

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

December 15, 2010

IN RE:)	
)	
PETITION OF UNITED WAY OF METROPOLITAN)	DOCKET NO.
NASHVILLE FOR ALLOCATION OF AN N11)	10-00211
NUMBER (ABBREVIATED DIALING CODE))	

**ORDER APPROVING ALLOCATION OF N11 NUMBER (211)
TO THE UNITED WAY OF METROPOLITAN NASHVILLE
FOR PROVISION OF INFORMATION AND REFERRAL SERVICES
TO BEDFORD, COFFEE, FRANKLIN AND MOORE COUNTIES**

This matter came before Chairman Mary W. Freeman, Director Eddie Roberson and Director Kenneth C. Hill of the Tennessee Regulatory Authority (the “Authority” or “TRA”), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on November 22, 2010 for consideration of the *Petition for Allocation of an N11 Number* (“*Petition*”) filed by the United Way of Metropolitan Nashville (“UWMN”) on November 4, 2010.

BACKGROUND OF ABBREVIATED DIALING CODES

On July 31, 2000, the Federal Communications Commission (“FCC”) released its *Third Report and Order and Order on Reconsideration* in CC Docket No. 92-105 in which the FCC granted a petition filed by information and referral service providers seeking nationwide assignment of an abbreviated dialing code.¹ In assigning the abbreviated dialing code 211 for

¹ “Abbreviated dialing codes enable the caller to connect to a location in the network that otherwise would be accessible only via a seven or ten-digit telephone number. The network must be pre-programmed to translate the three-digit code into the appropriate seven or ten-digit telephone number and route the call accordingly. Among abbreviated dialing arrangements, ‘N11’ codes are three-digit codes of which the first digit can be any digit other than 1 or 0, and the last two digits are both 1.” (Quoting from *In the Matter of: The Use of N11 Codes and Other Abbreviated Dialing Arrangements*, CC Docket No. 92-105, *Third Report and Order and Order on Reconsideration* (hereinafter “*Third Report and Order*”) (July 31, 2000).

access to community information and referral services, the FCC found that the proposal submitted by the petitioners met the “public interest” standards for assignment of N11 codes which the FCC established in its *N11 First Report and Order*.² The FCC specifically found in the *Third Report and Order*:

Individuals facing serious threats to life, health, and mental well being have urgent and critical human needs that are not addressed by dialing 911 for emergency assistance or 311 for non-emergency police assistance. . . . We believe that the Information and Referral Petitioners have shown a public need exists for an easy to use, easy to remember N11 code to efficiently bring community information and referral services to those who need them, providing a national safety network for persons to get access readily to assistance. Therefore, we find that the public interest standard has been met.³

The FCC then outlined the necessary steps that must be taken by telecommunications service providers upon receiving a 211 request.

[W]hen a provider of telecommunications services receives a request from an entity (e.g., the United Way) to use 211 for access to community information and referral services, the telecommunications provider must: (1) ensure that any entities that were using 211 at the local level prior to the effective date of this Order relinquish use of the code for non-compliant services, and (2) take any steps necessary (such as reprogramming switch software) to complete 211 calls from its subscribers to the requesting entity in its service area. . . . We expect community service organizations to work cooperatively to ensure the greatest public use of this scarce resource.⁴

The *Third Report and Order* also provides that the FCC, not the North American Numbering Plan Administration (“NANPA”) or another entity, will continue to designate and assign N11 codes for nationwide use. Nevertheless, the FCC explicitly stated that local assignments could be made by the state commissions.

Once we assign or designate an N11 for national use, essentially all that remains to do is to implement that assignment and monitor the uses of the N11 codes. We do not at this time decide what role, if any, state commissions may play once we make a national assignment. That role will necessarily be determined on a case

² *First Report and Order and Further Notice of Proposed Rulemaking*, 12 FCC Rcd. 5572, CC Docket No. 92-105 (1997).

³ *Third Report and Order*, at Paras. 18-19.

⁴ *Id.* at Para. 21.

by case basis as we make national assignments. We clarify, however, that states will be allowed to continue to make local assignments that do not conflict with our national assignments.⁵

TENNESSEE PUBLIC SERVICE COMMISSION'S INTERIM ORDER

Prior to the issuance of the FCC's *Third Report and Order*, the Authority reviewed requests for the allocation of N11 numbers pursuant to criteria set forth in an interim order issued on October 20, 1993 by the Tennessee Public Service Commission ("TPSC") in TPSC Docket No. 92-13892 ("*TPSC Interim Order*") to determine the most qualified applicant for allocation of each N11 number in each local calling area.⁶ The criteria in the *TPSC Interim Order* included: (1) the overall financial fitness of the applicant; (2) the technical ability and willingness of the applicant to provide the service on a permanent and continuous basis; (3) the ability and willingness of the applicant to abide by applicable TPSC rules and policies; (4) the rates, services and collection practices to be utilized by the applicant; (5) the extent and duration of the applicant's service to the local community; (6) anticipated future uses by the community of the proposed service being offered by the applicant; and (7) the type of information services to be provided by the applicant over N11 and its relative value to the public and local community.⁷

