

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**NASHVILLE, TENNESSEE**

**June 10, 2010**

<b>IN RE:</b>	)	
	)	
<b>REQUEST OF FRONTIER COMMUNICATIONS</b>	)	<b>DOCKET NO.</b>
<b>OF AMERICA, INC. FOR EXPEDITED REVIEW</b>	)	<b>10-00076</b>
<b>OF GROWTH CODE DENIAL</b>	)	

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**ORDER APPROVING REQUEST OF FRONTIER COMMUNICATIONS OF AMERICA,  
INC. FOR EXPEDITED REVIEW OF GROWTH CODE DENIAL AND  
REVERSING CENTRAL OFFICE CODE DENIAL**

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This matter came before Chairman Sara Kyle, Director Kenneth C. Hill 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 May 24, 2010, for consideration of the *Petition of Frontier Communications of America, Inc. for Expedited Review of Central Office Code Denial* filed on April 23, 2010.

On April 6, 2010, Frontier Communications of America, Inc. (“Frontier”) submitted an application to the Pooling Administrator for the purpose of obtaining additional numbering resources to establish a Local Routing Number in its newly installed switch in the Cookeville 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.<sup>1</sup> Because the Rate Center utilization rate is approximately 51% and the estimated exhaust date is approximately nine months, the Pooling Administrator denied the application by Frontier. On April 23, 2010, Frontier filed a request asking the TRA to review the denial of the Pooling Administrator.

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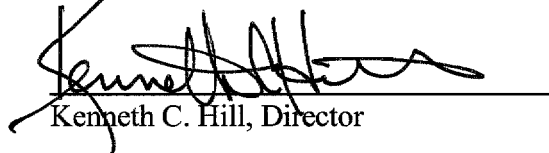
<sup>1</sup> See Alliance for Telecommunications Industry Solutions, *Central Office Code (NXX) Assignment Guidelines (COCAG) Final Document*, ATIS 03-00051, section 4.3.1 (September 26, 2008).

The Federal Communications Commission authorized the Authority to review the Pooling Administrator's denial of a numbering application.<sup>2</sup> 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,"<sup>3</sup> or as in this case, when a company installs a new switch and must establish an LRN.<sup>4</sup> After consideration of the facts contained in the record, the public interest, and this agency's responsibility to foster competition in the telecommunications industry,<sup>5</sup> the panel voted unanimously to approve the request of Frontier and reverse the Pooling Administrator's denial of Frontier's request for additional numbering resources.

**IT IS THEREFORE ORDERED THAT:**

1. The Pooling Administrator's decision to deny Frontier Communications of America Inc.'s request for additional numbering resources is reversed as stated herein.
2. The Pooling Administrator is ordered to assign one NPA-NXX to Frontier Communications of America, Inc. for the Cookeville rate area served by switch identification no. CKVLTNXA71T.

  
Sara Kyle, Chairman

  
Kenneth C. Hill, Director

  
Mary W. Freeman, Director

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<sup>2</sup> *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).

<sup>3</sup> *Id.* ¶ 64.

<sup>4</sup> *In re: ATIS Location Routing Number (LRN) Assignment Practices*, Final Document, ATIS 0300065, pp. 3-5 (September 26, 2008).

<sup>5</sup> See Tenn. Code Ann. § 65-4-123.