

(b) *Responsible Organization* (“*RespOrg*”). The entity chosen by a toll free subscriber to manage and administer the appropriate records in the toll free Service Management System for the toll free subscriber.

(c) *Service Control Points*. The regional databases in the toll free network.

(d) *Service Management System Database* (“*SMS Database*”). The administrative database system for toll free numbers. The Service Management System is a computer system that enables Responsible Organizations to enter and amend the data about toll free numbers within their control. The Service Management System shares this information with the Service Control Points. The entire system is the SMS database.

(e) *Toll Free Subscriber*. The entity that has been assigned a toll free number.

(f) *Toll Free Number*. A telephone number for which the toll charges for completed calls are paid by the toll free subscriber. The toll free subscriber’s specific geographic location has no bearing on what toll free number it can obtain from the SMS database.

[62 FR 20127, Apr. 25, 1997, as amended at 83 FR 53395, Oct. 23, 2018]

#### § 52.103 Lag times.

(a) *Definitions*. As used in this section, the following definitions apply:

(1) *Assigned Status*. A toll free number record that has specific subscriber routing information entered by the Responsible Organization in the Service Management System database and is pending activation in the Service Control Points.

(2) *Disconnect Status*. The toll free number has been discontinued and an exchange carrier intercept recording is being provided.

(3) *Lag Time*. The interval between a toll free number’s reservation in the Service Management System database and its conversion to working status, as well as the period of time between disconnection or cancellation of a toll free number and the point at which that toll free number may be reassigned to another toll free subscriber.

(4) *Reserved Status*. The toll free number has been reserved from the Service

Management System database by a Responsible Organization for a toll free subscriber.

(5) *Seasonal Numbers*. Toll free numbers held by toll free subscribers who do not have a year-round need for a toll free number.

(6) *Spare Status*. The toll free number is available for assignment by a Responsible Organization.

(7) *Suspend Status*. The toll free service has been temporarily disconnected and is scheduled to be reactivated.

(8) *Unavailable Status*. The toll free number is not available for assignment due to an unusual condition.

(9) *Working Status*. The toll free number is loaded in the Service Control Points and is being utilized to complete toll free service calls.

(10) *Transitional Status*. Toll free numbers that have been disconnected for less than four months, but for which no Exchange Carrier Intercept Recording is being provided.

(b) *Reserved Status*. Toll free numbers may remain in reserved status for up to 45 days. There shall be no extension of the reservation period after expiration of the initial 45-day interval.

(1) Toll free numbers assigned via competitive bidding may remain in reserved status for a period of unlimited duration.

(2) [Reserved]

(c) *Assigned Status*. Toll free numbers may remain in assigned status until changed to working status or for a maximum of 6 months, whichever occurs first. Toll free numbers that, because of special circumstances, require that they be designated for a particular subscriber far in advance of their actual usage shall not be placed in assigned status, but instead shall be placed in unavailable status.

(d) *Disconnect Status*. Toll free numbers must remain in disconnect status or a combination of disconnect and transitional status for no less than 45 days and for no more than 4 months. No requests for extension of the 4-month disconnect or disconnect and transitional interval will be granted. All toll free numbers in disconnect or transitional status must go directly into the spare or unavailable category

upon expiration of the 4-month disconnect or transitional interval. A Responsible Organization may not retrieve a toll free number from disconnect or transitional status and return that number directly to working status at the expiration of the 4-month disconnect or transitional interval.

(e) *Suspend Status.* Toll free numbers may remain in suspend status until changed to working status or for a maximum of 8 months, whichever occurs first. Only numbers involved in billing disputes shall be eligible for suspend status.

(f) *Unavailable Status.* (1) Written requests to make a specific toll free number unavailable must be submitted to the *Toll Free Numbering Administrator (TFNA)* by the Responsible Organization managing the records of the toll free number. The request shall include the appropriate documentation of the reason for the request. The *Toll Free Numbering Administrator (TFNA)* is the only entity that can assign this status to or remove this status from a number. Responsible Organizations that have a *Toll Free Subscriber* with special circumstances requiring that a toll free number be designated for that particular subscriber far in advance of its actual usage may request that the *Toll Free Numbering Administrator (TFNA)* place such a number in unavailable status.

(2) Seasonal numbers shall be placed in unavailable status. The Responsible Organization for a *Toll Free Subscriber* who does not have a year round need for a toll free number shall follow the procedures outlined in §52.103(f)(1) of these rules if it wants the *Toll Free Numbering Administrator (TFNA)* to place a particular toll free number in unavailable status.

[62 FR 20127, Apr. 25, 1997, as amended at 83 FR 53396, Oct. 23, 2018; 84 FR 11232, Mar. 26, 2019]

#### § 52.105 Warehousing.

(a) As used in this section, warehousing is the practice whereby Responsible Organizations, either directly or indirectly through an affiliate, reserve toll free numbers from the Service Management System database without having an actual toll free sub-

scriber for whom those numbers are being reserved.

(b) Responsible Organizations shall not warehouse toll free numbers. There shall be a rebuttable presumption that a Responsible Organization is warehousing toll free numbers if:

(1) The Responsible Organization does not have an identified toll free subscriber agreeing to be billed for service associated with each toll free number reserved from the Service Management System database; or

(2) The Responsible Organization does not have an identified toll free subscriber agreeing to be billed for service associated with a toll free number before switching that toll free number from reserved or assigned to working status.

(c) Responsible Organizations shall not maintain a toll free number in reserved status if there is not a prospective toll free subscriber requesting that toll free number.

(d) A Responsible Organization's act of reserving a number from the Service Management System database shall serve as that Responsible Organization's certification that there is an identified toll free subscriber agreeing to be billed for service associated with the toll free number.

(e) *Tariff Provision.* The following provision shall be included in the Service Management System tariff and in the local exchange carriers' toll free database access tariffs:

[T]he Federal Communications Commission ("FCC") has concluded that warehousing, which the FCC defines as Responsible Organizations, either directly or indirectly through an affiliate, reserving toll free numbers from the SMS database without having an identified toll free subscriber from whom those numbers are being reserved, is an unreasonable practice under §201(b) of the Communications Act and is inconsistent with the Commission's obligation under §251(e) of the Communications Act to ensure that numbers are made available on an equitable basis; and if a Responsible Organization does not have an identified toll free subscriber agreeing to be billed for service associated with each toll free number reserved from the database, or if a Responsible Organization does not have an identified, billed toll free subscriber before switching a number from reserved or assigned to working status, then there is a rebuttable presumption that the Responsible Organization is