

BASS BERRY + SIMS_{PLC}

A PROFESSIONAL LIMITED LIABILITY COMPANY
ATTORNEYS AT LAW

R. DALE GRIMES
TEL: (615) 742-6244
FAX: (615) 742-2744
dgrimes@bassberry.com

150 THIRD AVENUE SOUTH, SUITE 2800
NASHVILLE, TN 37201
(615) 742-6200

www.bassberry.com

OTHER OFFICES:

KNOXVILLE
MEMPHIS
WASHINGTON, D.C.

November 4, 2014

Via Hand-Delivery

The Honorable Earl Taylor
Executive Director
Tennessee Regulatory Authority
c/o Sharla Dillon
502 Deaderick Street, Fourth Floor
Nashville, Tennessee 37243

**Re: *Petition of Tennessee Telephone Company Petition for Expedited Review of
Growth Code Denial by the Number Pooling Administrator***
Docket No. 14- 00122

Dear Mr. Taylor:

I enclose an original and five (5) copies of Tennessee Telephone Company's Petition for Expedited Review of Growth Code Denial by the Number Pooling Administrator. Also enclosed is a check in the amount of \$25.00 for the filing fee.

This petition is also being filed today by way of email to the Tennessee Regulatory Authority Docket Manager, Sharla Dillon. Please file the original and four copies of this filing and stamp the additional copy as "filed". Then please return the stamped copies to me by way of our courier.

Should you have any questions concerning this matter, please do not hesitate to contact me at the email address or telephone number listed above.

With kindest regards, I remain

Very truly yours,



R. Dale Grimes

Enclosures

cc: David Foster
 Jerry Kettles

BEFORE THE TENNESSEE REGULATORY AUTHORITY
Nashville, Tennessee

In Re:

*Tennessee Telephone Company Petition for
Expedited Review of Growth Code Denial by
the Number Pooling Administrator*

Docket No. _____

PETITION FOR EXPEDITED REVIEW OF CENTRAL OFFICE CODE DENIAL

Tennessee Telephone Company , pursuant to rules adopted by the FCC for challenging determinations of the Number Pooling Administrator ("NeuStar"), petitions the Tennessee Regulatory Authority (the "Authority") for an expedited review of NeuStar's denial of Tennessee Telephone's application for use of central office code numbering resources in the 931 area code.

Tennessee Telephone respectfully shows the Authority as follows:

1. Tennessee Telephone is a telecommunications public utility regulated by the Authority providing intraLATA, local exchange telecommunications services in the Cornersville Rate Center.
2. 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).
3. On March 31, 2000, the Federal Communications Commission issued a Report and Order and Further Notice of Proposed Rule Making relating to numbering resource optimization ("FCC 00-104" or the "March Order"). On December 29, 2000, the FCC issued its Second Report and Order, Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200, and Second Further Notice of Proposed Rulemaking in CC Docket No. 99-200 ("FCC 00-429" or the

"December Order"). These FCC orders addressed issues and strategies relating to the efficient use of numbering resources.

4. In FCC 00-104 and FCC 00-429, the FCC announced rules and sought comments in an effort to implement uniform standards governing requests for telephone numbering resources in order to increase efficiency in the use of existing telephone numbers and to slow further exhaustion of existing numbers under the NANP.
5. Among other things, FCC 00-104 adopted a revised standard for assessing a carrier's need for numbering resources by requiring carriers to report rate center based utilization data to NeuStar. The FCC further required that to qualify for access to new numbering resources, applicants must establish that existing inventory within the applicant's rate center will be exhausted within six months of the application. Prior to this ruling, the Central Office Code Assignment Guidelines, used by the industry and NeuStar to make code assignments, required the applicant's existing number inventory within the applicant's serving switch to exhaust within six months of the code application in order for a code to be assigned.
6. This shift to a "rate center" basis for determining the need for new numbering resources was intended to "more accurately reflect how numbering resources are assigned" and to allow "carriers to obtain numbering resources in response to specific customer demands." FCC Order ¶ 105. On December 28, 2001, the FCC entered an order retaining the rules requiring carriers to calculate MTE on a rate center basis rather than on a per-switch basis. *In the Matter of Numbering*

Resource Optimization; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996; Telephone Number Portability, CC Docket Nos. 99-200, 96-98 and 95-116, Third Report and Order and Second Order on Reconsideration in CC Docket No. 99-200, FCC 01-362, Paragraph 48 (rel. Dec. 28, 2001).

