

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

January 9, 2018

IN RE:)	
)	
PETITION FOR EXPEDITED REVIEW OF)	DOCKET NO.
GROWTH CODE DENIAL BY THE NUMBER)	18-00002
POOLING ADMINISTRATOR –)	
CHATTANOOGA RATE CENTER)	
)	

**ORDER APPROVING PETITION FOR
REVIEW OF CENTRAL OFFICE 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 January 5, 2018.

TCAL is a telecommunications public utility subject to the jurisdiction of the Commission that provides local exchange telecommunications services in the Chattanooga Rate Center. In its *Petition*, TCAL asserts that on or about December 19, 2017, it submitted an application to NeuStar, the Number Pooling Administrator,¹ for the assignment of a new code (10000 number block) in the 423 area code for the Chattanooga Rate Center. TCAL requested these numbers in order to fulfill two orders for a very large customer who requested a significant block of contiguous DID numbers to support two hospitals, said orders totaling a request for 7000 numbers.² TCAL indicates in its *Petition* that while it owns 4 non-contiguous number

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. 2 (January 5, 2018).

blocks in the Chattanooga Rate Center, it does not have adequate numbers to satisfy the request for 7000 numbers.³ Further, the Company indicates that as a new code will have to be opened to satisfy the request, it intends to activate seven (7) 1000 number blocks and to donate the remaining three (3) 1000 number 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 Chattanooga Rate Center had a utilization rate of approximately 68.7% and a months-to-exhaust ratio of approximately 3 months.⁶ Therefore, because the rate center's current utilization rate does not 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 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

³ *Id.* at 3.

⁴ *Id.* at 4.

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

⁶ *Petition*, Exh. B (January 5, 2018).

⁷ *Id.* at 3, Exh. B.

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).

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).

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 for Review of Central Office Code Denial* and discussed herein, is reversed.

2. The Number Pooling Administrator is directed to provide a full code of 10000 numbers to Teleport Communications of America, LLC - TN to meet the specific requirements of its customer within the 423 area code in the Chattanooga Rate Center for Switch Identification No. CHTGTNNSXEY.



Aaron J. Conklin, Hearing Officer

¹⁰ See Tenn. Code Ann. § 65-4-123.