

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: October 1, 2024

Released: October 1, 2024

By the Chief, Wireline Competition Bureau:

1. On September 29, 2024, the U.S. Department of Homeland Security’s Federal Emergency Management Agency (FEMA) announced that the President has signed a Major Disaster Declaration for certain areas in Florida affected by Hurricane Helene and signed a Major Disaster Declaration for certain areas in North Carolina affected by Tropical Storm Helene.1 FEMA has also announced that the President has signed Emergency Declarations for certain areas in Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee, and Virginia affected by Hurricane Helene, Tropical Storm Helene, and Post-Tropical Cyclone Helene, as applicable.2 To assist telephone customers in those areas subject to the Helene Weather Event Declarations, we grant, on our own motion, a temporary partial waiver of the Commission’s telephone number “aging” rule. Specifically, we waive section 52.15(f)(1)(ii) with respect to the maximum aging period for residential customers, which states, in pertinent part, that service providers may only age telephone numbers that have been disconnected for up

1 FEMA, President Joseph R. Biden, Jr. Approves Major Disaster Declaration for Florida (Sept. 29, 2024), https://www.fema.gov/press-release/20240929/president-joseph-r-biden-jr-approves-major-disaster-declaration-florida; FEMA, President Joseph R. Biden, Jr. Approves Major Disaster Declaration for North Carolina (Sept. 29, 2024), https://www.fema.gov/press-release/20240929/president-joseph-r-biden-jr-approves-major-disaster-declaration-north.

2 FEMA, President Joseph R. Biden, Jr. Approves Emergency Declaration for Alabama (Sept. 26, 2024), https://www.fema.gov/press-release/20240927/president-joseph-r-biden-jr-approves-emergency-declaration-alabama; FEMA, President Joseph R. Biden, Jr. Approves Emergency Declaration for Florida (Sept. 24, 2024), https://www.fema.gov/press-release/20240924/president-joseph-r-biden-jr-approves-emergency-declaration-florida; FEMA, President Joseph R. Biden, Jr. Approves Emergency Declaration for Georgia (Sept. 26, 2024), https://www.fema.gov/press-release/20240926/president-joseph-r-biden-jr-approves-emergency-declaration-georgia; FEMA, President Joseph R. Biden, Jr. Approves Emergency Declaration for North Carolina (Sept. 26, 2024), https://www.fema.gov/press-release/20240926/president-joseph-r-biden-jr-approves-emergency-declaration-north-carolina; FEMA, President Joseph R. Biden, Jr. Approves Emergency Declaration for South Carolina (Sept. 27, 2024), https://www.fema.gov/press-release/20240927/president-joseph-r-biden-jr-approves-emergency-declaration-south-carolina; FEMA, President Joseph R. Biden, Jr. Approves Emergency Declaration for Tennessee (Sept. 28, 2024), https://www.fema.gov/press-release/20240928/president-joseph-r-biden-jr-approves-emergency-declaration-tennessee; FEMA, President Joseph R. Biden, Jr. Approves Emergency Declaration for Virginia (Sept. 29, 2024), https://www.fema.gov/press-release/20240929/president-joseph-r-biden-jr-approves-emergency-declaration-virginia. We refer to Hurricane Helene, Tropical Storm Helene, and Post-Tropical Cyclone Helene as the Helene Weather Events. Similarly, we refer to the Emergency Declarations and Major Disaster Declarations as Helene Weather Event Declarations.

to 90 days before assigning them to other customers.³ 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. We find there is good cause for this partial waiver, as required by section 1.3 of the Commission's rules.⁴ We recognize that customers who have been displaced by the Helene Weather Events may want to discontinue their service temporarily and reinstate it at a later time. Due to the extent of the damage to telecommunications systems in Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee, and Virginia, 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 hurricane, tropical storm, or post-tropical cyclone is in the public interest and thus warrants a temporary partial waiver of section 52.15(f)(1)(ii) of the Commission's rules. A partial waiver of section 52.15(f)(1)(ii) will allow service providers in the affected areas, upon their customers' request, to disconnect temporarily the 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 Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee, and Virginia covered by the Helene Weather Event Declarations and any other Emergency Declarations or Major Disaster Declarations pertaining to the Helene Weather Events. This partial waiver is in effect immediately and for a 270-day period, expiring on June 25, 2024.

3. This partial waiver of the aging rule will also apply to residential customers in areas subject to future Major Disaster and Emergency Declarations signed by the President due to hurricanes, typhoons, tropical storms, and tropical cyclones during 2024.⁵ Any future partial 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.

4. Also, because of substantial damage to telecommunications systems caused by the Helene Weather Events, 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 Helene Weather Events, 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 Helene Weather Events, and any future hurricanes, typhoons, tropical storms, and tropical cyclones 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.

³ 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 less than 45 days and for no more than 90 days."). We do not waive the 45-day minimum aging requirement.

⁴ 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").

⁵ 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 Sept. 30, 2024).

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

FEDERAL COMMUNICATIONS COMMISSION

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Chief
Wireline Competition Bureau