

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

In the Matter of	)	
	)	
Telephone Number Portability	)	CC Docket No. 95-116
	)	
Numbering Resources Optimization		CC Docket No. 99-200

**ORDER**

**Adopted:** June 22, 2011

**Released:** June 22, 2011

By the Chief, Wireline Competition Bureau:

1. On May 9, 2011, the Federal Emergency Management Agency (FEMA), Department of Homeland Security, declared certain areas in the State of Missouri a major disaster due to severe storms, tornados, and flooding.<sup>1</sup> In an effort to assist the telecommunications industry as it restores service in the affected areas of Missouri, we grant, on our own motion, a temporary waiver of the Commission's rule for aging telephone numbers for residential customers in those areas declared a major disaster.<sup>2</sup> Section 52.15(f)(ii) of the Commission's rules allows carriers to age numbers for no more than 90 days before making them available for assignment to other customers.<sup>3</sup> Waiver of this rule will allow carriers in the affected areas to disconnect temporarily customers' telephone service, upon request, to avoid billing issues, and then reinstate the same numbers when service is reconnected in those areas.

2. Customers who have been displaced by the severe storms, tornados, and flooding in Missouri may desire to discontinue their service temporarily and to reinstate it at a later time. Due to the catastrophic nature of the damage in Missouri, we expect that, in many cases, these customers will seek to reinstate their service after the 90-day period has lapsed. Section 1.3 of our rules authorizes the Commission to suspend, revoke, amend, or waive a Commission rule for good cause shown.<sup>4</sup> We find that in order to promote the maintenance and rebuilding of communities in disaster-ravaged areas and to facilitate continued access to telecommunications services for disaster victims, it is in the public interest to waive section 52.15(f)(ii) of the Commission's rules to allow carriers to age numbers for more than 90

<sup>1</sup> See Federal Emergency Management Agency, President Declares A Major Disaster For Missouri, May 9, 2011 available at <http://www.fema.gov/news/newsrelease.fema?id=54868> (last visited June 2, 2011).

<sup>2</sup> See 47 C.F.R. § 52.15(f)(ii) ("Aging numbers are disconnected numbers that are not available for assignment to another end user or customer for a specified period of time. Numbers previously assigned to residential customers may be aged for no more than 90 days.")

<sup>3</sup> See *id.* This Order applies to all telecommunications carriers, including both wireline and wireless carriers.

<sup>4</sup> See 47 C.F.R. § 1.3 ("Any provision of the rules may be waived by the Commission on its own motion or on petition if good cause therefore is shown.")

days before requiring the numbers to be available for reassignment. This waiver applies to all carriers that provide service in areas of Missouri declared as having experienced the above-identified major disaster.

3. We waive temporarily the Commission's rules for aging residential numbers to the extent necessary to permit carriers to restore service in the affected areas of Missouri during this period of service disruption.<sup>5</sup> We find that waiver of the Commission's rules in this instance is a reasonable and practical means for assisting in disaster recovery and, accordingly, it is in the public interest to grant it. The waiver is in effect immediately and for a nine-month period, expiring on March 22, 2012. If carriers are unable to resume service on a normal basis after this period, they may request additional relief from the Wireline Competition Bureau.

4. We recognize that customers in the affected rate centers may desire to port numbers to locations outside those rate centers. Therefore, during this period of service interruption, we encourage carriers to port telephone numbers geographically outside a rate center, to the extent it is technically feasible. We also encourage all carriers in the affected areas to waive call forwarding, message center, and voicemail service charges for affected customers, to the extent lawfully permitted, until the customers' service is restored.

5. Accordingly, IT IS ORDERED, pursuant to sections 4(i), 251(b)(2), and 251(e) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 251(b)(2),(e), and sections 0.291 and 1.3 of the Commission's rules, 47 C.F.R. §§ 0.291, 1.3, that section 52.15(f)(ii) of the rules, 47 C.F.R. § 52.15(f)(ii), is waived to the extent herein described.

FEDERAL COMMUNICATIONS COMMISSION

Sharon E. Gillett  
Chief  
Wireline Competition Bureau

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<sup>5</sup> The Bureau granted similar waivers for carriers in areas of California for fire disaster and in Kansas for areas damaged by severe storms. *See Telephone Number Portability; Numbering Resource Optimization Order*, CC Docket No. 95-116; CC Docket 07-4112, Order, 22 FCC Rcd 17593 (WCB 2007); *Telephone Number Portability; Numbering Resource Optimization Order*, CC Docket No. 95-116; CC Docket 99-200, Order, 22 FCC Rcd 11670 (WCB 2007). In 2005, carriers in states affected by Hurricane Katrina were also granted waivers of our number assignment and local number portability rules. *See Telephone Number Portability; Numbering Resource Optimization Order*, CC Docket No. 95-116; CC Docket 99-200, Order, 20 FCC Rcd 15077 (2005); *Numbering Resource Optimization Order*, CC Docket No. 99-200, Order, 20 FCC Rcd 15093 (2005).