

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's Investi-)
gation into the Allocation of the 8-1-1)
Dialing Code for Use by One Call)
Notification Systems in Providing Advance) Case No. 05-1306-AU-COI
Notice of Excavation Activities to)
Underground Facility Operators.)

ENTRY

The Commission finds:

- (1) On March 14, 2005, the Federal Communications Commission (FCC) released its 05-59 order,¹ by which it designated the 8-1-1 dialing code as a nationwide number to be used by state one-call notification systems² for providing advanced notice of excavation activities to underground facility operators. The express purpose of the FCC's 05-59 order is to implement the Pipeline Safety Act,³ which provides for the establishment of a nationwide toll free abbreviated dialing arrangement to be used by state one-call notification systems. The FCC mandated that, within two years from the date of publication of its 05-59 order, 8-1-1 should be deployed ubiquitously by carriers throughout the United States for use by all telecommunications carriers, including wireline, wireless, and payphone service providers that provide access to state one-call centers. However, the FCC stated that it would "defer to the expertise of the carriers, in cooperation with the individual states, to develop and determine the most appropriate technological means of implementing 8-1-1 access to one-call services, as dictated by their particular network architectures" (FCC's 05-59 order at paragraph 32).

¹ See *Use of N11 Codes and Other Abbreviated Dialing Arrangements*, Sixth Report and Order, CC Docket 92-105, released March 14, 2005 (05-59).

² In the order, the FCC defined a "One Call notification system" as a communication system established by operators of underground facilities and/or state governments in order to provide a means for excavators and the general public to notify facility operators in advance of their intent to engage in excavation activities. This advanced notice, in turn, allows utility companies to mark underground facilities prior to excavation to prevent damage to these facilities.

³ Pipeline Safety Improvement Act of 2002, Pub. L. No. 107-355, § 17, 116Stat. 2985, 3008 (2002).

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- (2) The Commission opened this docket to address any issues that may exist relating to how to achieve implementation in Ohio of the 8-1-1 dialing code in compliance with the FCC's 05-59 order. Previously in this case, the Commission both solicited comments and reply comments regarding 8-1-1 deployment and also held a workshop designed to enhance its understanding of how local exchange companies will technically deploy 8-1-1 service in Ohio. Given that there are two one-call centers in Ohio, the Commission expressed a particular interest in receiving information concerning whether and how it may be possible for both Ohio one-call centers to receive 8-1-1 calls from the same area.
- (3) On February 14, 2007, the Commission issued an entry in this case by which we acknowledged that, since the time of the workshop, the two Ohio one-call centers have been working together in an attempt to achieve a technical and/or operational solution to the question of how to deploy 8-1-1 service ubiquitously in Ohio in a manner that enables 8-1-1 callers from anywhere in Ohio to use the 8-1-1 dialing code in order to obtain the same protection service that they currently can receive using traditional ten-digit dialing. The entry stated the Commission's expectation that the two Ohio one-call centers might soon reach a mutually satisfying agreement that would achieve that objective.
- (4) Based on a letter of intent that the two Ohio one-call centers docketed in this case on June 12, 2007, it appears that the two have, indeed, now reached a mutual intent to agree on a deployment methodology that enables callers from anywhere in Ohio to use the 8-1-1 dialing code in order to obtain the same protection service that they currently can receive using traditional ten-digit dialing.
- (5) Based on this intent to agree by the two Ohio one-call centers, and as a useful step towards the goal of formalizing and fully implementing their agreed-upon deployment methodology, the Commission by this entry, acknowledges, and puts Ohio's local exchange carriers (LECs) on notice that, the Ohio Utilities Protection Service (OUPS) is the sole Ohio one-call center to whom Ohio LECs must provide 8-1-1 service.

Having said that, nevertheless, if future circumstances should warrant it, for example, in the event that the two Ohio one-call centers are unable to bring to fruition a final agreement based on their current intent, the Commission will issue a further entry


addressing any remaining issues relating to deployment of 8-1-1 service in Ohio.

It is, therefore,

ORDERED, That in accordance with the above findings, the Commission by this entry, acknowledges, and puts Ohio's LECs on notice that, the OUPS is the sole Ohio one-call center to whom Ohio LECs must provide 8-1-1 service. *It is, further,*

ORDERED, That a copy of this entry be served upon all wireline local exchange service providers, wireless local exchange service providers, and payphone service providers in Ohio, and any person or entity who filed earlier comments and/or reply comments in this matter.

THE PUBLIC UTILITIES COMMISSION OF OHIO




Alan R. Schriber, Chairman

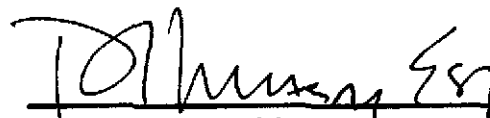
Paul A. Centolella



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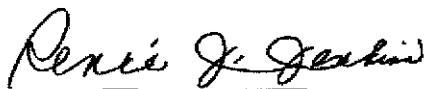


Donald L. Mason

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Entered in the Journal

JUN 13 2007



Renee J. Jenkins

Renee J. Jenkins
Secretary