

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

March 22, 2017

IN RE:)	
)	
PETITION FOR EXPEDITED REVIEW OF)	DOCKET NO.
GROWTH CODE DENIAL BY THE NUMBER)	17-00023
POOLING ADMINISTRATOR – BLOUNTVILLE)	
RATE CENTER)	

**ORDER APPROVING PETITION FOR EXPEDITED
REVIEW OF GROWTH 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 Growth Code Denial by the Number Pooling Administrator – Blountville Rate Center* (“*Petition*”) filed by Teleport Communications of America, LLC-TN (“TCAL” or the “Company”) on March 15, 2017.

TCAL is a telecommunications public utility subject to the jurisdiction of the Authority that provides competitive local exchange telecommunications services in various portions of Tennessee, including the Blountville Rate Center. In its *Petition*, TCAL asserts that on or about March 6, 2017, it submitted an application to NeuStar, the Number Pooling Administrator,¹ for the assignment of 1000 block of numbers in the 423 area code for the Blountville Rate Center. TCAL requests these numbers in order to accommodate the request of its customer, Agero, Inc.²

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

¹ 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).

² *Petition*, p. 3 (March 15, 2017).

months.³ At the time of TCAL's code request, the Blountville Rate Center had a utilization rate of approximately 62% and a months-to-exhaust ratio of approximately 4 months.⁴ 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 TCAL's application.⁵

The Federal Communications Commission ("FCC") has authorized the Authority to review NeuStar's decision to deny a numbering application.⁶ 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."⁷ Upon consideration of the facts contained in the record, the public interest, and the Authority's charge to foster competition in the telecommunications industry,⁸ 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 a thousand block of numbers, consisting of 1000 consecutive numbers, to Teleport Communications of America,

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

⁴ *Petition*, Exhibit B, p. 7 (March 15, 2017).

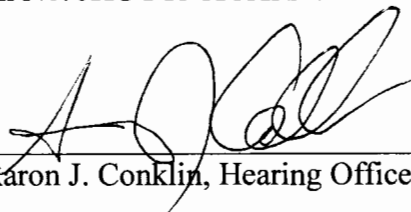
⁵ The *Petition* indicates that the Pooling Administration System gave an error message instructing it to "Return to the Months to Exhaust Form", the request would require a state waiver and that the utilization threshold was not met. *Petition*, p. 3 (March 15, 2017).

⁶ *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).

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

⁸ See Tenn. Code Ann. § 65-4-123.

LLC-TN to meet the specific requirements of its customer, Agero, Inc. within the 423 area code in the Blountville Rate Center for Switch Identification No. JHCYTNXCXRX.



Aaron J. Conklin, Hearing Officer