

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE COMMISSION'S
CONSIDERATION OF TELEPHONE SAFETY
VALVE REQUESTS AND OTHER NUMBER
RESOURCE RELATED FILINGS.

CASE NO. 10-884-TP-UNC

ENTRY

Entered in the Journal on August 1, 2017

{¶ 1} On December 28, 2001, the Federal Communications Commission (FCC) released its Third Report and Order and Second Order on Reconsideration in CC Docket 99-200, *Numbering Resource Optimization*. At paragraph 61 of this Order, the FCC delegated authority to the states to hear claims that a safety valve mechanism should be applied when the North American Numbering Plan Administrator (NANPA) or the Pooling Administrator (PA) denies a specific request for numbering resources. Furthermore, the FCC clarified that the safety valve mechanism could be employed in those instances where a carrier is unable to meet a specific customer need or other verifiable need for additional resources.

{¶ 2} On June 30, 2017, TDS Telecom, on behalf of Continental Telephone Company (Continental), filed a petition for review of a decision of the PA. In its filing, Continental represents that on June 13, 2017, it submitted a request to the PA for one new NXX code in the Continental, Ohio rate center. According to the attachments accompanying Continental's petition for review, the PA refused to grant Continental's request because Continental does not meet the utilization criteria established by the FCC.

{¶ 3} Continental explains that, as a part of a Connect America Fund broadband project, it is installing, in the Continental rate center, a new Metaswitch which will eventually replace the existing legacy switch that is now there. Continental submits that it needs a new NXX code for the Continental rate center, in order to establish the local routing number (LRN) for the new switch, so that, during the switch replacement transition period, both the legacy switch and the new switch will coexist with the legacy

equipment already in place in the involved rate center. Continental commits to returning to the PA, once the company has completed the full migration and decommission of the legacy switch, the entire new NXX code it now seeks – including both the LRN and all associated number blocks, for reuse elsewhere. Continental anticipates that the full migration and decommission of the legacy switch will occur within five years of implementation of the new switch. Nevertheless, if unforeseen circumstances arise and Continental does not meet this deadline, it will request an extension.

{¶ 4} Continental is requesting that a full code be assigned and will retain all 10 blocks of the new NXX code throughout the entire transition period. However, in order to prevent contamination and assignment of numbers within the newly assigned NXX code, Continental will only use numbers for the LRN and testing purposes and will ensure that all other numbers are blocked so that a smooth relinquishment of the entire assigned code can happen after the existing legacy switch is decommissioned. This approach will prevent other blocks from being assigned to other carriers and will help ensure the entire code can be repurposed in the future in another rate center.

{¶ 5} By Entry issued on November 7, 2002, in Case No. 97-884-TP-COI, the Commission, on its own motion, delegated to its legal department the authority to rule, by examiner's entry, on carrier numbering requests, other than those seeking reclamation of entire NXX codes or of particular one-thousand-number blocks.

{¶ 6} After a review of Continental's petition, the attorney examiner believes that the applicant, in accordance with 47 C.F.R. 52.15(g)(4), has demonstrated a verifiable need for the requested numbering resources and that it has exhausted all other remedies. In reaching this determination, the attorney examiner recognizes Continental's need, in the involved rate center, for a new NXX code to establish a LRN for use during the transition period that will occur as a new Metaswitch is installed to replace the existing legacy switch now in use in the Continental rate center. For this

reason, the attorney examiner finds that the PA's decision to deny Continental's petition for additional numbering resources in the Continental rate center should be overturned and NANPA should assign a new NXX code that meets Continental's needs in establishing, for use during the transition period, an LRN for its new switch. Continental is directed to return to the PA pool, once the company has completed the full migration and decommissioning of the legacy switch, the entire new NXX code it has sought – including both the LRN and all associated number blocks. Continental is also directed, in the meantime, to regularly update the Commission on the status of the immigration and decommission. To accomplish this, Continental shall file in this docket, a periodic series of letters, each updating the Commission on the project's then-current status, every six months, beginning six months from the date of this Entry, and continuing until such time as the legacy switch is decommissioned and the NXX code is returned to the PA.

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That Continental's request to overturn the PA's decision to withhold the requested numbering resources is granted as described in Paragraph (6). It is, further,

{¶ 9} ORDERED, That, once the company has completed the full migration and decommission of the legacy switch, Continental shall return to the PA pool, for use elsewhere, the entire new NXX code it has sought – including both the LRN and all associated number blocks. It is, further,

{¶ 10} ORDERED, That, Continental is directed to regularly update the Commission on the status of the migration and decommission, every six months, until the legacy switch is decommissioned and the entire code now being assigned is returned to the PA. It is, further,

{¶ 11} That a copy of this Entry be served upon Continental.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Daniel E. Fullin

By: Daniel E. Fullin
Attorney Examiner

JRJ/dah

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in

Case No(s). 10-0884-TP-UNC

Summary: Attorney Examiner Entry granting a request to review and overturn the Pooling Administrator's earlier decision to deny numbering resources. Entry electronically filed by Debra Hight on behalf of Daniel E. Fullin, Attorney Examiner.