

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

In the Matter of)	
)	
Numbering Resource Optimization)	CC Docket No. 99-200
)	
Petition of Teligent, Inc.)	
For Extension of Time to file the Numbering)	NSD File No. L-01-124
Resource Utilization/Forecast (NRUF))	
Report FCC Form 502, CC Docket No. 99-200)	
)	
)	

ORDER

Adopted: July 27, 2001

Released: July 31, 2001

By the Common Carrier Bureau:

I. INTRODUCTION AND BACKGROUND

1. On March 31, 2000, the Federal Communications Commission (Commission) released a Report and Order and Further Notice of Proposed Rulemaking on Numbering Resource Optimization.¹ In that order, the Commission established certain administrative and technical measures to allow the Commission to monitor more closely the use of numbering resources within the North American Numbering Plan (NANP) and to promote more efficient use of numbering resources.² Among other things, the Commission required carriers to report semi-annually on their actual and forecasted number usage.³ Carriers are required to report on or before February 1 for the six-month period immediately preceding December 31, and on or before August 1 for the six-month period immediately preceding June 30.⁴

¹ *Numbering Resource Optimization*, Report and Order and Further Notice of Proposed Rulemaking, 15 FCC Rcd 7574, CC Docket No. 99-200 (2000) (*NRO Order*).

² Pursuant to 47 U.S.C. § 251(e)(1), the Commission has plenary jurisdiction over the NANP as it pertains to the United States.

³ 47 C.F.R. § 52.15(f)(6).

⁴ By order released July 31, 2000, the Commission extended the initial filing date from August 1, 2000 to September 15, 2000. *Numbering Resource Optimization*, Order, CC Docket No. 99-200, FCC 00-280 (2000).

2. Teligent, Inc. (Petitioner) has requested a temporary waiver of the August 1, 2001 deadline to file its numbering utilization and forecast data for the period ending on June 30, 2001.⁵ The Common Carrier Bureau (Bureau) grants Petitioner's request, and extends Petitioner's filing deadline to November 1, 2001.

II. DISCUSSION

3. Teligent asserts that it is unable to submit its Numbering Resource Utilization/Forecast (NRUF) Report by the August 1, 2001 deadline, and requests an extension until November 1, 2001 to submit the NRUF Report.⁶ According to Petitioner, it is unable to meet the deadline because it is currently under Chapter 11 bankruptcy protection and therefore cannot purchase the software necessary to electronically compile the data for the NRUF report in an expedient manner.⁷

4. Petitioner states that it is unable to ascertain when it will emerge from bankruptcy protection, and therefore cannot estimate when it will be able to acquire the software necessary to compile data electronically for the NRUF Report. In an *Ex Parte* letter filed July 18, 2001, the Petitioner proposed that it could submit a manually prepared report.⁸

5. A Commission rule may be suspended, revoked, amended, or waived, for good cause shown, in accordance with Section 1.3 of the Commission's rules.⁹ In prior orders, the Bureau has permitted extensions of time for carriers to file NRUF reports that must be compiled manually where the carrier has identified a specific time frame for the extension.¹⁰ We believe that Petitioner's special circumstance due to its bankruptcy proceeding warrants a limited extension to allow Teligent sufficient time to accurately compile a manual report. We find that three months is a reasonable amount of time for Petitioner to compile and submit a manual report.

6. We find that Petitioner has shown good cause for receiving an extension to file the

⁵ Motion of Teligent, Inc. for Extension of Time to file the Number Resource Utilization/Forecast (NRUF) Report, FCC Form 502, CC Docket No. 99-200 (Teligent Motion).

⁶ See Letter from Victoria A. Schlesinger, Associate General Counsel, Teligent, to Magalie Roman Salas, Secretary, FCC, dated July 18, 2001.

⁷ Teligent Motion at 3-4; see also Letter from Victoria A. Schlesinger, Associate General Counsel, Teligent to Magalie Roman Salas, Secretary, FCC, dated July 26, 2001 (asserting that Petitioner's September 2000 Report was compiled manually when it had more personnel devoted to numbering matters, and it was able to compile its February 2001 data as part of a beta test group for a software vendor).

⁸ See Letter from Victoria A. Schlesinger, Associate General Counsel, Teligent, to Magalie Roman Salas, Secretary, FCC, dated July 18, 2001.

⁹ 47 C.F.R. § 1.3.

¹⁰ See *Numbering Resource Optimization*, Order, DA 01-497 (rel. Feb. 23, 2001) (granting the petitioner's request for an extension from the February 1, 2001 deadline to March 1, 2001); see also *Numbering Resource Optimization*, Order, CC Docket No. 99-200, FCC 00-280 (rel. July 31, 2000) (granting the petitioner's request for an extension from the August 1, 2000 deadline to September 1, 2000).

data. Moreover, granting Petitioner's request is in the public interest because a three-month extension allows petitioner time to ensure that the data submitted manually is accurate. Accurate data is necessary for properly monitoring the use and allocation of numbering resources, to assist state commissions with area code relief proceedings, and to assist the North American Numbering Plan Administrator (NANPA) in projecting numbering resource exhaust and carrying out its other duties.

7. Petitioner may therefore file its numbering resource utilization and forecast data for the six-month period ending June 30, 2001, no later than November 1, 2001. In accordance with the Commission's rules,¹¹ the NANPA shall withhold numbering resources from the petitioner if it fails to comply with the reporting requirements by that date.

III. ORDERING CLAUSE

8. Accordingly, IT IS ORDERED, pursuant to 4(i), 10, and 251(e) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 160, 251(e), and section 1.3 of the Commission's regulations, 47 C.F.R. §1.3, that the petition filed by Teligent, Inc. is GRANTED to the extent herein described.

FEDERAL COMMUNICATIONS COMMISSION

Jeffrey J. Carlisle
Senior Deputy Chief
Common Carrier Bureau

¹¹ See 47 CFR § 52.15 (g)(3)(iv).