

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

June 30, 2017

IN RE:

**PETITION FOR EXPEDITED REVIEW OF
GROWTH CODE DENIAL BY THE NUMBER
POOLING ADMINISTRATOR – MARYVILLE
RATE CENTER**

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**DOCKET NO.
17-00060**

**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 of Teleport Communications of America, LLC – TN for Review of Central Office Code Denial* (“*Petition*”) filed by Teleport Communications of America, LLC - TN (“TCAL” or the “Company”) on June 26, 2017.

TCAL is a telecommunications public utility subject to the jurisdiction of the Commission that provides competitive local exchange telecommunications services in Tennessee, including the Maryville Rate Center. In its *Petition*, TCAL asserts that on or about June 20, 2017, it submitted an application to NeuStar, Inc. (“NeuStar”), the Number Pooling Administrator,¹ for the assignment of 1000 block of numbers in the 865 area code for the Maryville Rate Center. TCAL requests these numbers in order to accommodate the request of its customer, Ashby Communities, for a consecutive 400 block of numbers in the 8 block of the Maryville Rate Center for assignment to the Ashby Place at Maryville continuing care retirement

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).

community.² TCAL also states that while the Company has “adequate telephone numbers to satisfy incremental requests for numbers without receiving a new block of numbers, TCAL’s existing resources cannot satisfy this customer’s specific need for 400 numbers in an 8 block.”³ TCAL further indicates that the Maryville industry pool does not currently have an 8 block and therefore, a new code will need to be opened with TCAL utilizing the 8 block and returning the other 9 blocks to the pool.⁴

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.⁵ At the time of TCAL’s code request, the Maryville Rate Center had a utilization rate of approximately 74% and a months-to-exhaust ratio of approximately 3.26 months.⁶ 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.⁷

The Federal Communications Commission (“FCC”) has authorized the Commission to review NeuStar’s decision to deny a numbering application.⁸ 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

² *Petition*, p. 2 (June 26, 2017).

³ *Id.* at 3.

⁴ *Id.*

⁵ See Alliance for Telecommunications Industry Solutions, *Central Office Code (NXX) Assignment Guidelines (COCAG) Final Document*, ATIS 03-00051, § 4.3.1 (June 15, 2007).

⁶ *Petition*, Exhibit B, p. 2 (June 6, 2017).

⁷ 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*, Exhibit B, p. 3 (June 6, 2017).

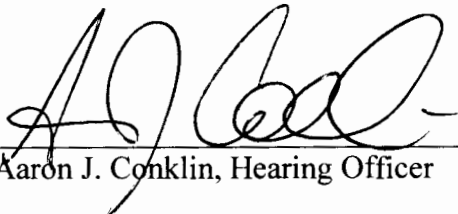
⁸ *In the Matter of Numbering Resource Optimization*, CC Docket No. 99-200, *Third Report and Order and Second Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 95-116, Third Report and Order and Second Order on Reconsideration*, CC Docket No. 99-200, 17 FCC 01-362, ¶ 48 (2001).

rate center that it cannot meet with its current inventory.”⁹ Upon consideration of the facts contained in the record, the public interest, and the Commission’s charge to foster competition in the telecommunications industry,¹⁰ 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 of Teleport Communications of America, LLC – TN 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 in an 8 block, to Teleport Communications of America, LLC - TN to meet the specific requirements of its customer, Ashby Communities, within the 865 area code in the Maryville Rate Center for Switch Identification No. KNVLTNBHDS0.



Aaron J. Conklin, Hearing Officer

⁹ *In the Matter of Numbering Resource Optimization*, CC Docket No. 99-200, FCC 00-104, Appendix A, Final Rules § 52.15(g)(3)(iv).

¹⁰ See Tenn. Code Ann. § 65-4-123.