

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Request of

BANDWIDTH.com CLEC, LLC

For Assignment of Telephone Numbering
Resources

DOCKET UT-200247

ORDER 01

ASSIGNING NUMBERING
RESOURCES

BACKGROUND

- 1 On March 23, 2020, Bandwidth.com CLEC, LLC, (Bandwidth or Company) filed with the Washington Utilities and Transportation Commission (Commission) a request to overturn the Number Pooling Administrator's decision to withhold numbering resources and direct the Number Pooling Administrator to provide ten 1,000 number blocks to Bandwidth to accommodate a specific customer request in the 360/564 NPA, Olympia Rate Center. The request is being made to meet the requirements for a customer's network expansion to support government entities. All of the numbers requested will be used within six months.
- 2 Telephone companies commonly hold and manage a reasonable inventory of telephone numbers in the areas where they provide service. When more numbers are needed by a company, it may request them from the Number Pooling Administrator. The Number Pooling Administrator withholds telephone numbers if the company's inventory is sufficient for the next six months and there is a shortage of numbers in the affected area code.
- 3 The Number Pooling Administrator's and North American Numbering Plan Administrator's (NANPA's) websites report the 360/564 NPA is forecasted to exhaust beyond the 30 year timeframe for projected demand assessment.
- 4 The Federal Communications Commission (FCC), in its Third Report and Order, FCC 01-362, CC Docket 96-911 and 99-200, has delegated authority to the Commission to direct NANPA to release numbers for extenuating circumstances that do not meet NANPA's existing criteria. The Company provided the Commission with a detailed inventory of number resources and proof of utilization in the rate center. The Company

will adhere to the requirement of reviewing number resources and comply with the requirements of the NANPA and the Pooling Administrator regarding the return of unused numbers.

- 5 The FCC issued an order establishing a “safety valve,” which allows companies that do not meet the utilization threshold in a given rate center to obtain additional numbering resources apart from the general waiver process.¹ Specifically, the FCC granted to state commissions the authority to direct the Number Pooling Administrator to release numbers to a company to satisfy a specific customer request that cannot be met with the company’s current inventory, provided the company documents the customer’s request and submits current proof of utilization.
- 6 Commission staff (Staff) reviewed the Company’s request and concluded that it is in the public interest because it will support community and economic development. Accordingly, Staff recommends the Commission grant the Company’s request.

DISCUSSION

- 7 We agree with Staff’s recommendation and grant the Company’s request. We find that the request is in the public interest because the number blocks will be used to meet the requirements for a customer’s expansion, the numbers will be used within six months, and the Company provided documentation of the request and current proof of utilization.

FINDINGS AND CONCLUSIONS

- 8 (1) The Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, rules, regulations, practices, accounts, securities, transfers of property and affiliated interests of public service companies, including telecommunications companies.
- 9 (2) Bandwidth is a telecommunications company and a public service company subject to Commission jurisdiction.

¹ *In the Matter of Numbering Resource Optimization*, Third Report and Order and Second Order on Reconsideration, CC Docket 99-200, FCC No. 01-362, ¶¶ 57-66 (Rel. December 21, 2001).

- 10 (3) The Telecommunications Act of 1996 (the Act) allows the FCC to establish rules to implement the Act and delegate authority to state Commissions.
- 11 (4) The FCC has created a “safety valve” mechanism within the framework of number resource management and delegated to the Commission authority to grant requests by companies that receive a specific customer request for numbering resources that exceeds their available inventory. The FCC has also given states flexibility to direct the Number Pooling Administrator to assign additional numbering resources to companies that have demonstrated a verifiable need for additional numbering resources.
- 12 (5) The Commission has jurisdiction over this matter pursuant to RCW 80.36.610, which authorizes the Commission to take actions necessary to implement the Act.
- 13 (6) Normally, additional numbering resources are granted only when existing resources are forecasted to exhaust within six months.²
- 14 (7) The Number Pooling Administrator’s and the NANPA’s websites report that the 360/564 NPA is forecasted to exhaust beyond 30 years.
- 15 (8) The request is being made to meet the requirements for a telecommunications company. All of the requested numbers will be used within six months.
- 16 (9) This matter came before the Commission at its regularly scheduled meeting on April 23, 2018.
- 17 (10) The Commission has reviewed the request and concludes that the Company has demonstrated a legitimate need for numbers to meet a customer requirement and granting the request is in the public interest. Accordingly, the Commission will order the Number Pooling Administrator to release ten 1,000 number blocks in the 360/564 NPA, Olympia Rate Center, to Bandwidth.

² See 47 C.F.R. § 52.15(g)(3)(iii).

ORDER

THE COMMISSION ORDERS:

- 18 (1) The Number Pooling Administrator must release ten 1,000 number blocks, specifically in the 360/564 NPA, Olympia Rate Center, to Bandwidth.com CLEC, LLC.
- 19 (2) The Commission retains jurisdiction over this matter to take such future actions as may be appropriate.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Lacey, Washington, and effective April 23, 2020

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON
Executive Director and Secretary