7. On October 16, 2014 Tennessee Telephone submitted a Central Office Code (NXX) Assignment Request - Part 1, and the CO Code Assignment - Months to Exhaust Certification Worksheet, to NeuStar to be assigned a 931 Code for the Cornersville Rate Center. The request and worksheet are attached hereto as Exhibit "A". While the code request is for the whole code, Tennessee Telephone will retain one block for the rate center and the remaining 9,000 numbers from each code will be pooled.
8. The code assignment request is to open the 931 - 500 code to obtain just the 1000-1999 block and pool the other 9000 numbers for Tennessee Telephone's new MetaSwitch COVLTNXAGT0. The Metaswitch is located in Cornersville, TN and thus a unique LRN needs to be provisioned to identify the switch or POI in the number portability capable network.
9. The code assignment request was based on Tennessee Telephone's obtaining a Location Routing Number ("LRN") for new switch augmentations it is establishing at the Cornersville Rate Center. The new Tennessee Telephone MetaSwitch will function as a feature server in the existing Cornersville central office to provide new and advanced services as well as handle internal long distance traffic which the existing 5ESS switch cannot provide or perform.

Customers requiring new feature functionality will be migrated to the new platform, and thus there is a need for an NXX/LRN for porting functionality to the MetaSwitch. However, in order for the MetaSwitch to be functional, it must host 1000 numbers. Tennessee Telephone does not have 1000 numbers that are appropriate to be hosted in the new switch. For this reason, Tennessee Telephone sought the numbering resources as noted above.

10. Tennessee Telephone's basis for requesting additional numbering codes is: (a) Tennessee Telephone does not possess a non-contaminated existing code to transfer the A-record to the new switch Carrier Language Location Identifiers ("CLLI"); (b) the LRN would be a ported number as this is the only way to route pooled numbers; (c) if Tennessee Telephone does not get a new NXX and the only numbers assigned to the new switches are pooled/ported numbers, any failure of Number Portability Administration Center ("NPAC")/Local Service Management System ("LSMS"), or any mishap on the LRN subscription in NPAC would eliminate any routing into the new switches, and in case of NPAC/LSMS outages etc., default routing to the NPA/NXX is used to get calls to the switch that owns the NXX so at least some calls can be completed; and (d) if the only numbers that belong to the new switches are ported/pooled numbers, a failure of NPAC/LSMS databases would route all traffic to the switch that owns the ported/pooled NXX.
11. Tennessee Telephone completed the applications in accordance with NeuStar's Central Office Code (NXX) Assignment Guidelines and completed the necessary Months to Exhaust Certification Worksheet required by NeuStar.

12. At the time of the code request, the Parsons Rate Center had a month to exhaust of approximately 924.1 months.
13. Despite the fact that Tennessee Telephone's Rate Centers may not exhaust for 924.1 months, Tennessee Telephone is unable to utilize the new MetaSwitch without a new NNXs.
14. On October 22, 2014, NeuStar's Central Office Code Administration denied the code assignment requests on the grounds that Tennessee Telephone had not met the 75% utilization criteria now set forth in the Central Office Code (NXX) Guidelines, notwithstanding the fact that Tennessee Telephone does not have the numbering resources needed to provide the service required in connection with its new MetaSwitch.
15. Tennessee Telephone's inability to utilize the new MetaSwitch without the requested numbers prevents Tennessee Telephone from providing the quality of service its customer's desire and expect.
16. Both FCC 00-104 and NeuStar's Central Office Code (NXX) Guidelines provide that state regulatory authorities have the power and authority to review NeuStar's decision to deny a request for numbering resources. See FCC 00-104, Appendix A, Final Rules, § 52.15(g) (3) (iv) ("The carrier may challenge the NeuStar's decision to the appropriate state regulatory commission"); NeuStar Central Office Code (NXX) Guidelines § 13.0 ("Appeals may include but are not limited to one or more of the following options: . . . C. The CO Code Administrator(s) and code holders/applicants may pursue the disagreement with the appropriate governmental/regulatory body").

