

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

May 18, 2017

IN RE:

**UNITED TELEPHONE COMPANY PETITION
FOR EXPEDITED REVIEW OF GROWTH
CODE DENIAL BY THE NUMBER POOLING
ADMINISTRATOR**

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**DOCKET NO.
17-00041**

**ORDER APPROVING PETITION FOR EXPEDITED
REVIEW OF GROWTH CODE DENIAL**

This matter is before the Hearing Officer of the Tennessee Public Utility Commission (the “Commission” or “TPUC”), upon the *Petition for Expedited Review of Central Office Code Denial* (“*Petition*”) filed by United Telephone Company (“United” or the “Company”) on May 12, 2017.

United is a telecommunications public utility subject to the jurisdiction of the Commission that provides intraLATA, local exchange telecommunications services in the Nolensville Rate Center. In its *Petition*, United asserts that on or about May 3, 2017, it submitted an application to NeuStar, the Number Pooling Administrator,¹ for the assignment of four (4) 1000 number blocks in the 615 area code for the Nolensville Rate Center. United requested these numbers in order to fulfill an order for a very large customer who requested a significant block of contiguous DID numbers to support a new call center.² United does not currently possess a non-contaminated existing block of numbers that can be allocated to the

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 (May 12, 2017).

customer.³

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 United's code request, the Nolensville Center had a utilization rate of approximately 40% and a months-to-exhaust ratio of approximately 1,176 months.⁵ Therefore, because the rate center's current utilization rate does not meet the criteria in the NXX Guidelines, NeuStar denied United's application.⁶

The Federal Communications Commission ("FCC") has authorized the Commission 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 Upon consideration of the facts contained in the record, the public interest, and the Commission's charge to foster competition in the telecommunications industry,⁹ the Hearing Officer agrees that United's request should be approved.

³ *Petition*, p. 3 (May 12, 2017).

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*, Exhibit A, p. 6 (May 12, 2017).

⁶ *Petition*, pp. 3-4 (March 16, 2017). See also *Petition*, Exhibit D (March 16, 2017).

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 United Telephone Company'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 four (4) one thousand blocks of numbers, consisting of 4000 contiguous numbers, to United Telephone Company to meet the specific requirements of its customer within the 615 area code in the Nolensville Rate Center for Switch Identification No. CPHLTNXADS2.



Aaron J. Conklin, Hearing Officer