

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

May 30, 2023

IN RE:

PETITION OF THE NORTH AMERICAN
NUMBERING PLAN ADMINISTRATOR ON
BEHALF OF THE TENNESSEE
TELECOMMUNICATIONS INDUSTRY FOR
RELIEF OF THE 423 NUMBERING PLAN AREA

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DOCKET NO.
22-00128

ORDER APPROVING PETITION FOR RELIEF
OF THE 423 NUMBERING PLAN AREA

This matter came before Commissioner Robin L. Morrison, Commissioner Clay R. Good, and Commissioner Kenneth C. Hill,¹ Commissioner David Crowell, and Commissioner John Hie of the Tennessee Public Utility Commission, (“TPUC” or “Commission”), the voting panel assigned to this docket, during a regularly scheduled Commission Conference held on May 8, 2023, for consideration of the *Petition of the North American Numbering Plan Administrator on Behalf of the Tennessee Telecommunications Industry for Relief of the 423 NPA* (“*Petition*”) filed by the North American Numbering Plan Administrator (“NANPA” or “Petitioner”) on November 18, 2022. In its *Petition*, NANPA requests the Commission’s approval of relief for the expected exhaustion of the 423 numbering plan area (“NPA”).

BACKGROUND AND *PETITION*

NANPA is a neutral third-party administrator of the numbering plan in North America and serves as the numbering plan area relief planner for the State of Tennessee.² Also filed on behalf

¹ Commissioner Kenneth C. Hill was absent from the May 8, 2023 Commission Conference and did not participate in the deliberations or vote in this docket.

² *Petition*, p. 2 (November 18, 2022).

of the Tennessee telecommunications industry (“Industry”), comprised of current and prospective telecommunications carriers operating or considering operating in the 423 numbering plan area, NANPA’s *Petition* notifies the Commission that the 423 area code is projected to exhaust its central office codes during the third quarter of 2025 and is in need of relief.³

NANPA states that two (2) alternatives were studied to provide relief to the 423 NPA. The first alternative is an all-services distributed overlay of the 423 NPA. An overlay would allow for a new NPA to be assigned to the same geographic area occupied by the 423 NPA. Customers would retain current telephone numbers, but ten-digit local dialing by all customers both within and between NPAs in the affected area would be required.⁴

The second alternative is a geographic split of the 423 NPA. In this plan, the 423 NPA would be divided into two (2) distinct geographic areas and a new NPA assigned to one of the two areas. Upon implementation, ten-digit dialing would be required between NPAs in the same extended local calling area. However, within an NPA, seven-digit dialing would be permitted. In addition, approximately one-half of the customers within the existing 423 area code would be required to change their telephone numbers, including a new area code.⁵

The *Petition* also states that NANPA distributed a notice to Industry on September 12, 2022 containing an Initial Planning Document (“IPD”) describing the two (2) alternatives for relief. NANPA, Industry, and members of Commission Staff met on October 11, 2022 for the purpose of review of the relief alternatives. Industry reached a consensus at the meeting to recommend the all-services distributed overlay.⁶

³ *Id.*

⁴ *Id.* at 3-4.

⁵ *Id.* at 4.

⁶ *Id.* at 3.

The Commission published a *Notice of Open Docket for Filing Comments* on March 30, 2023 soliciting written comments on the NANPA *Petition* and Industry’s recommendation. The Commission requested written comments be submitted no later than April 21, 2023. The sole response was received from the Joint Telecommunications Carriers⁷ on April 21, 2023.⁸ In its *Comments*, the Joint Telecommunications Carriers endorse the recommended all-services distributed overlay alternative. The Joint Telecommunications Carriers list advantages to the all-services distribution overlay and urge the Commission to approve the all-services distribution overlay with a 13-month implementation schedule for relief of the 423 NPA.⁹

The Consumer Advocate Division of the Office of the Tennessee Attorney General (“Consumer Advocate”) filed a letter expressing its intent not to intervene in the proceeding. The Consumer Advocate’s letter further stated that it, “reviewed the *Petition* and the accompanying comments filed within this docket and respectfully expresses its support of the alternatives provided by NANPA as well as Industry’s recommended relief alternative.”¹⁰

No party sought intervention in this matter.

⁷ The Joint Telecommunications Carriers, representing a coalition of incumbent wireline providers, competing local exchange carriers, and wireless carriers, includes the following entities: AT&T Corp., Teleport Communications America, LLC, New Cingular Wireless PCS, LLC, BellSouth Long Distance, Inc., and BellSouth Telecommunications LLC d/b/a AT&T Tennessee (collectively “AT&T”); CenturyLink Communications, LLC, Global Crossing Local Services, Inc., Level 3 Communications, LLC, Level 3 Telecom of Tennessee, LLC, TelCove Operations, LLC, and WilTel Communications, LLC (collectively ‘Lumen’); T-Mobile South, LLC, Powertel/Memphis, Inc., MetroPCS Georgia LLC, and Sprint Spectrum LLC (collectively “T-Mobile”); and MCI Communications Services LLC d/b/a Verizon Business Services, MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services, Verizon Long Distance LLC, Verizon Select Services Inc., XO Communications Services, Inc. and Celloco Partnership and its commercial mobile radio service provider affiliates operating in the state of Tennessee (collectively “Verizon”).

⁸ *Comments of the Joint Telecommunications Carriers* (April 21, 2023) (“*Comments*”).

⁹ *Id.*

¹⁰ Letter to Chairman Herbert H. Hilliard Re Non Intervention and Support of Petition from Victoria B. Glover, Consumer Advocate (April 26, 2023).

THE HEARING

A Hearing in this matter was held before the voting panel of Commissioners during the regularly scheduled Commission Conference on May 8, 2023, as noticed by the Commission on April 28, 2023. During the Hearing, members of the public were given an opportunity to offer comments, at which time, no comments were submitted.

FINDINGS AND CONCLUSIONS

In its *Petition*, NANPA and Industry have asked the Commission to provide relief to the 423 NPA by approving the all-services distributed overlay with a 13-month implementation as recommended by a consensus of Industry. The panel considered the merits of the *Petition* and found that the all-services distributed overlay, where existing customers would retain the 423 NPA and their current seven-digit telephone number but would require ten-digit dialing with and between the affected areas, would have the least disruption to consumers and Industry alike. Based on a thorough review and consideration of the *Petition*, filed comments and the entire administrative record, the voting panel voted to approve the *Petition*.

IT IS THEREFORE ORDERED THAT:

1. The *Petition of the North American Numbering Plan Administrator on Behalf of the Tennessee Telecommunications Industry for Relief of the 423 NPA* filed by the North American Numbering Plan Administrator is approved, and the all-services distributed overlay method of relief for the 423 numbering area plan and thirteen-month implementation schedule proposed by the Tennessee telecommunications industry are adopted.

2. Any person who is aggrieved by the Commission's decision in this matter may file a Petition for Reconsideration with the Commission within fifteen (15) days from the date of this Order.

3. Any person who is aggrieved by the Commission's decision in this matter has the right to judicial review by filing a Petition for Review in the Tennessee Court of Appeals, Middle Section, within sixty (60) days from the date of this Order.

FOR THE TENNESSEE PUBLIC UTILITY COMMISSION:

**Commissioner Robin L. Morrison,
Commissioner Clay R. Good,
Commissioner David Crowell, and
Commissioner John Hie concurring.**

None dissenting.

ATTEST:



Earl R. Taylor, Executive Director