

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF TELEPORT)
COMMUNICATIONS AMERICA, LLC) CASE NO. TCS-T-18-01
PETITION FOR A SAFETY VALVE)
WAIVER OF FCC THRESHOLD) ORDER NO. 33976
REQUIREMENTS FOR NUMBERING)
RESOURCES IN IDAHO FALLS RATE)
CENTER)**

On January 2, 2018, Teleport Communications America, LLC (“TCAL” or “Company”) petitioned the Idaho Public Utilities Commission (“Commission”) for a waiver of the Federal Communications Commission’s (“FCC”) guidelines for numbering resources in the Idaho Falls rate center. *See* TCAL Petition. Having reviewed the record, the Commission enters this Order granting the Company’s Petition.

THE PETITION

On December 13, 2017, the Company submitted the “Thousand Block Applications Form Part 1A” to the NeuStar Pooling Administration (“PA”) for 5,000 numbering resources for the Idaho Falls rate center. *Id.* at 1. The Company requested the additional numbering resources to serve a large business customer in the Idaho Falls rate center. *Id.* The Company’s application to the PA was denied because it did not meet the months-to-exhaust and/or utilization requirements, which, according to the denial, exceeded FCC guidelines.¹ *Id.* The Company’s customer had also requested a specific sequential thousands-block of (208)-701-2, 3, 4, 5, and 6. *Id.* at 5. TCAL’s Petition appealing the PA’s decision to deny its application for the additional numbering resources was made pursuant to 47 C.F.R. § 52.15(g)(4).

STAFF ANALYSIS

Staff noted that the Company participates in the thousand-block pooling within the Idaho Falls rate center.² After evaluating the Company’s waiver request, Staff concluded that granting the waiver would not detrimentally affect the numbering resources in the Idaho Falls rate center and is reasonable in light of the business plan of TCAL’s customer.

¹ To be assigned an additional thousands-block (NXX-X) for growth, “Months to Exhaust” must be less than or equal to 6 months. *See* FCC 00-104, § 52.15 GX3Xiii.

² Pooling is a numbering conservation measure in which the 10,000 numbers in a NXX prefix are divided into 10 sequential blocks of 1,000 numbers and allocated to different carriers (or different switches) within a rate center. *See* Order No. 30425.

Staff thus recommended that that the waiver request for the five sequential one-thousand blocks of numbers be granted to TCAL for its customer. Specifically, if available, Staff recommended that the NPA NXX X (208)-701-2, 3, 4, 5, and 6 be released for use by TCAL's customer in the Idaho Falls rate center.

DISCUSSION AND FINDINGS

Federal regulations allow a carrier to appeal a North American Numbering Plan Administrator ("NANPA") decision to withhold numbering resources. The Commission "may affirm, or may overturn, the NANPA's decision to withhold numbering resources from the carrier based on its determination that the carrier has complied with the reporting and numbering resource" requirements. *See* 47 C.F.R. § 52.15(g)(5). The Commission may also overturn NANPA's decision "based on its determination that the carrier has demonstrated a verifiable need for numbering resources and has exhausted all other available remedies." *See* 47 C.F.R. § 52.15(g)(3) and (4).

After reviewing the Company's Petition and Staff's recommendation, the Commission finds that the Petition should be granted. The Company has a verifiable need of the requested number resources so that it may provide service to a specific large scale customer. We also find that the assignment will not detrimentally affect number resources for the Idaho Falls rate center.

We thus find it is reasonable to direct that the PA provide the new numbering resources requested by the Company to meet its customer's requirements. Specifically, five sequential one-thousand blocks of numbers should be granted to TCAL and, if available, the NPA NXX X (208)-701-2, 3, 4, 5, and 6 should be released for use by TCAL's customer.

ORDER

IT IS HEREBY ORDERED that the Company's Petition for waiver of the FCC's numbering guidelines is granted.

IT IS FURTHER ORDERED that five sequential one-thousand blocks of numbers should be granted to TCAL in the Idaho Falls rate center, and, if available, the NPA NXX X (208)-701-2, 3, 4, 5, and 6 should be released for use by TCAL.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of this Order. Within seven (7)

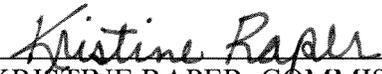
days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. *See Idaho Code § 61-626.*

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this
day of January 2018.

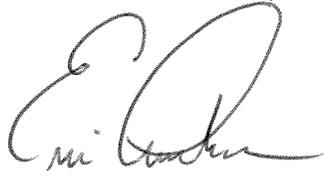
25th



PAUL KJELLANDER, PRESIDENT

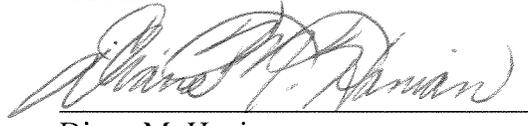


KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Diane M. Hanian
Commission Secretary

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