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January 7, 2019

VIA ELECTRONIC FILING

Hon. David Jones, Chairman
c/o Sharla Dillon
Tennessee Public Utilities Commission
502 Deaderick Street, 4th Floor
Nashville, TN 37243

RE: *Petition for Expedited Review of Growth Code Denial by the Number Pooling Administrator – Knoxville Rate Center, TPUC Docket No. 19-00005*

Dear Chairman Jones:

Attached for filing please find *MCImetro Access Transmission Services Corp.'s Petition for Expedited Review of Neustar's Denial of Application for Numbering Resources*.

As required, an original of this filing, along with four (4) hard copies and the required \$25 filing fee will follow. Should you have any questions concerning this filing, or require additional information, please do not hesitate to contact me.

Very truly yours,

BUTLER SNOW LLP


Melvin J. Malone

clw
Attachment
cc: David Foster

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150 3rd Avenue South, Suite 1600
Nashville, TN 37201*

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BUTLER SNOW LLP

**BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION
NASHVILLE, TENNESSEE**

In the Matter of:

**Petition for Expedited Review of Growth
Code Denial by the Number Pooling
Administrator – Knoxville Rate Center**

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Docket No. _____

**PETITION OF MCIMETRO ACCESS TRANSMISSION
SERVICES CORP. FOR EXPEDITED REVIEW OF NEUSTAR'S
DENIAL OF APPLICATION FOR NUMBERING RESOURCES**

MCImetro Access Transmission Services Corp. (MCImetro) requests that the Commission review the denial by the Pooling Administrator (Neustar) of MCImetro's application for a Thousand Block of telephone numbers in the Knoxville, Tennessee rate center, overturn that decision, and order that a Thousand Block be assigned to MCImetro.

PARTIES

1. MCImetro is a certificated competitive local exchange company that provides local exchange service and exchange access service in Tennessee. MCImetro is the successor-in-interest of Brooks Fiber Communications of Tennessee, Inc.

2. NeuStar is an independent non-governmental entity that is responsible for administering and managing the numbering resources in pooling areas. See 47 C.F.R. § 52.20(d).

BACKGROUND AND REQUEST FOR RELIEF

3. A large business customer has requested that MCImetro provide a 500 consecutive telephone numbers in the Knoxville rate center to accommodate the customer's growth and allow it to assign all of its teams with a block of numbers. A copy of the customer's letter explaining the circumstances is attached as Exhibit 1.

4. Because MCImetro does not have 500 consecutive numbers in its inventory, it applied on November 2, 2018 to NeuStar for a Thousand Block in the Knoxville rate center. MCImetro's application is attached as Exhibit 2.

5. NeuStar denied MCImetro's request on the same day it was submitted. The request was denied because MCImetro did not meet one of the FCC's two criteria that NeuStar applies, even though MCImetro does not have the numbering resources needed to satisfy its customer's request. Specifically, the Knoxville rate center's months-to-exhaust calculation was 6.65 months – slightly more than permitted by the FCC's six month criterion. MCImetro's number utilization of 92.1% significantly exceeded the FCC's 75% criterion. The Months-to-Exhaust Report reflecting these calculations is attached as Confidential Exhibit 3. NeuStar's denial of MCImetro's application is attached as Exhibit 4.

6. The FCC has delegated authority to the Commission to address NeuStar's denial of a request for numbering resources, stating that “[w]e agree ... that a safety valve mechanism should be established, and we delegate authority to state commissions to hear claims that a safety valve should be applied when the . . . Pooling Administrator denies a specific request for numbering resources.”¹ Moreover, the FCC has determined that “a carrier should be able to get additional numbering resources when there is a verifiable need due to the carrier's inability to satisfy a specific customer request.” Specifically, states “may grant requests for customers seeking contiguous blocks of numbers.”²

7. NeuStar's denial of sufficient numbering resources to MCImetro to meet its customer's request is inconsistent with the FCC's position that “[u]nder no circumstances should

¹ *Numbering Resource Optimization*, Third Report and Order and Second Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200, FCC 01-362, CC Docket No. 99-200, CC Docket No. 96-98, CC Docket No. 95-116, ¶ 61(2001).

