

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

July 6, 2017

IN RE:)	
)	
PETITION OF VOLUNTEER FIRST)	DOCKET NO.
SERVICES, INC. FOR A NUMBERING WAIVER TO)	17-00055
OBTAIN A BLOCK OF NUMBERS FROM THE)	
POOLING ADMINISTRATOR)	

**AMENDED ORDER APPROVING PETITION FOR
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 a Numbering Waiver to Obtain a Block of Numbers from the Pooling Administrator* (“*Petition*”) filed by Volunteer First Services, Inc. (“Volunteer” or the “Company”) on June 6, 2017.

Volunteer is a telecommunications public utility subject to the jurisdiction of the Commission that provides competitive local exchange telecommunications services in various portions of Tennessee, including the Crossville Rate Center. In its *Petition*, Volunteer asserts that on or about May 19, 2017, it submitted an application to NeuStar, Inc. (“NeuStar”), the Number Pooling Administrator,¹ for the assignment of 1000 block of numbers in the 931 area code for the Crossville Rate Center. Volunteer requests these numbers in order to accommodate the request of its customer, Covenant Health for a single, consecutive 1,000 block of numbers in Crossville for assignment to the Cumberland Medical Center.² Volunteer also states that while the Company has three (3) 1,000 number block assignments in the Crossville Rate Center, these

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. 1 (June 6, 2017).

blocks have all been partially utilized and cannot be used to accommodate its customer's request.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 TCAL's code request, the Crossville Rate Center had a utilization rate of approximately 57% and a months-to-exhaust ratio of approximately 183 months.⁵ 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 Volunteer'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 Volunteer's request should be approved.

³ *Id.*

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 *Response to Staff Request*, p. 2 (June 6, 2017).

⁶ The *Petition* includes a denial of the request indicating that the MTE and/or Utilization requirements are not met and that the request would require a state waiver. *Petition*, p. 5 (June 6, 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 Volunteer First Services, Inc.'s application for additional numbering resources, as set forth in its *Petition for a Numbering Waiver to Obtain a Block of Numbers from the Pooling Administrator* 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 Volunteer First Services, Inc. to meet the specific requirements of its customer, Covenant Health within the 931 area code in the Crossville Rate Center for Switch Identification No. MMRLTNXA1MD.


Aaron J. Conklin, Hearing Officer