mary W. Freeman of the Tennessee Regulatory Authority (“TRA” or the “Authority”), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on October 20, 2008, for consideration of the *Petition for Expedited Review of Central Office Code Denial* filed on September 23, 2008.

On August 8, 2008, Concord Telephone Exchange, Inc. (“Concord”) submitted an application to the Pooling Administrator for the purpose of obtaining additional numbering resources to establish a Local Routing Number (“LRN”) in its newly installed switch in the Concord Rate Center (“Rate Center”). NXX assignment guidelines permit the assignment of additional codes only after a carrier demonstrates that a rate center has a 75% utilization rate and that its estimated exhaust date does not exceed six months.¹ Because the Rate Center utilization rate is approximately 60.9% and the estimated exhaust date is approximately 36.2 months, the Pooling Administrator denied the application by Concord. On September 23, 2008, Concord filed a request asking the TRA to review the denial of the Pooling Administrator.

¹ See Alliance for Telecommunications Industry Solutions, *Central Office Code (NXX) Assignment Guidelines (COCAG) Final Document*, ATIS 03-00051, section 4.3.1 (June 15, 2007).


The Federal Communications Commission authorized the Authority to review the Pooling Administrator's denial of a numbering application.² Specifically, the Federal Communications Commission stated that state commissions may overturn a decision of the Pooling Administrator when "a carrier demonstrates that it has received a customer request for numbering resources in a given rate center that it cannot meet with its current inventory,"³ or as in this case, when a company installs a new switch and must establish an LRN.⁴ After consideration of the facts contained in the record, the public interest, and this agency's responsibility to foster competition in the telecommunications industry,⁵ the panel voted unanimously to approve the request of Concord and reverse the Pooling Administrator's denial of Concord's request for additional numbering resources.

IT IS THEREFORE ORDERED THAT:

1. The Pooling Administrator's decision to deny Concord Telephone Exchange, Inc.'s request for additional numbering resources is reversed as stated herein.
2. The Pooling Administrator is ordered to assign one NPA-NXX for the Concord Rate Center served by switch identification no. FRGTTNAHGT0.



Tre Hargett, Chairman



Eddie Roberson, Director



Mary W. Freeman, Director

² *In re: Numbering Resource Optimization*, CC Docket No. 99-200, *Third Report and Order and Second Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200*, 17 FCC Rcd. 252, 279-83 ¶¶ 61-66 (2001).

³ *Id.* ¶ 64.

⁴ *In re: ATIS Location Routing Number (LRN) Assignment Practices*, Final Document, ATIS 0300065, pp. 3-5 (September 26 20080).

⁵ See Tenn. Code Ann. § 65-4-123.