

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

February 22, 2013

IN RE:

**BELLSOUTH TELECOMMUNICATIONS, LLC d/b/a
AT&T TENNESSEE PETITION FOR EXPEDITED
REVIEW OF GROWTH CODE DENIAL BY THE
NUMBER POOLING ADMINISTRATOR RELATING
TO COVENANT HEALTH**

**DOCKET NO.
13-00006**

**ORDER APPROVING PETITION FOR EXPEDITED REVIEW OF
CENTRAL OFFICE CODE DENIAL**

This matter is before the Hearing Officer of the Tennessee Regulatory Authority (the "Authority" or "TRA"), for consideration of the *Petition for Expedited Review of Central Office Code Denial* filed by BellSouth Telecommunications, LLC d/b/a AT&T Tennessee ("AT&T" or "Company") on January 10, 2013.

On or about January 8, 2013, AT&T submitted an application to the Number Pooling Administrator ("Neustar") for the purpose of obtaining additional numbering resources to meet the demands of its customer, Covenant Health ("Covenant"). Specifically, the Company does not have sufficient numbering resources within its inventory in the Knoxville Rate Center (the "Rate Center") to fulfill Covenant's request. 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's current utilization rate is approximately sixty-one percent (61%) and the estimated exhaustion date is approximately ninety-eight (98) months, Neustar denied AT&T's application.

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 ("FCC") has authorized the Authority to review the Pooling Administrator's denial of a numbering application.² Specifically, the FCC has stated that a state commission may overturn a decision of the Numbering 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 After consideration of the facts contained in the record, the public interest, and this agency's responsibility to foster competition in the telecommunications industry,⁴ the Hearing Officer agrees that AT&T's application for additional numbering resources in the Rate Center should be approved.

IT IS THEREFORE ORDERED THAT:

1. The Pooling Administrator's decision to deny BellSouth Telecommunications, LLC d/b/a AT&T Tennessee's request for additional numbering resources is reversed as stated herein.
2. The Pooling Administrator is ordered to assign one (1) NPA/NXX to BellSouth Telecommunications, LLC d/b/a AT&T Tennessee in the Knoxville Rate Center served by Switch Identification No. KNLVTNMADS1.


Kelly Cashman-Grams, Hearing Officer

² *In the Matter of 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. 95-116, Third Report and Order and Second Order on Reconsideration*, CC Docket No. 99-200, 17 FCC 01-362, ¶ 48 (2001).

³ *In the Matter of Numbering Resource Optimization*, CC Docket No. 99-200, FCC 00-104, Appendix A, Final Rules § 52.15(g)(3)(iv).

⁴ See Tenn. Code Ann. § 65-4-123.