

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

May 17, 2016

IN RE:

PETITION OF TELEPORT COMMUNICATIONS OF  
AMERICA, LLC-TN FOR REVIEW OF CENTRAL  
OFFICE CODE DENIAL RELATING TO BASS PRO,  
INC. IN CHATTANOOGA

)  
)  
)  
)  
)  
)

DOCKET NO.  
16-00050

---

ORDER APPROVING PETITION FOR 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 Review of Central Office Code Denial* (“*Petition*”) filed by Teleport Communications of America, LLC-TN (“TCAL” or the “Company”) on May 5, 2016.

TCAL is a telecommunications public utility subject to the jurisdiction of the Authority that provides intraLATA, local exchange telecommunications services in various portions of Tennessee, including the Chattanooga Rate Center. In its *Petition*, TCAL asserts that on or about April 28, 2016, it submitted an application to NeuStar, the Number Pooling Administrator,<sup>1</sup> for the assignment of 200 consecutive numbers in the 423 area code for the Chattanooga Rate Center. TCAL requests these numbers in order to accommodate the request of its customer, Bass Pro, Inc.<sup>2</sup>

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

---

<sup>1</sup> NeuStar is an independent non-governmental entity that is responsible for administering and managing the North American Numbering Plan (“NANP”). See 47 C.F.R. § 52.13(a), (b)

<sup>2</sup> *Petition*, pp. 2-3 (May 5, 2016).

has a 75% utilization rate and exhaustion of existing numbering inventory does not exceed six months.<sup>3</sup> At the time of TCAL's code request, the Chattanooga Rate Center had a utilization rate of approximately 69% and a months-to-exhaust ratio of approximately 5.5 months.<sup>4</sup> Therefore, because the rate center's current utilization rate and the months-to-exhaust ratio do not both meet the criteria in the NXX Guidelines; NeuStar denied AT&T Tennessee's application.<sup>5</sup>

The Federal Communications Commission ("FCC") has authorized the Authority to review NeuStar's decision to deny a numbering application.<sup>6</sup> 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."<sup>7</sup> Upon consideration of the facts contained in the record, the public interest, and the Authority's charge to foster competition in the telecommunications industry,<sup>8</sup> the Hearing Officer agrees that TCAL's request should be approved.

**IT IS THEREFORE ORDERED THAT:**

1. The Number Pooling Administrator's decision to deny Teleport Communications of America, LLC-TN's application for additional numbering resources, as set forth in its *Petition for Review of Central Office Code Denial* and discussed herein, is reversed.

2. The Number Pooling Administrator is directed to provide one partial block of

---

<sup>3</sup> See Alliance for Telecommunications Industry Solutions, *Central Office Code (NXX) Assignment Guidelines (COCAG) Final Document*, ATIS 03-00051, § 4.3.1 (June 15, 2007).

<sup>4</sup> *Petition*, Exhibit B, p. 7 (May 5, 2016).

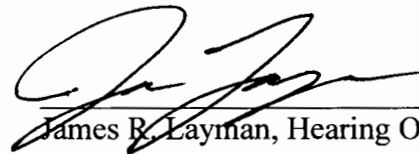
<sup>5</sup> The *Petition* indicates that the Pooling Administration System gave an error message that indicated that neither threshold was met. *Petition*, p. 3 (May 5, 2016).

<sup>6</sup> *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).

<sup>7</sup> *In the Matter of Numbering Resource Optimization*, CC Docket No. 99-200, FCC 00-104, Appendix A, Final Rules § 52.15(g)(3)(iv).

<sup>8</sup> See Tenn. Code Ann. § 65-4-123.

numbers, consisting of 200 consecutive numbers, to Teleport Communications of America, LLC-TN to meet the specific requirements of its customer, Bass Pro, Inc. within the 423 area code in the Chattanooga Rate Center for Switch Identification No. ATLNGATLGT9.



---

James B. Layman, Hearing Officer