

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

August 5, 2011

IN RE:

**REQUEST OF SBC INTERNET SERVICES, INC. D/B/A
AT&T INTERNET SERVICES FOR EXPEDITED
REVIEW OF GROWTH CODE DENIAL**

**DOCKET NO.
11-00102**

**ORDER APPROVING REQUEST OF SBC INTERNET SERVICES, INC.
D/B/A AT&T INTERNET SERVICES FOR EXPEDITED REVIEW OF
GROWTH CODE DENIAL AND REVERSING CENTRAL OFFICE CODE DENIAL**

This matter came before Director Kenneth C. Hill, Director Sara Kyle 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 August 1, 2011 for consideration of the *Petition for Expedited Review of Central Office Code Denial* filed by SBC Internet Services, Inc. d/b/a AT&T Internet Services ("SBCIS/ATTIS") on July 6, 2011.

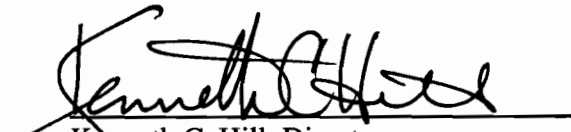
On or about July 5, 2011, SBCIS/ATTIS submitted an application to the Pooling Administrator for the purpose of obtaining additional numbering resources to establish a Location Routing Number ("LRN") and a new block of numbers for the purpose of establishing a new switch in the Benton Rate Center ("Rate 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 0.100% and the estimated exhaust date is approximately 5.964 months, the Pooling Administrator denied the application by SBCIS/ATTIS. On July 6, 2011, SBCIS/ATTIS filed a request asking the TRA to review the denial of the Pooling Administrator.

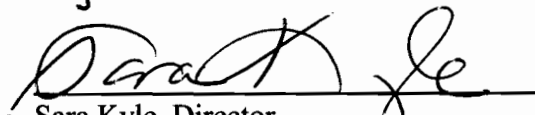
¹ See Alliance for Telecommunications Industry Solutions, *Central Office Code (NXX) Assignment Guidelines (COCAG) Final Document*, ATIS 03-00051, section 4.3.1 (September 26, 2008).

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 SBCIS/ATTIS and reverse the Pooling Administrator's denial of SBCIS/ATTIS's request for additional numbering resources.

IT IS THEREFORE ORDERED THAT:

1. The Pooling Administrator's decision to deny SBC Internet Services, Inc. d/b/a AT&T Internet Services' request for additional numbering resources is reversed, as stated herein.
2. The Pooling Administrator is ordered to assign one (1) NPA-NXX (423-375-7) and one (1) one-thousand block of telephone numbers to SBC Internet Services, Inc. d/b/a AT&T Internet Services for the Benton rate area served by Switch Identification No. CHTGTNMAXQX.


Kenneth C. Hill, Director


Sara Kyle, 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, 2008).

⁵ See Tenn. Code Ann. § 65-4-123.