

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for expedited review of Number Pooling Administrator's denial of application for numbering resources for the Punt Gorda rate center, by MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services.

DOCKET NO. 20250091-TA
ORDER NO. PSC-2025-0290-PAA-TA
ISSUED: July 28, 2025

The following Commissioners participated in the disposition of this matter:

MIKE LA ROSA, Chairman
ART GRAHAM
GARY F. CLARK
ANDREW GILES FAY
GABRIELLA PASSIDOMO SMITH

NOTICE OF PROPOSED AGENCY ACTION
ORDER DIRECTING THE NUMBER POOLING ADMINISTRATOR
TO PROVIDE MCIMETRO ACCESS TRANSMISSION SERVICES LLC
d/b/a VERIZON ACCESS TRANSMISSION SERVICES
WITH ADDITIONAL NUMBERING RESOURCES

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 June 6, 2025, Verizon Access Transmission Services (Verizon) filed a request for additional numbering resources from the Number Pooling Administrator (PA)¹ for the Punta Gorda rate center. Verizon requested one thousand block (Thousand Block) of telephone numbers in the Punta Gorda, Florida rate center. Verizon's request for additional numbering resources was denied on June 6, 2025, by the PA, because it did not meet the utilization criteria.

On Wednesday, July 9, 2025, Verizon filed a petition requesting that the Commission overturn the PA's decision. In its petition, Verizon asserts that at the time of the code request, the

¹ The Number Pooling Administrator (PA) is responsible for administering and managing the numbering resources in pooling areas. See 47 C.F.R. § 52.20(d).

Punta Gorda rate center had an MTE of 6.561 months and a utilization of 36.950%. Verizon requests that we overturn the PA's decision because the PA's denial interferes with Verizon's ability to serve its customers in Florida and that we direct the PA to provide the requested numbering resources to Verizon for the Punta Gorda rate center.

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

ANALYSIS

The PA denied Verizon additional numbering resources because Verizon had not met the applicable MTE criteria and/or utilization requirements. However, denial of additional numbering resources poses a possible barrier to competition.

In this instance, a customer desiring service from Verizon may have to obtain services from another carrier simply because Verizon cannot meet the utilization or MTE rate center requirement. The FCC has stated:

Under no circumstances should consumers be precluded from receiving telecommunications services of their choice from providers of their choice for want of numbering resources.²

A procedure is available to carriers who are denied additional numbering resources to challenge such a decision by the PA. The FCC has delegated authority to the Commission to address the PA's denial of a request for numbering resources, stating that "[w]e agree ... that a safety valve mechanism should be established, and we delegate authority to state commissions to hear claims that a safety valve should be applied when the . . . Pooling Administrator denies a specific request for numbering resources."³ Addressing additional numbering resources denials, 47 C.F.R. §52.15(g)(4)(iv) states:

The carrier may challenge [the PA's] decision to the appropriate state regulatory commission. The state commission may affirm or overturn [the PA's] decision to withhold numbering resources from the carrier based on its determination of compliance with the reporting and numbering resource application requirements herein.

In reviewing Verizon's petition as contemplated by 47 C.F.R. §52.15(g)(4)(iv), we have considered the information provided by Verizon and, in accordance with Order No. PSC-2001-

² FCC 01-386, CC Docket No. 99-200 and CC Docket No. 96-98, Order, released February 14, 2001, ¶11.

³ FCC 01-362, CC Docket No. 99-200 and CC Docket No. 96-98, Third Report and Order and Second Order on Reconsideration in CC Docket No. 96-98 and CO Docket No. 99-200, released December 28, 2001, ¶61.

1973-PCO-TL,⁴ which lays forth our criteria for reversing code denials, we find that Verizon has met the following criteria:

- 1) Verizon has demonstrated that it has a customer in need of immediate numbering resources;
- 2) Verizon has shown that it is unable to provide services to a potential customer because of the PA's denial of the numbering resources; and,
- 3) A potential customer will not be able to obtain service from their provider of choice because Verizon does not have the numbers available.

We therefore find that the PA's denial of sufficient numbering resources to Verizon to meet its customer's request is inconsistent with the FCC's position that "[u]nder no circumstances should consumers be precluded from receiving telecommunications services of their choice from providers of their choice for want of numbering resources."⁵

CONCLUSION

For the above reasons, we find it appropriate to overturn the PA's decision to deny additional numbering resources to Verizon, and direct the PA to assign Verizon a Thousand Block in the Punta Gorda, Florida rate center as soon as possible to permit Verizon to meet its customer's needs.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Number Pooling Administrator shall provide MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services with additional numbering resources for the Punta Gorda rate center 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.

⁴ FPSC Order No. PSC-2001-1973-PCO-TL, Docket No. 20010782-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.*, issued on October 4, 2001.

⁵ FCC 00-1616, CC Docket No. 99-200 and CC Docket No. 96-98, Order, released July 20, 2000, ¶11.

ORDER NO. PSC-2025-0290-PAA-TA
DOCKET NO. 20250091-TA
PAGE 4

By ORDER of the Florida Public Service Commission this 28th day of July, 2025.



ADAM J. TEITZMAN
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
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.

SF

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 August 18, 2025.

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.