² *Id.* ¶ 64.

consumers be precluded from receiving telecommunications services of their choice from providers of their choice for want of numbering resources.”³ By refusing to grant numbering resources sufficient to meet the needs of MCImetro’s customer, NeuStar is preventing this customer from obtaining the service it wants from the carrier of its choice.

8. MCImetro’s request for a Thousand Block to meet its customer’s request fits squarely within the framework established by the FCC for “safety valve” requests that the Commission is authorized to grant. MCImetro respectfully requests that the Commission direct NeuStar to assign a Thousand Block for the Knoxville rate center so that MCImetro can satisfy its customer’s request.

WHEREFORE, MCImetro respectfully requests that the Commission review NeuStar’s decision to deny MCImetro’s request for additional numbering resources, overturn that decision, and direct NeuStar to assign MCImetro a Thousand Block in the Knoxville rate center.

Respectfully submitted on January 3, 2019.



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*Attorney for MCImetro Access Transmission
Service Corp.*

³ *Numbering Resource Optimization*, Second Report and Order and Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200, and Second Further Notice of Proposed Rulemaking in CC Docket No. 99-200, FCC 00-429, CC Docket No. 99-200, CC Docket No. 96-98, ¶ 61 (2000).

Exhibit 1



October 29, 2018

To Whom It May Concern:

Cellular Sales would like to make a formal request for 500 contiguous TN numbers, without 0, 8, or 9 as the first digit of the extension, and within the extension range to match our current assignments, 2000 to 2499. Cellular Sales is the nation's largest retailer for Verizon Wireless. Our headquarters is located in Knoxville, Tennessee.

This formal request is being made for the following reasons:

- Continuous numbers will account for growth and allow us to assign all our teams with a block of numbers
- 0, 8, or 9 is not allowed as the first digit for our Cisco UC configuration on the new VoIP Platform

- 865 is our local area code
- Extensions which range from 2000 to 2499 exist in our present environment. It is our preference to not need to change extensions.

Sincerely,

Joseph Mark Ramsey

Joseph Ramsey
Cellular Sales | IT Project Manager
9040 Executive Park Dr.
Knoxville, TN 37923
423-248-6246

CELLULARSALES

verizon

Exhibit 2

Tracking Number: 865-KNOXVILLE-TN-1127585

Thousands-Block Application Form - Part 1A
Revised: January 4, 2016

Individual Block
Request

Type of Application: ☒ New ☐ Change ⁱ ☐ Disconnect

General Application Information

1.1 Contact Information:

Block Applicant:

Company Name: BROOKS FIBER COMMUNICATIONS OF TENNESSEE, INC.- TN

Headquarters Address: 140 West St

City: New York State: NY ZIP: 10013

Contact Name: Andy Knapp

Contact Address: 2700 Summit Dr

City: Plano State: TX ZIP: 10013

Phone: 972-578-3759

Fax:

E-mail: andy.w.knapp@verizon.com

Pooling Administrator:"

Contact Name: Margaret Harrell-Simington

Contact Address: 1800 Sutter Street, Suite 780

City: Concord State: CA ZIP: 94520

Phone: 925-363-8747 Fax: 925-363-8747

E-mail: margaret.harrell-simington@neustar.biz

1.2 General Information:

Check one : No LRN needed _____ LRN neededⁱⁱⁱ: _____

NPA: 865 LATA: 474 OCN^{iv}: 7278 Parent Company's OCN 7229

Number of Thousands-Blocks Requested : 1

Switch Identification (Switching Entity/POI^v): KNVLTNIIDS0

Rate Center^{vi}: KNOXVILLE

1.3 Dates:

Date of Application^{vii}: 11/02/2018

Requested Effective
Date^{viii}: 12/03/2018

Requested Expedited Treatment? (See Section 8.6) Yes X No

Expedited Explanation:



By selecting this checkbox, I acknowledge that I am requesting the earliest possible effective date the Administrator can grant. Please note that this only applies to a reduction in the Administrator's processing time, however the request will still be processed in the order received.

