

warehousing numbers. Responsible Organizations that warehouse numbers will be subject to penalties.

(f) The provisions of this section shall not apply to toll free numbers assigned via competitive bidding or to numbers transferred under this exception.

[62 FR 20127, Apr. 25, 1997, as amended at 83 FR 53396, Oct. 23, 2018]

§ 52.107 Hoarding.

(a) As used in this section, hoarding is the acquisition by a toll free subscriber from a Responsible Organization of more toll free numbers than the toll free subscriber intends to use for the provision of toll free service. The definition of hoarding also includes number brokering, which is the selling of a toll free number by a private entity for a fee.

(1) Toll free subscribers shall not hoard toll free numbers.

(2) No person or entity shall acquire a toll free number for the purpose of selling the toll free number to another entity or to a person for a fee.

(3) Routing multiple toll free numbers to a single toll free subscriber will create a rebuttable presumption that the toll free subscriber is hoarding or brokering toll free numbers.

(b) *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 hoarding, defined as the acquisition of more toll free numbers than one intends to use for the provision of toll free service, as well as the sale of a toll free number by a private entity for a fee, is contrary to the public interest in the conservation of the scarce toll free number resource and contrary to the FCC's responsibility to promote the orderly use and allocation of toll free numbers.

(c) *Toll Free Numbers Assigned via Competitive Bidding.* The provisions of this section shall not apply to toll free numbers assigned via competitive bidding or to numbers transferred under the exception to § 52.105 contained in paragraph (f) of that section.

[62 FR 20127, Apr. 25, 1997, as amended at 83 FR 53396, Oct. 23, 2018]

§ 52.109 Permanent cap on number reservations.

(a) A Responsible Organization may have in reserve status, at any one time, either 2000 toll free numbers or 7.5 percent of that Responsible Organization's numbers in working status, whichever is greater.

(b) A Responsible Organization shall never reserve more than 3 percent of the quantity of toll free numbers in spare status as of the previous Sunday at 12:01 a.m. Eastern Time.

(c) The Wireline Competition Bureau shall modify the quantity of numbers a Responsible Organization may have in reserve status or the percentage of numbers in the spare pool that a Responsible Organization may reserve when exigent circumstances make such action necessary. The Wireline Competition Bureau shall establish, modify, and monitor toll free number conservation plans when exigent circumstances necessitate such action.

[62 FR 20127, Apr. 25, 1997, as amended at 67 FR 13226, Mar. 21, 2002; 83 FR 53396, Oct. 23, 2018]

§ 52.111 Toll free number assignment.

Toll free telephone numbers must be made available to Responsible Organizations and subscribers on an equitable basis. The Commission will assign toll free numbers by competitive bidding, on a first-come, first-served basis, by an alternative assignment methodology, or by a combination of the foregoing options.

[83 FR 53396, Oct. 23, 2018]

APPENDIX TO PART 52—DEPLOYMENT SCHEDULE FOR LONG-TERM DATABASE METHODS FOR LOCAL NUMBER PORTABILITY

Implementation must be completed by the carriers in the relevant MSAs during the periods specified below:

Phase I—10/1/97-3/31/98	
Chicago, IL	3
Philadelphia, PA	4
Atlanta, GA	8
New York, NY	2
Los Angeles, CA	1
Houston, TX	7
Minneapolis, MN	12