

3. On March 31, 2000, the FCC issued a Report and Order and Further Notice of Proposed Rule Making relating to numbering resource optimization (“FCC 00-104”). The goal of FCC 00-104 was to implement uniform standards governing requests for telephone numbering resources to increase efficiency in the use of telephone numbers and to avoid further exhaustion of numbers under the NANPA.
4. Among other things, FCC 00-104 adopted a revised standard for assessing a carrier’s need for numbering resources by requiring carriers to report rate-center-based utilization data to NANPA, rather than switch-specific utilization data. The FCC further required that, to qualify for access to new numbering resources, applicants must establish that existing inventory within the applicant’s rate center will exhaust within six (6) months of the application. The FCC reaffirmed this requirement in two subsequent orders. FCC 00-429 at para. 29 (rel. Dec. 29, 2000); FCC 01-362 at para. 48-49 (rel. Dec. 28, 2001).
5. The shift to a rate center basis for determining the need for new numbering resources was intended to “more accurately reflect how numbering resources are assigned” and to allow carriers “to obtain numbering resources in response to specific customer demands.” FCC 00-104, para. 105.
6. In addition to the months-to-exhaust (“MTE”) requirement described above, the FCC’s rules also require carriers to meet a rate center utilization threshold of seventy-five percent (75%) to receive additional numbering resources in each rate center. FCC 00-429 at para. 22; FCC 01-362, para. 50-52. Based on the FCC’s orders, carriers must meet both the MTE requirement and the utilization threshold requirement on a rate center basis to obtain additional numbering resources.

7. On June 25, 2023, TCAL submitted a Central Office Code (NXX) Assignment Request and CO Code Assignment/MTE Certification Request Worksheet to NANPA for the assignment of 100,000 consecutive numbers in the Rosetrace rate center. DISA VISP (U.S. Army Netcom) requesting (1 of 10) 10,000 consecutive numbers in each block for a total of 100,000 numbers in the Rosetrace rate center.¹ U.S. Army NETCOM (DISA VISP) provides voice internet services for CONUS Northern Command and Southern Command localities to include IP Flex over AVPN service to Department of Defense mission partners. U.S. Army NETCOM (DISA VISP) is building out an enterprise voice capability throughout the continental United States in four regions of consecutive blocks of numbers, to meet the numbering demand for the DISA VISP (U.S. Army Netcom), in the Rosetrace rate center, Kentucky. The application is attached hereto as Attachment 1.
8. TCAL completed the application in accordance with the Industry Numbering Committee's Guidelines and filled out the necessary MTE Certification Worksheets as required.
9. The code assignment request was for a 10,000 consecutive numbers, in NPA 502, to meet the DISA VISP (U.S. Army Netcom) request. TCAL, however, did not have sufficient resources available within its inventory in the Rosetrace rate center and was unable to meet the customer's specific request for numbering resources. At the time of the filing of the code request, the Rosetrace rate center had multiple MTE's not in scope and a utilization of 8.0%. TCAL submitted this request as our Rosetrace

¹ AT&T considers the customer's name proprietary and trade secret information. Accordingly, AT&T asks that the Commission not reveal the name of the customer beyond these discussions. See attached Company-Proprietary customer letter.

rate center inventory does not have 10,000 consecutive numbers to meet the customer's request. TCAL owns 502-684-5 with ~920 available numbers. On June 25, 2023, NANPA's Central Office Code Administration denied TCAL's code request on the grounds that TCAL had not met the utilization criteria now set forth in the Central Office (NXX) Guidelines. NANPA denied TCAL's code requests even though TCAL does not have adequate numbering resources needed to satisfy its customer's demands in the above-referenced switch. NANPA's response is in Attachment 1.

10. TCAL's inability to provide the requested numbers prevents TCAL from providing the quality of service the customer desires, needs, and expects. If TCAL is not assigned the code needed to meet the customer's request, TCAL will be unable to provide the telecommunications services requested by the customer.² NANPA's refusal to grant numbering resources sufficient to meet the DISA VISP (U.S. Army Netcom) need is inconsistent with the FCC's position that "[u]nder no circumstances should consumers be precluded from receiving telecommunications services of their choice from providers of their choice for want of numbering resources." FCC 00-429 at para.61.
11. Both the FCC's rules and the Central Office Code (NXX) Guidelines provide that state regulatory authorities have the power and authority to review NANPA's decision to deny a request for numbering resources. See FCC 01-362, Appendix A, Final Rules, para. 52.15(g)(4) ("The carrier may challenge the NANPA's decision to the

² TCAL employs a number administration technique called "sequential numbering" in order to preserve the largest blocks of consecutive numbers for as long as possible. The lack of consecutive numbers in the switches

appropriate state regulatory commission.”) FCC 01-362 at para. 61-66; Central Office Code (NXX) Guidelines para. 13.0 (“Appeals may include but are not limited to one or more of the following options: . . . C. The CO Code Administrator(s) and code holders/applicants may pursue the disagreement with the appropriate governmental/regulatory body”).

12. Prior to the FCC’s orders and the resulting change in the Central Office Code (NXX) Assignment Guidelines, the MTE procedures used by NANPA permitted a carrier to receive a code assignment, even if the MTE requirement at the switch level was not met. These waivers or exceptions were granted where customer hardships could be demonstrated or where the service provider’s inventory did not have a block of sequential numbers large enough to meet the customer’s specific request. Under today’s procedures, NANPA looks at the MTE for the entire rate center without any exceptions. The FCC has determined, however, that States may grant relief “if 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.” FCC 01-362, para. 64. In addition, the FCC has ruled that, “States . . . may grant requests for customers seeking contiguous blocks of numbers.”
13. TCAL requests that the Commission reverse NANPA’s decision to withhold numbering resources from TCAL.
14. This Commission, as well as the Commissions in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee, has

referred to above is the consequence of a high level of utilization, not any failure on TCAL’s part to conserve blocks of consecutive numbers.

previously addressed similar situations and ordered NANPA to provide TCAL with the numbering resources, even though TCAL was unable to satisfy the requirements.

WHEREFORE, TCAL requests that the Commission:

1. Reverse the decision of NANPA to deny TCAL's requests for additional numbering resources,
2. Direct NANPA to provide the requested thousand blocks of numbers for the switch identified herein, and
3. Grant the requested relief as soon as practicable.

Respectfully submitted this 14th day of July, 2023

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