1.4 Type of Service Provider Requesting the Thousands-Block :

- a) Type of Service Provider : CAP OR CLEC (LEC, IXC, CMRS, Other)
- b) Primary Type of Service Blocks to be used for : Wireline
- c) Thousands-Block(s) (NXX-X) assignment preference (Optional) 865-839-3
- d) Thousands-Block(s) (NXX-X) that are undesirable for this assignment , if any
- e) If requesting a code for LRN purposes, indicate which block(s) you will be keeping (the remainder of the blocks will be given to the pool)

1.5 Type of Request:

Initial block for rate center : Yes If Yes, attach evidence of authorization and proof of capability to provide service within 60 days.

Growth block for rate center : Yes X If Yes, attach months to exhaust worksheet



By selecting this checkbox, I acknowledge that I am willing to accept a block in **red** and explicitly understand that the underlying CO code may not yet be activated in the PSTN and loaded in the NPAC on the block effective date.

Type of change (Mark all that apply)



OCN: Intra-company^{ix}

Switching Id ☐

Part 1B



OCN: Inter-company^x

Effective Date

Change block : Yes If Yes, list NPA-NXX-X

1.6 Block Return :

- a) Is this block Contaminated: Yes No
- b) If Yes how many TNs are NOT available for assignment :
- c) Have all new Intra SP ports been completed in the NPAC: Yes No
- d) Has this block been protected from further assignment: Yes No

Disconnect block : Yes If Yes, list NPA-NXX-X

Remarks:

I hereby certify that the above information requesting an NXX-X block is true and

accurate to the best of my knowledge and that this application has been prepared in accordance with the Thousands-Block (NXX-X) Pooling Administration Guidelines ATIS-0300066 available on the ATIS web site (www.atis.org/inc) or by contacting inc@atis.org as of the date of this application.

Andy Knapp

Signature of Block Applicant

Code Admin

Title

11/02/2018

Date

Instructions for filling out each Section of the Part 1A form:

Section 1.1 Contact information requires that Service Providers supply under "Block Applicant" the company name, company headquarters address, a contact within the company, an address where the contact person may be reached, in addition to the correct phone, fax, and e-mail address. The Pooling Administrator section also requires the Service Provider to fill in the Pooling Administrator's name, address, phone, fax and e-mail.

Section 1.2 Service Providers who need a thousands-block assignment or for an Location Routing Number (LRN) are required to fill in this section. If needed for an LRN, a CO Code Application needs to also be submitted to the PA. The Service Provider should supply the Numbering Plan Area (NPA); the Local Access Transport Area (LATA), which is a three-digit number that can be found in the Telcordia Technologies, Inc. dba iconectiv (iconectivTM) LERGTM Routing Guide^{xi}. The Operating Company Number (OCN) assigned to the service provider and the OCN of its parent company. An OCN is a four-character alphanumeric NECA-assigned Company Code or a four-character alphanumeric identifier assigned by the iconectivTM Telecom Routing Administration (TRA). In addition, the number of thousands-blocks requested should be supplied. The Switch Identification. Explanations of these terms may be found in the footnotes.

Section 1.3 The date the Service Provider completes the application should be entered in this section, as well as the Effective Date of the requested thousands-block.

Section 1.4 Service Providers should indicate their type, e.g., local exchange carrier, competitive local exchange carrier, interexchange carrier, CMRS or VoIP. Also indicate the primary type of business in which the numbering resource is to be used. Service Providers may indicate their preference for a particular thousands-block, e.g., 321-9XXX, or indicate any thousands-blocks that may be undesirable, e.g., 321-6XXX.

Section 1.5 Service Providers indicate the type of request. Initial requests are for first applications for thousands-blocks in a rate center, growth for additional thousands-blocks in a rate center in which the applicant already has numbering resources, and provide the required evidence as ordered by the FCC.

