

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION**

IN RE: TELEPORT COMMUNICATION AMERICA, :
LLC WAIVER REQUEST FOR NUMBER BLOCK : DOCKET NO. 4776
RELEASE – CITIZENS BANK :
:

REPORT AND ORDER

On December 4, 2017, Teleport Communication America, LLC (AT&T), filed a request with the Public Utilities Commission (PUC or Commission) for a waiver from the denial by the Number Pooling Administrator of AT&T’s request to release certain blocks of numbers for AT&T’s customer, Citizens Bank. Specifically, AT&T had requested an entire code of 10,000 numbers.

Although AT&T’s utilization rate (the percentage of numbers within the blocks currently assigned to AT&T that are in service) is at 93.85%, its “months to exhaust” (or the number of months before AT&T would run out of numbers in the block already assigned to it) is 855 months. Therefore, because the Federal Communications Commission Rules require a carrier to show that its months to exhaust are six or less, AT&T’s request for the specific blocks was denied. In other words, AT&T is not allowed, unless granted a waiver by the Commission, to obtain new blocks of numbers in the geographical area needed. The purpose of this rule is to preserve Rhode Island’s available telephone numbers, thus preserving the 401 area code.

According to an attachment to AT&T’s filing, Citizens Bank is ready, willing, and able to utilize the requested numbers within 180 days from issuance to AT&T. Citizens Bank is constructing a new facility in Johnston, Rhode Island, with plans for further growth. For this purpose, Citizens Bank indicated in a letter that it requires 10,000 consecutive numbers.

The purpose of the utilization rate and months-to-exhaust rules is to conserve unused numbers and thereby extend the life of the area code. In light of the importance of conserving numbers and preserving the area code, the Commission has previously set initial minimum standards that must be met by a carrier in order for the Commission to even consider a request for a waiver. In this case, AT&T has exceeded the minimum utilization rate of its current block and, but for its months-to-exhaust projection, would have been able to obtain the requested numbers.

While the number of months to exhaust is in excess of two years, there is no way for AT&T to serve the customer with its current supply of numbers. Furthermore, Citizens Bank is seeking the entirety of the code, leaving no numbers stranded. In prior cases, the Commission has approached the issue of waivers for a number block release as an attempt to balance the interest of preserving the area code against meeting customer needs and promoting economic development. The granting of this waiver will assist in economic development by allowing the customer to expand its services within its existing network configuration. Therefore, based on prior Commission decisions and given the adequacy of available numbers in the 401 area code, the Commission finds that approval of the waiver will not unduly affect the availability of numbers in the 401 area code. Notwithstanding, however, the Commission again cautions that carriers should make every effort to work with customers so as to avoid the need to seek a waiver and maximize the utilization of the numbers to which the carrier is assigned.

Accordingly, it is hereby

(22990) ORDERED:

That Teleport Communication America, LLC's request for a waiver from the denial of the release of 10,000 consecutive numbers in the Centredale rate center is granted.

EFFECTIVE AT WARWICK, RHODE ISLAND ON DECEMBER 20, 2017
PURSUANT TO AN OPEN MEETING DECISION. WRITTEN ORDER ISSUED ON
DECEMBER 22, 2017.

PUBLIC UTILITIES COMMISSION



Margaret Curran

Margaret E. Curran, Chairperson

*Marion S. Gold, Commissioner

Abigail Anthony

Abigail Anthony, Commissioner

*Commissioner Gold concurs with the decision but is unavailable for signature.