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DOCKET NO. 48012

PETITION OF TELEPORT § **PUBLIC UTILITY COMMISSION**
COMMUNICATIONS AMERICA LLC §
DBA AT&T FOR WAIVER OF § **OF TEXAS**
DENIAL OF NUMBERING §
RESOURCES IN THE FREEPORT §
RATE CENTER §

ORDER NO. 1
REQUESTING COMMENTS OR RECOMMENDATION

On February 1, 2018, Teleport Communications America LLC requested that the Commission overturn the Pooling Administrator's (PA) denial of its request for a ten thousands-block of numbers in the 979 Numbering Plan Area (NPA) in the Freeport rate center. Additional numbering resources are required due to additional business growth.

Teleport indicated that it cannot provide this service from its existing inventory, and requests that the Commission direct the PA to assign Teleport new codes in the 979 NPA. Teleport will keep only one block from the new codes. The PA denied Teleport's request because it did not meet the months-to-exhaust and utilization criteria established by the Federal Communications Commission (FCC).

The FCC's rules provide that a carrier may challenge a decision to withhold numbering resources to the appropriate state regulatory commission.¹ Furthermore, in the FCC's *NRO Order*, the FCC created a "safety valve" to allow carriers to obtain additional numbering resources under certain conditions when the PA denies a request for numbering resources.²

By February 9, 2018, Commission Staff shall and interested parties may file a response or comments on the petition and provide a schedule for processing if needed.

¹ 47 C.F.R. § 52.15(g)(4).

² *Numbering Resource Optimization*, CC Docket No. 99-200, Third Report and Order and Second Order on Reconsideration, FCC 01-362, at para. 64 (rel. Dec. 28, 2000) (*NRO Order*).

Signed at Austin, Texas the 2nd day of February 2018.

PUBLIC UTILITY COMMISSION OF TEXAS


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