

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 20, 2022

Released: September 20, 2022

By the Chief, Wireline Competition Bureau:

1. On September 18, 2022, the Federal Emergency Management Agency (FEMA), Department of Homeland Security, announced that the President has signed an emergency declaration for Puerto Rico due to then-Tropical Storm, now Hurricane Fiona. To assist telephone subscribers in Puerto Rico, we grant, on our own motion, a temporary waiver of the Commission’s telephone number “aging” rule. 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.

2. There is good cause for this waiver, as required by section 1.3 of our rules. Assisting residential subscribers who are dealing with the effects of a hurricane or major storm is in the public interest and thus warrants a temporary waiver of section 52.15(f)(ii) of the Commission’s rules. 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 waiver applies to all companies that provide service in areas of Puerto Rico affected by Hurricane Fiona. This waiver is in effect immediately and for a nine-month period, expiring on June 20, 2023. This waiver of the aging rule will also apply, without need for further action by the Wireline Competition Bureau, to residential customers in other areas for which the President declares states of emergency, either due to Hurricane Fiona or to later storms during the 2022-23 hurricane season. These waivers will expire 270 days from the date the President declares a state of emergency for the area(s) affected. 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 we expect to be caused by Hurricane Fiona to areas within its path, we recognize that customers in the affected areas may wish to port numbers to locations outside their rate centers. To facilitate their customers’ continued

1 FEMA, President Joseph R. Biden, Jr. Approves Emergency Declaration for Puerto Rico (Sept. 18, 2022), https://www.fema.gov/press-release/20220918/president-joseph-r-biden-jr-approves-emergency-declaration-puerto-rico-0.

2 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 more than 90 days.”).

3 47 CFR § 1.3 (providing 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”).

access to telecommunications service following the hurricane, 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 Hurricane Fiona to waive call forwarding, message center, and voicemail service charges for affected customers, to the extent lawfully permitted, until the customers' service is restored.

4. 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), 47 CFR § 52.15(f)(ii), is waived to the extent herein described herein.

FEDERAL COMMUNICATIONS COMMISSION

Trent B. Harkrader
Chief
Wireline Competition Bureau