

FCC MAIL SECTION

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Before the
Federal Communications Commission
Washington, D.C. 20554

DISPATCH

In the Matter of)
)
Numbering Resource Optimization) CC Docket No. 99-200
)

ORDER

Adopted: September 4, 2005

Released: September 4, 2005

By the Commission:

1. On Monday, August 29, 2005, Hurricane Katrina struck the Gulf Coast of the United States, causing significant damage in Louisiana, Mississippi, and Alabama and mass evacuation of the affected areas.¹ In our continuing efforts to assist the telecommunications industry as it restores service in Louisiana, Mississippi, and Alabama in the wake of Hurricane Katrina,² we grant, on our own motion, a temporary waiver of the Commission's rule for aging residential numbers for customers in the affected areas as described below.³ Section 52.15(f)(ii) of the Commission's numbering rules allows carriers to age numbers previously assigned to residential customers for no more than 90 days before making them available for assignment to another customer.⁴ Waiver of this rule will allow carriers to disconnect temporarily customers' telephone service, upon request, to avoid billing issues, and reinstate the same number when the service is reconnected for customers in the affected areas as described below. This waiver, in conjunction with the rules waived in the September 1, 2005 Waiver Order, which allows carriers in the affected states and the numbering administrators that support them to port telephone numbers geographically outside of rate centers during this period of service disruption,⁵ will further facilitate carrier flexibility in order to serve hurricane victims in the affected areas.

2. We recognize that customers that have been displaced by the hurricane may desire to discontinue their service temporarily and to reinstate it at a later time. Due to the catastrophic nature of the damage to telecommunications systems, we expect that in many cases these customers may seek to reinstate their service after the 90-day period has lapsed. Section 1.3 of our rules authorizes the

¹ President Bush issued Major Disaster Declarations for these three states on that same day. See <http://www.fema.gov/news/disasters.fema>. We recognize that President Bush also issued a Major Disaster Declaration for the state of Florida on August 28, 2005. We do not extend the relief granted in this order to carriers operating in the state of Florida, because the telecommunications infrastructure in Florida apparently was not subject to the same level of destruction as was the infrastructure in parts of Louisiana, Mississippi, and Alabama.

² See *Telephone Number Portability, Numbering Resource Optimization*, Order, CC Docket Nos. 95-166 and 99-200, FCC 05-161 (rel. Sept. 1, 2005) (*Katrina Porting Waiver Order*).

³ Aging numbers are disconnected numbers that are not available for assignment to another end user or customer for a specified period of time. Number previously assigned to residential customers may be aged for no more than 90 days. See 47 C.F.R. § 52.15(f)(ii).

⁴ See *id.* The scope of this order applies to all telecommunications carriers including both wireline and wireless carriers.

⁵ See *Katrina Porting Waiver Order*.

Commission to suspend, revoke, amend, or waive a Commission rule for good cause shown.⁶ Accordingly, we find that, in order to promote the maintenance and rebuilding of communities in hurricane ravaged areas and to facilitate continued access to telecommunications services for hurricane victims, it is in the public interest to waive section 52.15(f)(ii) of the Commission's rules to allow carriers to hold numbers for more than 90 days before they are available for reassignment.

3. We therefore temporarily waive the Commission's rule for aging residential numbers to the extent necessary to permit carriers to restore service in the affected areas during this period of service disruption. This waiver applies to carriers to the extent that they provide service in Louisiana, Mississippi, or Alabama. The waiver is in effect immediately for nine months, until June 5, 2006. If carriers are unable to resume service on a normal basis in areas affected by Hurricane Katrina after this time period has lapsed, they should request additional relief from the Wireline Competition Bureau.

4. Accordingly, IT IS ORDERED, pursuant to sections 4(i) and 251(e) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i) and 251(e), and section 1.3 of the Commission's rules, 47 C.F.R. § 1.3, that 47 C.F.R. § 52.15(f)(ii) is waived to the extent herein described.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

⁶ 47 C.F.R. § 1.3. This rule provides that "[a]ny provision of the rules may be waived by the Commission on its own motion or on petition if good cause therefore is shown." *Id.*