



Federal Communications Commission
Washington, D.C. 20554

July 31, 2013

Gina Perini
Chief Administrative Officer and General Counsel
SMS/800, Inc.
P.O. Box 8122
Bridgewater, NJ 08807-8122

Re: DA 13-1679
CC Docket No. 95-155

Dear Ms. Perini:

This letter responds to your June 28, 2013 letter on behalf of SMS/800, Inc., recommending that the Commission open the 844 toll free number code on December 7, 2013.¹ We understand that recent demand for toll free number reservations has accelerated exhaust of available numbers in the 800, 888, 877, 866, and 855 codes. SMS/800, Inc., therefore, now recommends opening the 844 toll free code on December 7, 2013, earlier than its originally proposed date of February 15, 2014.²

It is in the public interest for the industry and consumers to have continued access to numbering resources, including toll free numbers. Therefore, pursuant to the Federal Communications Commission's exclusive jurisdiction over numbering resources in the United States under section 251(e)(1) of the Communications Act of 1934, as amended,³ the Wireline Competition Bureau (Bureau) authorizes SMS/800, Inc. to open the 844 toll free code on December 7, 2013 **at noon, Eastern Time**, so that Responsible Organizations (RespOrgs) may reserve 844 toll free numbers.

We continue to seek ways to conserve numbering resources in order to preserve this valuable public resource and meet the needs of the industry and consumers. The Bureau has sought comment on whether the number allocation method used in opening the 855 toll free code should be used to open the 844 code.⁴ That method limited each RespOrg to 100 numbers from the new

¹ See Letter from Gina Perini, Chief Administrative Officer and General Counsel, SMS/800 Inc., to Julie Veach, Chief, Wireline Competition Bureau, Federal Communications Commission, CC Docket No. 95-155 at 1-2 (filed June 28, 2013).

² See Letter from Gina Perini, Chief Administrative Officer and General Counsel, SMS/800 Inc., to Marlene H. Dortch, Secretary, Federal Communications Commission, CC Docket No. 95-155 (filed Nov. 14, 2012). On April 4, 2013, the Bureau issued a Public Notice notifying the industry of SMS/800, Inc.'s recommendation to open the 844 code on February 15, 2014. See *Toll Free Service Access Codes*, CC Docket No. 95-155, Public Notice, 28 FCC Rcd 4361 (2013) (*844 Public Notice*).

³ 47 U.S.C. § 251(e) (1).

⁴ See *844 Public Notice* at 2.

code, per day, for the first 30 days after the code was open.⁵ The allocation method for the 844 code remains under consideration. Moreover, should subsequent projections indicate that toll free number exhaust is more imminent, the Bureau may institute emergency procedures to avoid depletion of the current pool of available numbers before the new 844 code is opened.

Thank you for your cooperation. If you need anything further, please do not hesitate to contact us.

Sincerely,

Julie A. Veach
Chief, Wireline Competition Bureau

⁵ See generally *Toll Free Service Access Codes*, CC Docket 95-155, Order, 25 FCC Rcd 13687 (2010).