

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: August 18, 2023

Released: August 18, 2023

By the Chief, Wireline Competition Bureau:

1. On August 10, 2023, the Federal Emergency Management Agency (FEMA), Department of Homeland Security, announced that the President has signed a Major Disaster Declaration for certain areas in Hawaii due to severe wildfires.¹ To assist telephone customers in those areas subject to the Major Disaster Declaration, we grant, on our own motion, a temporary waiver of the Commission’s telephone number “aging” rule. Specifically, we waive section 52.15(f)(1)(ii), which says that service providers may only age telephone numbers that have been disconnected for up to 90 days before assigning them to other customers.² We also encourage service providers to port telephone numbers to locations that may be outside of a customer’s telephone rate center and to waive certain service charges in order to assist customers experiencing this disaster.

2. There is good cause for this waiver, as required by section 1.3 of our rules.³ We recognize that customers who have been displaced by the wildfires in Hawaii 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 Hawaii, we expect that in many cases these customers may seek to reinstate their service after the 90-day period has lapsed. Assisting residential customers who are dealing with the effects of a wildfire is in the public interest and thus warrants a temporary waiver of section 52.15(f)(1)(ii) of the Commission’s rules. Waiver of section 52.15(f)(1)(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 Hawaii covered by the Major Disaster Declaration. This waiver is in effect immediately and for a 270-day period, expiring on May 14, 2024. This waiver of the aging rule will also apply to residential customers in other areas subject to future Major Disaster and Emergency Declarations signed by the President, due to wildfires during 2023.⁴ Any future

¹ FEMA, President Joseph R. Biden, Jr. Approves Emergency Declaration for Hawaii (Aug. 10, 2023), <https://www.fema.gov/press-release/20230810/president-joseph-r-biden-jr-approves-major-disaster-declaration-hawaii>.

² 47 CFR § 52.15(f)(1)(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”).

⁴ The Federal Emergency Management Agency (FEMA) maintains a list of declared disasters on its website. FEMA, *Declared Disasters*, <https://www.fema.gov/disaster/declarations> (last visited Aug. 18, 2023).

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 the Hawaii 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 Hawaii 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.

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)(1)(ii), 47 CFR § 52.15(f)(1)(ii), is waived to the extent herein described herein.

FEDERAL COMMUNICATIONS COMMISSION

Trent B. Harkrader
Chief
Wireline Competition Bureau