

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

December 18, 2013

IN RE:

PETITION FOR EXPEDITED REVIEW OF
GROWTH CODE DENIAL BY THE NUMBER
POOLING ADMINISTRATOR RELATING TO
BAPTIST MEMORIAL HEALTHCARE

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DOCKET NO.
13-00149

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 BellSouth Telecommunications, LLC, d/b/a AT&T Tennessee (“AT&T Tennessee”) on December 5, 2013.

AT&T Tennessee submitted an application on or about, October 25, 2013, to the Number Pooling Administrator, NeuStar,¹ consisting of an assignment request form and exhaust certification worksheet,² in order to obtain the additional numbering resources in the Memphis rate center that it needs to meet the demands of its customer Baptist Memorial Health Care, Walnut Grove Road (“Baptist”). Specifically, for its new telecommunications system and additional medical offices, Baptist requested that AT&T provide a 4,000 consecutive numbers in the 901 NPA area code.³ AT&T Tennessee 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*, Exhibits A and B (December 5, 2013) (In accordance with NeuStar’s Central Office Code (NXX) Assignment Guidelines, AT&T’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. 3 and Exhibit D (December 5, 2013).

sufficient number resources within its inventory in the Memphis rate center.

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 AT&T Tennessee's code request, the Memphis rate center had a utilization rate of approximately 57% and a months-to-exhaust ratio of approximately 675 months.⁵ Therefore, because the Memphis rate center's current utilization rate and the months-to-exhaust ratio do not meet the criteria in the NXX Guidelines; NeuStar denied AT&T Tennessee'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 AT&T Tennessee's request for one thousands-block pooling resources in the Memphis rate center should be approved.

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

⁵ *Petition for Expedited Review of Central Office Code Denial*, Exhibit B (December 5, 2013).

⁶ *Petition for Expedited Review of Central Office Code Denial*, Exhibit D (December 5, 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 BellSouth Telecommunications, LLC, d/b/a AT&T Tennessee'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 one (1) ten thousands block (10,000 numbers) to BellSouth Telecommunications, LLC, d/b/a AT&T Tennessee within the 901 NPA in the Memphis Rate Center served by Switch Identification No. MMPHTNNE LDS0.


Kelly Cashman-Grams, Hearing Officer