

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

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

ORDER

Adopted: September 22, 2020

Released: September 22, 2020

By the Chief, Wireline Competition Bureau:

1. On August 22, 2020 and September 15, 2020, the Federal Emergency Management Agency (FEMA), Department of Homeland Security, announced that the President had issued a Major Disaster Declaration for certain areas in the States of California and Oregon due to severe wildfires.¹ In addition, on September 10, 2020, the President also issued an Emergency Declaration for Oregon due to wildfires.² To assist telephone subscribers in those areas subject to Major Disaster or Emergency Declarations, we grant, on our own motion, a temporary partial waiver of the Commission’s telephone number “aging” rule. Specifically, we waive the maximum aging requirement from section 52.15(f)(ii), which states that service providers may only age telephone numbers that have been disconnected for up to 90 days before assigning them to other customers.³

2. We recognize that customers who have been displaced by the wildfires in California and Oregon may want to discontinue their service temporarily and reinstate it at a later time. Due to the catastrophic nature of the damage to telecommunications systems in California and Oregon, we expect that in many cases these customers may seek to reinstate their service after the 90-day period has lapsed. Assisting residential subscribers who are dealing with the effects of a wildfire is in the public interest and thus warrants a temporary partial waiver of section 52.15(f)(ii) of the Commission’s rules. A partial waiver of section 52.15(f)(ii) will allow service providers in the affected areas, upon customers’ request, to disconnect temporarily customers’ telephone service to avoid billing issues, and then reinstate the customers’ same numbers when service is reconnected. This partial waiver applies to all companies that provide service in areas of California and Oregon covered by the Major Disaster and Emergency

¹ See FEMA, President Donald J. Trump Approves Major Disaster Declaration for Oregon (Sept. 15, 2020), <https://www.fema.gov/press-release/20200915/president-donald-j-trump-approves-major-disaster-declaration-oregon> (last visited Sept. 16, 2020); see also FEMA, President Donald J. Trump Approves Major Disaster Declaration for California (Aug. 22, 2020) (Major Disaster Declarations).

² See FEMA, President Donald J. Trump Approves Emergency Disaster Declaration for Oregon (Sept. 11, 2020), <https://www.fema.gov/press-release/20200911/president-donald-j-trump-approves-emergency-disaster-declaration-oregon> (last visited Sept. 16, 2020) (Emergency Declaration).

³ 47 CFR § 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 less than 45 days and no more than 90 days.”). Note that we do not waive the 45-day minimum aging requirement.

Declarations. This partial waiver is in effect immediately and for a nine-month period, expiring on June 22, 2021. This partial waiver of the aging rule will also apply to residential customers in other areas subject to future Major Disaster or Emergency Declarations signed by the President, due to wildfires during the 2020-21 wildfire season. Any future waivers will expire 270 days from the date the President declares a state of emergency or major disaster for affected areas. If service providers are unable to resume service on a normal basis after this time period has lapsed, they should request additional relief from the Wireline Competition Bureau.

3. Also, because of substantial damage to telecommunications systems caused by California and Oregon wildfires, we recognize that customers in the affected areas may wish to port numbers to locations outside their rate centers. To facilitate their customers' continued access to telecommunications service following the wildfires, we encourage service providers to port telephone numbers geographically outside a rate center to the extent it is technically feasible. We also encourage all service providers in the areas affected by the California and Oregon wildfires and any future wildfires covered under this Order to waive call forwarding, message center, and voicemail service charges for affected customers, to the extent lawfully permitted, until the customers' service is restored. Furthermore, we strongly encourage service providers to notify residential customers of their ability under this temporary waiver to keep their number, despite an extended lapse in service.

4. In addition, we take this opportunity to clarify that our recent *Order* granting relief from the aging rule in connection with Hurricane Laura,⁴ like this Order, only grants a partial waiver of section 52.15(f)(ii). As above, to assist residential subscribers who are dealing with the effects of major disasters, that *Order* only waives the maximum aging requirement of this rule and not the new 45-day minimum aging requirement.⁵

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) and 251(e), and sections 0.291 and 1.3 of the Commission's rules, 47 CFR §§ 0.291, 1.3, that section 52.15(f)(ii) of the Commission's rules, 47 CFR § 52.15(f)(ii), is partially waived to the extent herein described herein.

FEDERAL COMMUNICATIONS COMMISSION

Kris A. Monteith
Chief
Wireline Competition Bureau

⁴ *Telephone Number Portability; Numbering Resource Optimization*, CC Docket Nos.95-116 and 99-200, Order, DA 20-982 (WCB Aug. 31, 2020).

⁵ *Id.* at para. 1 (“Specifically, we waive section 52.15(f)(ii), which states that service providers may only age telephone numbers that have been disconnected for up to 90 days before assigning them to other customers.”); *id.* at para. 4 (granting a waiver “to the extent herein described herein”); *see also* 47 CFR § 52.15(f)(ii).