17. The TRA has recognized its jurisdiction and authority to review NeuStar denials and to order the release of numbering resources to meet specific customer needs.
18. In reviewing previous petitions of this type, the TRA Staff has requested that parties provide additional information concerning number utilization for the specific central office involved in the request. This information for the Cornersville Rate Center is attached hereto as Exhibit "B."
19. The Authority, and not the FCC, is the most appropriate body to address this appeal. As noted above, the Authority has been granted jurisdiction to hear appeals from NeuStar's decisions regarding numbering resources. Any jurisdiction of the FCC to do the same is merely concurrent with the jurisdiction of the Authority. Tennessee Telephone believes that the Authority can more quickly address the numbering problem facing Tennessee Telephone, and, because time is of the essence, Tennessee Telephone believes it is appropriate to pursue this matter in the forum that can most quickly address the issue.
20. Under earlier months-to-exhaust procedures used by NeuStar, waivers or exceptions were granted where customer hardships could be demonstrated or where the service provider's inventory did not have a block of sequential numbers large enough to meet its needs. Under existing procedures, NeuStar looks at the number of months-to-exhaust for the entire rate center without any exceptions. The current process for review is arbitrary and results in decisions contrary to the public interest and decisions that do not necessarily preserve the efficient use of telephone numbers or postpone dates of exhaust. Moreover, the denial of sufficient numbering resources to Tennessee Telephone to meet its customers'

needs is inconsistent with the FCC's position that "[u]nder no circumstances should consumers be precluded from receiving telecommunications services of their choice from providers of their choice for want of numbering resources." FCC 00-429 at ¶ 61. By refusing to grant numbering resources sufficient to meet Tennessee Telephone's customers' needs, NeuStar is preventing these customers from obtaining the service of their choice from the carrier of choice, Tennessee Telephone.

21. Notwithstanding its need for an NNX to make its new MetaSwitch functional and to serve its customers, Tennessee Telephone's analysis indicates that Tennessee Telephone will be unable to meet the months-to-exhaust and utilization threshold at the rate center level in time to obtain adequate numbering resources to serve these customers absent relief from the Authority. This situation will result in Tennessee Telephone's inability to utilize the new MetaSwitch and provide the services it makes available to Tennessee Telephone's customers.

CONCLUSION

For the reasons articulated above, Tennessee Telephone respectfully urges the Authority to direct NeuStar to provide the requested NNX to Tennessee Telephone to enable Tennessee Telephone to obtain the needed functionality and upgraded service of its Metaswitch and meet the requirements of its customers in order that they may receive the service of their choice from the provider of their choice to meet their telecommunications needs.

WHEREFORE, Tennessee Telephone requests:

1. The Authority review the decision of the NeuStar to deny Tennessee Telephone's request for additional numbering resources; and
2. The Authority directs NeuStar to provide the NPA/NXX to Tennessee Telephone to establish and assign an LRN to the MetaSwitch in the Cornersville Rate Center.

Respectfully submitted,



R. Dale Grimes
Bass, Berry & Sims PLC

EXHIBIT A

Central Office Code (NXX) Assignment Request - Part 1

March 5,2010

Tracking
Number: 931-510963

Type of Application: ☒ New ☐ Change ☐ Delete

1.0 GENERAL INFORMATION

1.1 Contact Information:

Code Applicant:

Company/Entity Name: TENNESSEE TELEPHONE CO.

Headquarters Address: 525 Junction Road,

City, State, Zip: Madison, WI, 53717

Contact Name: Anne M Chism

Contact Address: 3302 Nightingale Ln.

