

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) **17-00024**
POOLING ADMINISTRATOR RELATING TO)
THE DEPARTMENT OF VETERANS AFFAIRS,)
MEMPHIS, TENNESSEE)

**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 *BellSouth Telecommunications, LLC, d/b/a AT&T Tennessee’s Petition for Expedited Review of Central Office Code Denial (“Petition”)* filed by BellSouth Telecommunications, LLC, d/b/a AT&T Tennessee (“AT&T Tennessee” or the “Company”) on March 16, 2017.

AT&T Tennessee 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 Memphis Rate Center. In its *Petition*, AT&T Tennessee asserts that on or about March 3, 2017, it submitted an application to NeuStar, the Number Pooling Administrator,¹ for the assignment of 1000 number consecutive block in the 901 area code for the Memphis Rate Center. AT&T Tennessee requests these numbers in order to accommodate the request of its customer, the Department of Veterans Affairs, Memphis,

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).

Tennessee.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 months.³ At the time of AT&T Tennessee's code request, the Memphis Rate Center had a utilization rate of approximately 50% and a months-to-exhaust ratio of approximately 1,144 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 AT&T Tennessee'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 AT&T Tennessee's request should be approved.

² *Petition*, p. 4 (March 16, 2017).

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

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

⁵ The *Petition* indicates that the Pooling Administration System indicated a message indicating that neither threshold was met and that a state waiver needed to be requested. *Petition*, Exhibit D (March 16, 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.

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 its *Petition for Expedited 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 BellSouth Telecommunications, LLC, d/b/a AT&T Tennessee to meet the specific requirements of its customer, Department of Veterans Affairs, Memphis, Tennessee within the 901 area code in the Memphis Rate Center for Switch Identification No. MMPHTNSLDS0.



Aaron J. Conklin, Hearing Officer