Section 1.6 Service Providers must indicate the updated/current information in regards to contaminated TNs on the block they are returning to the pool. Blocks with over 10% contamination (101 TNs or more) shall not be returned to the pool except when a service provider is exiting the market or is exchanging a block that was identified as being over 10% contaminated. If the block being returned is over 10% contaminated, the PA shall seek a new block holder. If question c and/or d have a response of No, the request for return shall be denied.

The thousands-block applicant certifies veracity of this form by signing their name, and providing their title and date.

Footnotes:

ⁱIdentify the type of change(s) in Section 1.5.

ⁱⁱThe Pool Administrator is available to assist in completing these forms.

ⁱⁱⁱA CO Code application will also need to be submitted to the PA.

^{iv}Operating Company Number (OCN) assignments must uniquely identify the applicant. Relative to CO Code assignments, NECA-assigned Company Codes may be used as OCNs. Companies with no prior CO Code or Company Code assignments should contact NECA (800 524-1020) to be assigned a Company Code(s). Since multiple OCNs and/or Company Codes may be associated with a given company, companies with prior assignments should direct questions regarding appropriate OCN usage to TRA (732-699-6700).

^vThis is an eleven-character descriptor of the switch provided by the owning entity for the purpose of routing calls. This is the 11 character CLLITM Code of the switch /POI.

^{vi}Rate Center name must be a tariffed Rate Center.

^{vii}Acknowledgment and indication of disposition of this application will be provided to applicant within seven calendar days from the date of receipt of this application. An incomplete form may result in delays in processing this request.

^{viii} Please ensure that the NPA-NXX of the LRN to be associated with this block(s) is/will be active in the PSTN prior to the effective date of the block(s).

^{ix} Select if you are the current Block Holder.

^x Select if you are not the current Block Holder

^{xi} Common Language[®] and Telcordia[®] are registered trademarks and CLLITM, LERGTM Routing Guide and iconectivTM are trademarks and the Intellectual Property of Telcordia Technologies, Inc. dba iconectiv.

[Back](#)

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Exhibit 3

Months To Exhaust Report 11/1/2018

ReportDate: 11/1/2018
State: TN
Rate Center: KNOXVILLE
OCN: 7278
File Downloaded Time: 11/2/2018 10:43:49 AM

[illegible]

F. Forecast - Next months1-12 [3]:										
Month #01	531	31	31	31	31	31	31	31	31	31
Month #02	31	31	31	31	31	31	31	31	31	31
Month #03	31	31	31	31	31	31	31	31	31	31
Month #04	31	31	31	31	31	31	31	31	31	31
Month #05	31	31	31	31	31	31	31	31	31	31
Month #06	31	31	31	31	31	31	31	31	31	31
Month #07	31	31	31	31	31	31	31	31	31	31
Month #08	31	31	31	31	31	31	31	31	31	31
Month #09	31	31	31	31	31	31	31	31	31	31
Month #10	31	31	31	31	31	31	31	31	31	31
Month #11	31	31	31	31	31	31	31	31	31	31
Month #12	31	31	31	31	31	31	31	31	31	31
G. Average Monthly Forecast - (Sum of months #1-6 (Item F above) divided by 6):	114	31	31	31	31	31	31	31	31	31
H. Months to Exhaust [4] (Avail #s[A] / Avg mthly Forecast[G])	6.65	56.77	89.03	121.29	153.55	185.81	218.06	250.32	282.58	314.84
I. Utilization [5] - (Assigned#s[B]- / (Total #s[C] -Excluded #s[D])	92.10%	85.96%	80.59%	75.85%	71.63%	67.86%	64.47%	61.40%	58.61%	56.06%
Explanation:										

Proprietary Disclaimer

The 'TNRV Reporting Engine' system is provided for the use of employees and other authorized users to assist them in carrying out Company business, and is to be solely used for company business. It is a proprietary system and is subject to monitoring at the Company's discretion. Your use of this system implies consent. The Company treats all information and messages transmitted over these systems as business messages, which may be monitored by the Company. Any downloaded information must only be used to carry out Company business. Any other use of the system or data violates the Code of Business Conduct.

