

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for expedited review of growth code denial by Number Pooling Administrator for the Orange Park exchange, by Teleport Communications America, LLC.

DOCKET NO. 170032-TA  
ORDER NO. PSC-17-0056-PAA-TA  
ISSUED: February 20, 2017

NOTICE OF PROPOSED AGENCY ACTION ORDER  
APPROVING TELEPORT COMMUNICATIONS AMERICA, LLC-FL'S  
REQUEST FOR ADDITIONAL NUMBERING RESOURCES  
FOR THE ORANGE PARK EXCHANGE SWITCH

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code (F.A.C.).

BACKGROUND

On January 25, 2017, Teleport Communication America, LLC-FL (TCAL) filed a request for additional numbering resources from the Number Pooling Administrator (NeuStar) for the Orange Park, JCVLFLCL32Z, switch. TCAL requested 5000 consecutive numbers of NPA-NXX-XXXX. On January 25, 2017, TCAL's request for additional numbering resources was denied because NeuStar determined that TCAL did not meet the utilization criteria.

On Friday, February 03, 2017, TCAL filed a petition requesting that the Commission overturn NeuStar's decision. TCAL asserts that NeuStar's decision interferes with TCAL's ability to serve its customers in Florida.

We are vested with jurisdiction pursuant to Sections 364.16(7), F.S., and 47 C.F.R. §52.15(g)(4)(iv).

ANALYSIS

The FCC has stated that "under no circumstances should consumers be precluded from receiving telecommunications services of their choice from providers of their choice for want of

numbering resources.”<sup>1</sup> A procedure is available to carriers who are denied additional numbering resources pursuant to which a carrier may challenge NeuStar’s decision to the appropriate state regulatory commission. The state regulatory commission may affirm or overturn the NeuStar decision to withhold numbering resources from the carrier based on its determination of compliance applicable reporting and numbering resource application requirements.<sup>2</sup>

In processing TCAL’s 47 C.F.R. § 52.15(g)(4)(iv) petition, TCAL has provided this Commission with the following:

- 1) The customer’s name, address, and telephone number.
- 2) The utilization thresholds for every switch in that particular rate center where additional numbering resources are sought.
- 3) The Months-to-Exhaust for every switch in that particular rate center where additional numbering resources are sought.

Upon consideration of the information provided, and in accordance with our Order No. PSC-01-1973-PCO-TL,<sup>3</sup> we find that TCAL has met the following criteria:

1. The carrier has demonstrated that it has customers in need of immediate numbering resources.
2. The carrier has shown that it is unable to provide services to a potential customer because of NeuStar’s denial of the numbering resources.
3. A potential customer cannot obtain service from the provider of his/her choice because the carrier does not have the numbers available.

### CONCLUSION

Based on the foregoing, we find it appropriate to reverse NeuStar’s decision to deny additional numbering resources and direct NeuStar to provide TCAL with additional numbering resources to meet TCAL’s needs in the Orange Park exchange switch as soon as possible.

Based on the foregoing, it is

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<sup>1</sup>DA 01-386, CC Docket No. 99-200, CC Docket No. 96-98, In the Matter of Numbering Resource Optimization, *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996* (February 14, 2001) at ¶11.

<sup>2</sup> 47 C.F.R. § 52.15(g)(4)(iv).

<sup>3</sup>Issued in Docket No. 010782-TL, *In re: Petition for generic proceedings to establish expedited process for reviewing North American Numbering Plan Administration (NANPA) future denials of applications for use of additional NXX Codes by BellSouth Telecommunications, Inc.*, on October 4, 2001.

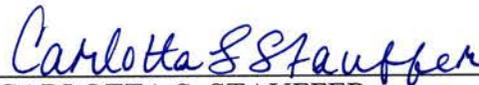
ORDERED by the Florida Public Service Commission that the Number Pooling Administrator (NeuStar) shall provide Teleport Communications America, LLC-FL with additional numbering resources for the Orange Park switch as soon as possible, as reflected in the body of this Order. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that in the event this Order becomes final, this Docket shall be closed.

Based on the foregoing, it is

By ORDER of the Florida Public Service Commission this 20th day of February, 2017.



CARLOTTA S. STAUFFER  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
(850) 413-6770  
[www.floridapsc.com](http://www.floridapsc.com)

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

CMW

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing that is available under Section 120.57, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on March 13, 2017.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this/these docket(s) before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.