

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

December 3, 2013

IN RE:

**PETITION FOR EXPEDITED REVIEW OF
GROWTH CODE DENIAL BY THE NUMBER
POOLING ADMINISTRATOR RELATING TO
KNOLOGY OF TENNESSEE, INC., d/b/a WOW
INTERNET, CABLE AND PHONE**

**DOCKET NO.
13-00144**

**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”), upon the *Petition for Expedited Review of Central Office Code Denial* filed by Knology of Tennessee, Inc., d/b/a WOW Internet, Cable and Phone (“Knology”) on November 19, 2013.

Knology submitted an application on or about, November 11, 2013, to the Number Pooling Administrator, NeuStar,¹ consisting of an assignment request form and exhaust certification worksheet,² for the opening of a new NPA-NXX in the Knoxville, Tennessee rate center in support of establishing a new LRN. Specifically, Knology is requesting 10,000 numbers to establish a Local Routing Number (LRN) for its new switch and for pool replenishment in the 865 NPA area code.³ Knology filed its code request because it did not have

¹ NeuStar is an independent non-governmental entity that is responsible for administering and managing the North American Numbering Plan (“NANP”). See C.F.R. § 52.13(a), (b).

² *Petition for Expedited Review of Central Office Code Denial*, Exhibit A (November 19, 2013) (In accordance with NeuStar’s Central Office Code (NXX) Assignment Guidelines, Knology’s application consisted of Central Office (NXX) Assignment Request – Part 1 and the CO Code Assignment – Months to Exhaust Certification Worksheet).

³ *Petition for Expedited Review of Central Office Code Denial*, p.5 and Exhibit (November 19, 2013).

³ *Petition for Expedited Review of Central Office Code Denial*, p. 3 and Exhibit D (November 19, 2013).

sufficient number resources within its inventory in the Knoxville rate center to provide their customers need for a LRN for a new switch and for pool replenishment as requested.

NeuStar's Central Office Code (NXX) Assignment Guidelines ("NXX Guidelines") permit the assignment of additional codes only after an applicant demonstrates that its rate center has a 75% utilization rate and exhaustion of existing numbering inventory does not exceed six months.⁴ At the time of Knology's code request, the Knoxville rate center had a utilization rate of approximately 65% and a months-to-exhaust ratio of approximately 72 months.⁵ Therefore, because the Knoxville rate center's current utilization rate and the months-to-exhaust ratio do not meet the criteria in the NXX Guidelines, NeuStar denied Knology's application.⁶

The Federal Communications Commission ("FCC") has authorized the Authority to review NeuStar's decision to deny a numbering application.⁷ The FCC has further 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."⁸ Therefore, upon consideration of the facts contained in the record, the public interest, and the Authority's charge to foster competition in the telecommunications industry,⁹ the Hearing Officer agrees that Knology's request for ten thousands numbers to establish a LRN for its new switch and for pool replenishment resources in the Knoxville rate center should be approved.

⁴ See Alliance for Telecommunications Industry Solutions, *Central Office Code (NXX) Assignment Guidelines (COAG) Final Document*, ATIS 03-00051, § 4.3.1 (June 15, 2007).

⁵ *Petition for Expedited Review of Central Office Code Denial*, p. 4 and Exhibit F (October 29, 2013).

⁶ *Petition for Expedited Review of Central Office Code Denial*, Exhibit C (October 29, 2013).

⁷ *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).

⁸ *In the Matter of Numbering Resource Optimization*, CC Docket No. 99-200, FCC 00-104, Appendix A, Final Rules § 52.15(g)(3)(iv).

⁹ See Tenn. Code Ann. § 65-4-123.

IT IS THEREFORE ORDERED THAT:

1. The Number Pooling Administrator's decision to deny Knology of Tennessee, Inc., d/b/a WOW Internet, Cable and Phone's application for additional numbering resources, as set forth in the *Petition for Expedited Review of Central Office Code Denial* and discussed herein, is reversed.

2. The Number Pooling Administrator is directed to assign ten thousand (10,000) numbers to Knology of Tennessee, Inc., d/b/a WOW Internet, Cable and Phone in the Knoxville rate center served by Switch Identification No. KNVMTN5OGT0.



Kelly Cashman-Grams, Hearing Officer