

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

September 24, 2019

IN RE:

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

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DOCKET NO.
19-00089

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 September 23, 2019.

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 September 11, 2019, it submitted an application to Somos, the Number Pooling Administrator,¹ for the assignment of two (2) 1,000 blocks of numbers in the 423 area code for the Charleston Rate Center. TCAL requested these numbers in order to fulfill an order for a customer, Olin Corporation, who requested a block of 1,600

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).

consecutive numbers.² TCAL 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 1,600 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 TCAL's code request, the Charleston Rate Center had a utilization rate of approximately 51.7% and a months-to-exhaust ratio of approximately 5.51 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 TCAL'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 telecommunications industry,⁹ the Hearing Officer agrees that TCAL's request should be approved.

² *Petition*, pp. 2-3 & Exh. A (September 23, 2019).

³ *Id.* at 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 (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).

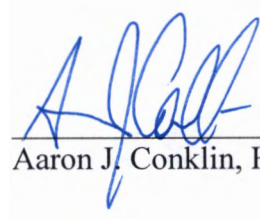
⁸ *In the Matter of Numbering Resource Optimization*, CC Docket No. 99-200, FCC 00-104, Appendix A, Final Rules § 52.15(g)(3)(iv).

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 two (2) 1,000 blocks of consecutive numbers to Teleport Communications of America, LLC – TN to meet the specific requirements of its customer within the 423 area code in the Charleston Rate Center for Switch Identification No. CHTGTNNSXEY.



Aaron J. Conklin, Hearing Officer