BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's Investi- )

gation into Telephone Numbering and ) Case No. 10-884-TP-UNC

Number Assignment Procedures )

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

AT&T OHIO'S REQUEST FOR REVIEW OF A

DECISION OF NEUSTAR - POOLING ADMINISTRATOR

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

AT&T Ohio, by its attorneys and pursuant to 47 CFR § 52.15(g)(3)(iv), respectfully requests that the Public Utilities Commission of Ohio (“Commission”) review and overturn the Pooling Administrator’s (“PA” or “NeuStar”) denial of AT&T Ohio’s request for numbering resources, as more fully described herein.

AT&T Ohio requested NeuStar to assign 1,000 consecutive numbers for use in conjunction with Direct Inward Dialing (DID) service by DentalOne Partners (“DentalOne”) in the Montrose rate center. DentalOne is expecting significant growth over the next several years and this request for 1,000 consecutive numbers is the first part of a multi-phased approach to optimize and reconfigure their telecommunications platform. At this time, the number pooling inventory is showing several blocks available for assignment that could meet this request. More specifically, DentalOne requested 1,000 consecutive numbers because it is growing exponentially, it needs to deploy additional telephone numbers for new employees, and it intends to implement a 5-digit dialing plan in the near future. The 5-digit dialing plan will require that last three digits of the telephone number match the three-digit branch code each remote branch location will be designated. Such an arrangement meets the technological criteria of the new telephone system and ensures that the management capabilities of the new system will be realized, providing DentalOne with a plethora of revenue and expense management capabilities essential for DentalOne to deploy in order to meet their enterprise-wide business objectives. DentalOne is anxious to deploy these capabilities in an expeditious manner.

Because plans are well underway to implement the new plan and investment in the new telecommunications system has already been made, it is imperative to secure the numbers for DentalOne as soon as possible. DentalOne will begin activating and programming the new numbers into the new telecommunications system as soon as the numbers are made available to them. DentalOne expects that the 1,000 numbers will sufficiently address their needs for the next three years. Approximately one-third of the numbers will be used within the first year, and one-third in each of years two and three. Further, since DentalOne’s need for the 1,000 consecutive numbers is due primarily to growth, no existing numbers will be freed up and returned to AT&T Ohio.

DentalOne’s request for numbers cannot be filled with AT&T Ohio’s existing numbering resource inventory. Recent review of AT&T Ohio’s inventory in the Montrose rate center demonstrates that the required number of consecutive telephone numbers meeting the required technical parameters is simply not available. Although AT&T Ohio has an adequate supply of usable telephone numbers in this rate center to satisfy incremental requests for numbers without receiving a new block of numbers, AT&T Ohio’s existing telephone number resources cannot satisfy this customer’s specific need. Review of the pooling inventory however, demonstrates that several blocks meeting DentalOne’s requirements are available in the pool. Nevertheless, AT&T Ohio’s request to obtain the desired numbering resources from NeuStar will not be processed because AT&T Ohio does not meet the two required FCC criteria to obtain numbering resources in the Montrose rate center. The FCC requires a months-to-exhaust (MTE) of 6 months or fewer. AT&T Ohio is at a 157.12 MTE due to a negative growth history and a negative growth forecast for this rate center as well as overly contaminated inventory that does not qualify for donation. In addition, the FCC requires utilization of 75% or higher and AT&T Ohio is at 58.83 %. Thus, neither FCC criteria is met in this case.

The FCC's rules identify a procedure whereby denial of a numbering resource request can be brought to the appropriate state commission for review. 47 CFR § 52.15(g)(3)(iv) provides as follows:

(iv) The NANPA shall withhold numbering resources from any U.S. carrier that fails to comply with the reporting and numbering resource application requirements established in this part. The NANPA shall not issue numbering resources to a carrier without an Operating Company Number (OCN). The NANPA must notify the carrier in writing of its decision to withhold numbering resources within ten (10) days of receiving a request for numbering resources. The carrier may challenge the NANPA's decision to the appropriate state regulatory commission. The state regulatory commission may affirm or overturn the NANPA's decision to withhold numbering resources from the carrier based on its determination of compliance with the reporting and numbering resource application requirements herein.

In addition, the FCC's December 12, 2001 Order in its Number Resource Optimization Report and Order, CC Docket No. 99-200, FCC No. 01-362, paragraph 64 states that, "States may not accommodate requests for specific numbers (i.e. vanity numbers), but may grant requests for customers seeking contiguous blocks of numbers." AT&T Ohio submits that DentalOne’s request constitutes special circumstances and demonstrates a clear requirement that warrants the Ohio Commission's review and reversal of NeuStar's decision.

Attached to this request are copies of AT&T Ohio's Thousand Block Application Form, the Months-to-Exhaust Certification, a copy of NeuStar’s denial, and a copy of DentalOne’s request.

For the reasons set forth herein, AT&T Ohio respectfully requests that the Commission overturn NeuStar's denial and direct NeuStar to assign the requested numbers in the Montrose rate center to AT&T Ohio for use by DentalOne Partners as soon as possible.

Respectfully submitted,

AT&T Ohio

By: \_\_\_\_\_\_\_\_\_\_/s/ Jon F. Kelly\_\_\_\_\_\_\_\_\_\_

Jon F. Kelly (Counsel of Record)

Mary Ryan Fenlon

AT&T Services, Inc.

150 E. Gay St., Rm. 4-A

Columbus, Ohio 43215

(614) 223-7928

Its Attorneys

10-884.DentalOne