City, State, Zip: Middleton, WI, 53562

Phone: 608-833-8080 FAX: 608-000-0000 E-mail: anne.chism@tdstelecom.com

Code Administrator:²

Name: Michael Ortega

Address: 46000 Center Oak Plaza,

City, State, Zip: Sterling, VA, 20166

Phone: 571-434-5348 FAX: 571-434-5502

1.2 NPA: 931³ NXX: 3 LATA: 470 OCN: 0575⁴ Parent Company's OCN(s) 0881

Switching Identification(Switch Entity/POI)
⁵COVLTXAGT0

Locality/City/Wire Center: Cornersville

Rate Center: ⁶CORNERSVL

Homing Tandem Operating Co: Bellsouth Telecomm Inc

Tandem Homing CLLI⁸: NSVLTNMT84T

1.3 Dates: Date of Application: 10/16/2014 Request Effective Date: ⁹04/01/2015¹⁰

☐ By selecting this checkbox, I acknowledge that I am requesting the earliest possible effective date the Administrator can grant. Please note that this only applies to a reduction in the Administrator's processing time, however the request will still be processed in the order received.

Expedite Reason:

1.4 Type of company/entity requesting the code:

- a) Incumbent Local Exchange Carrier (ILEC) (LEC, IC, CMRS, Other)
b) Types of service: Wireline (e.g., Cellular - Type 2)
c) Code Assignment Preference (Optional) 931-500
d) Codes that are undesirable, if any _____
e) Type of change (Mark all that apply)
☐ OCN-Intra-company¹¹ ☐ Switching Id ☐ Rate Center ☐ Tandem Homing CLLI
☐ OCN-Inter-company¹² ☐ Effective Date ☐ LATA ☐ Extend Reservation

1.5 Type of Request (Initial, growth, etc.) Growth

If an initial code, attach (1) evidence of certification and (2) proof of ability to place code in service within 60 days. If a growth code, attach months to exhaust worksheet.

Pooling Indicator: ¹³ ☐
Yes ☒ No

1.6 NPA Jeopardy Criteria Apply: ☐ Yes ☐ No

1.7 Code request for new service (Explain): We are installing a new switch in Cornersville and we need a code to identify the LRN for this switch.

1.8 It is the code applicant's responsibility to arrange input of Part 2 information into BIRRDs. The 45-calendar day nationwide minimum interval cut-over for BIRRDs will not begin until input into BIRRDs has been completed.

Comments:

I hereby certify that the above information requesting an NXX code is true and accurate to the best of my knowledge and that this application has been prepared in accordance with the Central Office Code (NXX) Assignment Guidelines posted to the ATIS web site (<http://www.atis.org/inc/incguides.asp>) as of the date of this application. ¹⁴

Anne M Chism

Signature of Code Applicant

Sr. Administrator-Telephone
Number Management

Title

10/16/2014

Date

¹Identify type and reason for change(s) in Section 1.4(e).

²A list of the current Code Administrator(s) who can provide assistance in completing this form is available upon request from NANPA.

³The NXX field is required for any code request in which there is a change or the NXX is being returned.

⁴Operating Company Number (OCN) assignments must uniquely identify the applicant. Relative to CO Code assignments, NECA-assigned Company Codes may be used as OCNs. Companies with no prior CO Code or Company Code assignments may contact NECA (800-228-8597) to be assigned a Company Code(s). Since multiple OCNs and/or Company Codes may be associated with a given company, companies with prior assignment should direct questions regarding appropriate OCN usage to the iconectiv Telecom Routing Administration (TRA) on 732-699-6700.

⁵This is an eleven-character descriptor of the switch provided by the owning entity for the purpose of routing calls. This is the eleven-character iconectiv COMMON LANGUAGE CLLITM Location Identification of the applicant's switch or POI. (Telcordia and CLLI are trademarks and COMMON LANGUAGE is a registered trademarks of Telcordia Technologies, Inc. dba iconectiv)

⁶Rate Center name must be a tariffed Rate Center associated with toll billing.

⁷Applies to any code applicant connecting to the Public Switched Telephone Network via a tandem owned by a different carrier.

