

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

August 10, 2018

IN RE:)	
)	
PETITION FOR EXPEDITED REVIEW OF)	
GROWTH CODE DENIAL BY THE NUMBER)	DOCKET NO.
POOLING ADMINISTRATOR –)	18-00085
OAK RIDGE RATE CENTER – BLACK BOX)	
NETWORK SERVICES)	

**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 August 7, 2018.

TCAL is a telecommunications public utility subject to the jurisdiction of the Commission that provides local exchange telecommunications services in the State of Tennessee. In its *Petition*, TCAL asserts that on or about July 31, 2018, it submitted an application to NeuStar, the Number Pooling Administrator,¹ for the assignment of one (1) Code (10,000 block of consecutive numbers) in the 865 area code for the Oak Ridge Rate Center. TCAL requested these numbers in order to fulfill an order for Black Box Network Services who requested 10,000 consecutive numbers in the Oak Ridge Rate Center. TCAL has worked with the customer to develop a plan so that the numbers will be assigned and activated within 180 days.² TCAL

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*, pp. 2-3 (August 7, 2018).

indicates in its *Petition* that while it owns adequate numbers to satisfy incremental requests for numbers, the Company cannot satisfy the request for 10,000 consecutive numbers and a new NPA-NXX will need to be opened.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 Oak Ridge Rate Center had a utilization rate of approximately 58.3% and a months-to-exhaust ratio of approximately 0.231 months.⁵ Therefore, because the rate center's current utilization rate does not meet the criteria in the NXX Guidelines, NeuStar denied TCAL'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 TCAL's request should be approved.

³ *Id.* at 3-4.

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*, Exh. B (August 7, 2018).

⁶ *Id.* at 3, Exh. B.

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).

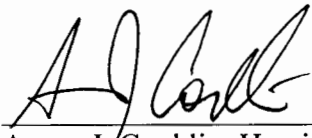
⁸ *In the Matter of Numbering Resource Optimization*, CC Docket No. 99-200, FCC 00-104, Appendix A, Final Rules § 52.15(g)(3)(iv).

⁹ See Tenn. Code Ann. § 65-4-123.

IT IS THEREFORE ORDERED THAT:

1. The Number Pooling Administrator's decision to deny 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 one (1) Code (10,000 consecutive numbers) to Teleport Communications of America, LLC - TN to meet the specific requirements of its customer within the 865 area code in the Oak Ridge Rate Center for Switch Identification No. KNVLTNMA54Z.



Aaron J. Conklin, Hearing Officer