UWMN'S REQUEST

UWMN was first allocated a 2-1-1 number in Docket No. 03-00383 for the purpose of providing health and human services information and referral services in Middle Tennessee.⁸

⁵ *Id.* at Para. 43. The FCC described the assignment designation and implementation process as follows:

Assignment or designation involves announcement to the industry that a particular N11 code will be used for certain, defined purpose(s). This announcement alerts current users of the N11 code that nonconforming uses must cease as part of the implementation process. Implementation, on the other hand, may involve, in addition to discontinuing nonconforming uses, preparing and modifying switches to translate the N11 code and route the call accordingly, installing additional switching equipment, and installing or modifying software or other hardware. (Para. 43, n.123).

⁶ See *Petition of National Telephone Enterprises for Allocation of an N11 Number (Abbreviated Dialing Code)*, TRA Docket No. 98-00554, and *Petition of Knoxville Information and Referral, Inc. for Allocation of an N11 Number*, TRA Docket No. 99-00743.

⁷ *In re: Investigation of N11 Allocations*, Docket No. 92-13892, *TPSC Interim Order*, pp. 4-5 (Oct. 20, 1993).

⁸ *In re: Petition of United Way of Metropolitan Nashville for N11 Allocation*, Docket No. 03-00383, *Order Approving Reallocation of N11 Number (211) from National Telephone Enterprises to United Way of Metropolitan Nashville* (February 23, 2004).

The Authority determined in Docket No. 03-00383 that UWMN met the requisite criteria for allotment of the 2-1-1 number designation. Contact Life Line of the Highland Rim, Inc. (“CLHR”) was approved for N11 Abbreviated Dialing, specifically 2-1-1, to cover Bedford, Coffee, Franklin and Moore Counties in Tennessee in Docket No. 05-00275.⁹

On November 4, 2010, UWMN filed its *Petition* seeking allocation of the 211 abbreviated dialing code for Bedford, Coffee, Franklin and Moore Counties.¹⁰ Included with its *Petition* were letters in support of UWMN’s request from the United Ways of Bedford, Coffee, Franklin and Moore Counties.¹¹ On November 9, 2010, UWMN filed CLHR’s *Petition for Transfer of an N11 Code* (“CLHR *Petition*”). CLHR states that it stopped operating the 2-1-1 call center for Bedford, Coffee, Franklin and Moore Counties on October 22, 2010 due to budget issues.¹² Further, CLHR states that UWMN has agreed to begin accepting 2-1-1 calls from Bedford, Coffee, Franklin and Moore Counties.¹³

FINDINGS AND CONCLUSIONS

Based on the record, the panel voted unanimously that the *Petition* be granted and that the 2-1-1 dialing code previously assigned to CLHR be allocated to UWMN for the purpose of providing information and referral services to citizens in Bedford, Coffee, Franklin and Moore Counties. As a result of this action, CLHR will no longer have a 2-1-1 abbreviated dialing code. The panel requested that Authority Staff work with UWMN and BellSouth Telecommunications, Inc. d/b/a AT&T of Tennessee to assist in a prompt and smooth transition of the 2-1-1 code.

⁹ *In re: Petition of Contact Life Line of The Highland Rim, Inc. for Allocation of an N11 Number*, Docket No. 05-00275, *Order Approving Petition for Allocation of N11 Number (211) to Contact Life Line of the Highland Rim* (April 24, 2006).

¹⁰ *Petition*, p. 1.

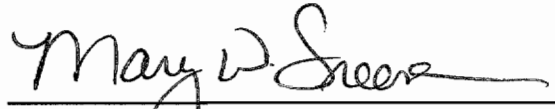
¹¹ *Id.*, Exhibit C.

¹² *CLHR Petition*, p. 1.

¹³ *Id.*

IT IS THEREFORE ORDERED THAT:

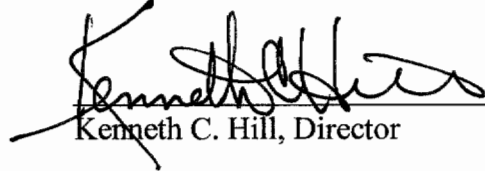
The *Petition for Allocation of an N11 Number* filed by the United Way of Metropolitan Nashville is approved.



Mary W. Freeman, Chairman



Eddie Roberson, Director



Kenneth C. Hill, Director