⁸This is an eleven-character descriptor provided by the owning entity for the purpose of routing calls. This must be the CLLITM Location Identification Code of the switching entity/POI, and is the same on Part 2, Form 1, Page 2 of 2.

⁹Code applicants should request an effective date that is at least 66 calendar days from the submission of this form. It should be noted that interconnection arrangements and facilities need to be in place prior to activation of a code. Such arrangements are outside the scope of these guidelines.

¹⁰Requests for code assignment shall not be made more than six months prior to the requested effective date.

¹¹Select if you are the current Code Holder

¹²Select if you are not the current Code Holder

¹³The Applicant will indicate "YES" if the NXX being requested will be used for thousands-block number pooling and will leave this field blank if it is not.

¹⁴An incomplete form may result in delays in processing this request.

Effective June 11, 2001

Appendix B

CO CODE ASSIGNMENT
MONTHS TO EXHAUST CERTIFICATION WORKSHEET - TN Level¹
(Worksheet to be used for Request for Additional Codes for Growth)

Date: 10/16/2014 Company Name: TENNESSEE TELEPHONE
CO.

Rate Center: CORNERSVL

NPA-NXXs included in growth calculation²: 931-293

Signature of Authorized Representative
of Code Applicant: _____

Title: _____ Telephone No.: _____ FAX No.: _____

A. Telephone Numbers (TNs) Available for Assignment (See Glossary³): 9241

	Month #1	Month #2	Month #3	Month #4	Month #5	Month #6	Month #7	Month #8	Month #9	Month #10	Month #11	Month #12
B. Previous 6-month growth history ⁴	<u>5</u>	<u>9</u>	<u>7</u>	<u>13</u>	<u>6</u>	<u>8</u>						
C. Forecast - Next months 1- 12 ⁵	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>

D. Average Monthly Forecast (Sum of months 1-6 Part C
above divided by 6): 10.0

E. Months to Exhaust⁶ = $\frac{\text{Telephone Numbers (TNs) Available for Assignment (A)}}{\text{Average Monthly Forecast (D)}}$ = 924.1

F. Utilization Level⁷ = $\frac{\text{Telephone Numbers (TNs) Assigned}}{\text{Total Numbering Resources in Applicant's Inventory}} \times 100 = \underline{7.23}$

Explanation: We already have an LRN from our existing code, so we need to request a new code to create a new LRN for the Metaswitch we are installing. I would donate the 9000 numbers from the code and just keep the 1xxx block for LRN purposes. Cornersville is excluded from pooling, but I would ask Pooling to make it optional so I could make these donations. I would also donate all the clean thousand-blocks from our current code of 931-293.

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¹A copy of this worksheet is required to be submitted to the Code Administrator; for audit purposes, it must be in the applicant's files.

²Report on all resources for the requested geographic area, including newly acquired codes.

³Definitions of terms may be found in the Glossary section of the Central Office Code (NXX) Assignment Guidelines.

⁴Net change in TNs no longer available for assignment in each previous month, starting with the most distant month as Month #1, and Month #6 as the current month.

⁵Forecast of TNs needed in each following month, starting with the most recent month as Month #1.

⁶To be assigned an additional CO Code (NXX) for growth, "Months to Exhaust" must be less than or equal to 6 months. (FCC 00-104, section 52.15 (g) (3) (iii)).

⁷Newly acquired numbers (see glossary) may be excluded from the utilization calculation (FCC 00-104, section 52.15 (g) (3) (ii)).

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Further Action: _____

NPA in jeopardy: Yes: _ No: _

If yes, refer to the Section 9 of the assignment guidelines

Remarks:

According to the FCC 2nd Report and Order (FCC 00-429) effective June 30, 2003, in order to receive additional numbering resources, the MTE form you submit must meet the 75% utilization level. If you are in disagreement with the disposition of this code request, please refer to the Central Office Code (NXX) Assignment Guidelines for the appeals process.

A copy of this Part 3 has been sent to the following users/email addresses.

EXHIBIT B

Petition of Tennessee Telephone Company

Conersville Rate Center

[illegible]