

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

March 22, 2019

IN RE:

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

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)
) DOCKET NO.
) 19-00036
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)

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 – BellSouth Telecommunications dba South Central Bell Tell – TN for Review of Central Office Code Denial* (“*Petition*”) filed by BellSouth Telecommunications dba South Central Bell Tell (“BellSouth” or the “Company”) on March 20, 2019.

BellSouth 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*, BellSouth asserts that on or about March 7, 2019, it submitted an application to Somos, the Number Pooling Administrator,¹ for the assignment of one (1) 1,000 block of numbers in the 615/629 area code for the Nashville Rate Center. BellSouth requested these

¹ Somos is an independent non-governmental entity that is responsible for administering and managing the North American Numbering Plan (“NANP”) upon the expiration of the contract on December 31, 2018 with NeuStar to provide these services. See 47 C.F.R. § 52.13(a), (b). Effective January 1, 2019, the FCC selected Somos to serve as the North American Numbering Plan Administrator (“NANP”) and the Pooling Administrator (“PA”) under separate one-year bridge contracts while the FCC works to consolidate these functions into a single entity under a long term contract through a competitive bidding process. *FCC Press Release*, [https://docs.fcc.gov/public/attachments/ DOC-354567A1.pdf](https://docs.fcc.gov/public/attachments/DOC-354567A1.pdf) (October 16, 2018).

numbers in order to fulfill an order for a customer, US Department of Veterans Affairs, who requested a block of 1,000 numbers.² BellSouth indicates in its *Petition* that while it does have adequate telephone numbers to satisfy incremental requests without receiving a new block of numbers, it does not have 1,000 consecutive numbers available in its inventory to satisfy the customer's request.³

Somos' 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 BellSouth's code request, the Nashville Rate Center had a utilization rate of approximately 79.8% and a months-to-exhaust ratio of approximately 48.25 months.⁵ Therefore, because the rate center's current utilization rate and months-to-exhaust ratio do not meet the criteria in the NXX Guidelines, Somos denied BellSouth's application.⁶

The Federal Communications Commission ("FCC") has authorized the Commission to review Somos' 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

² *Petition*, p. 3 & Exh. A (March 20, 2019).

³ *Id.* at 4.

⁴ See Alliance for Telecommunications Industry Solutions, *Central Office Code (NXX) Assignment Guidelines (COAG) Final Document*, ATIS 03-00051, § 4.3.1 (June 15, 2007).

⁵ *Petition*, Exh. B (March 20, 2019).

⁶ *Id.*

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).

telecommunications industry,⁹ the Hearing Officer agrees that BellSouth's request should be approved.

IT IS THEREFORE ORDERED THAT:

1. The Number Pooling Administrator's decision to deny BellSouth Telecommunications dba South Central Bell Tell'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) 1,000 block of numbers to BellSouth Telecommunications dba South Central Bell Tell to meet the specific requirements of its customer within the 615/629 area code in the Nashville Rate Center for Switch Identification No. NSVLTNUNDS0.



Aaron J. Conklin, Hearing Officer

⁹ See Tenn. Code Ann. § 65-4-123.