Exhibit 4

From: "margaret.harrell-simington@neustar.biz" <margaret.harrell-simington@neustar.biz>
To: Code Administrators <CodeAdministrators@one.verizon.com>, "Knapp, Andy W" <andy.w.knapp@one.verizon.com>
Cc: "PA_Part3@neustar.biz" <PA_Part3@neustar.biz>
Bcc:
Date: Fri, 2 Nov 2018 14:55:26 +0000
Subject: [E] , 865-KNOXVILLE-TN-1127585 - DENIED PAS - Part 3 Confirmation

Pooling Administration System

Dated 02 November 2018

Thousands-Block Number Pooling Administration Guidelines
(TBPAG) - Part 3

Revised: January 4, 2016

Pooling Administrator's Response/Confirmation

Tracking Number : 865-
KNOXVILLE-
TN-1127585

Date of Application:	11/02/2018	Effective Date:	
Date of Receipt:	11/02/2018	Date of Response:	11/02/2018

Service Provider Name:	BROOKS FIBER COMMUNICATIONS OF TENNESSEE, INC.- TN
(LERG TM Routing Guide ¹) OCN:	7278
Parent Company OCN:	7229

NPAC SOA SPID :

Pooling Administrator Contact Information:

Margaret Harrell-Simington	Phone:	925-363-8747
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Signature of Pooling Administrator

Margaret Harrell-Simington	Fax:	925-363-8747
----------------------------	------	--------------

Name (print)

Email:

[margaret.harrell-
simington@neustar.biz](mailto:margaret.harrell-simington@neustar.biz)

NPA-NXX or
NPA-NXX-X
:

Block Assigned:

Block Reserved

Block
Reservation
Expiration Date :

Block/Code

Modified :

Block/Code

Disconnected :

Block Contaminated (Yes or No):

If yes, enter the number of TNs
contaminated (1-1000):

Switch Identification (Switching/POI)²:

KNVLTNIIDS0

Rate Center:

KNOXVILLE

X Form complete, request denied.

Explanation:

DR-57: You do not meet the MTE and/or Utilization requirements, therefore this request for a new block is denied. You may proceed with requesting a State Waiver from the appropriate state commission using this Part 3 denial. If you are in disagreement with the disposition of this request, please refer to the Thousands-Block Number (NXX-X) Pooling Administration Guidelines for the appeals process.

Request Withdrawn.

Explanation:

Assignment Activity Suspended by Administrator.

Explanation:

Remarks:

¹ Telcordia[®] is a registered trademark and LERG[™] Routing Guide and iconectiv[™] are trademarks and the Intellectual Property of Telcordia Technologies, Inc. dba iconectiv.

² This is an eleven-character descriptor provided by the owning entity for the purpose of routing calls. This must be the Common Language[®] Location Code (CLLI[™] Code) of the switching entity/POI shown on the Part 1A form. Common Language[®] is a registered trademark and CLLI is a trademark and the Intellectual Property of Telcordia Technologies, Inc. dba iconectiv.

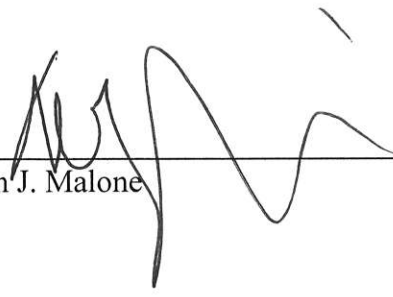
neustar

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via U.S. Mail or electronic mail upon:

Ms. Beth Sprague
NeuStar/NANPA
46000 Center Oak Place
Sterling, VA 20166
beth.sprague@neustar.biz

This the 7th day of January, 2019.



Melvin J. Malone