



State of Utah  
Department of Commerce  
Division of Public Utilities

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**-=- MEMORANDUM -=-**

**To:** Public Service Commission

**From:** Division of Public Utilities  
Chris Parker, Director  
Bill Duncan, Telecommunications / Water Manager  
Casey J. Coleman, Utility Technical Consultant

**Date:** July 22, 2019

**Re:** In the Matter of Teleport Communications America, LLC's Request for a Numbering Waiver, per Docket No. 19-2558-02.

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**RECOMMENDATION: Approve Waiver**

The Division recommends that the Commission approve Teleport Communications America, LLC's ("TCAL") request for a waiver of threshold requirements and direct Somos, the Numbering Plan Administrator (PA), to provide the requested blocks of 1,000 sequential numbers in the 801/385 Midvale Rate Center.

**BACKGROUND:**

On July 15, 2019, TCAL requested a waiver of the threshold requirements based on the Federal Communications Commission ("FCC") Rules found at 47 C. F.R. § 52.15(g)(4) and pursuant to the Thousands-Block Number (NXX-X) Pooling Administration Guidelines ("TBPAG") and the Central Office Code (NXX) Assignment Guidelines published by the Industry Numbering Committee ("INC"). TCAL previously submitted a request for the numbers to the PA, which was immediately denied because TCAL does not meet the utilization requirements and the Months to Exhaust (MTE) for new numbering requests. The FCC has affirmed that in instances where a carrier has neither the inventory to satisfy a specific customer request, nor the utilization

for obtaining more numbers, the State Commission may grant relief to carriers with a “verifiable need due to the carrier’s inability to satisfy a specific customer request.”<sup>1</sup>

This inability can be demonstrated to the State Commission by the carrier providing “documentation of the customer request and current proof of utilization in the rate center.”<sup>2</sup>

**REQUEST:**

TCAL has provided documentation indicating that its customer is requesting 1,000 sequential numbers in the 801/385 Midvale Rate Center, which it cannot provide based on its current inventory.

**ANALYSIS:**

The customer is requesting 1,000 telephone numbers from the 801/385 NPA. These telephone numbers are required to service a specific customer of TCAL. Without the waiver from the Commission, TCAL will be unable to meet the needs of its customer. The issuance of these number blocks will not significantly affect the available number pool in the 801/385 area codes, nor will it affect the exhaust date of the 801/385 area codes.

Because of this the Division recommends the Commission grant the waiver and direct the PA/Somos to assign the requested 1,000 sequential numbers in the 801/385 Midvale Rate Center.

cc: Justin Jetter, Assistant Attorney General  
Rowena Brown, Senior Network Specialist, AT&T  
David A. Collier, Area Manager—Regulatory Relations, AT&T  
Margaret Harrell-Simington, Somos

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<sup>1</sup> *In the Matter of Numbering Resource Optimization Implementation of the Local Competition Provision of the Telecommunications Act of 1996 Telephone Number Portability, 3<sup>rd</sup> Report and Order & 2<sup>nd</sup> order on Reconsideration in CC Docket No. 96-98 & in Docket No. 99-200, Fcc 01-362, 3<sup>rd</sup> Report & Order ¶61 (2001)*

<sup>2</sup> ID., at ¶64.