

Sprint



Together with NEXTEL

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**Jennifer A. Duane**

Attorney, State Regulatory/Northeast  
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August 24, 2007

VIA OVERNIGHT MAIL

Ms. Reneé J. Jenkins  
Director of Administration  
Public Utilities Commission of Ohio  
180 East Broad Street, 13<sup>th</sup> Floor  
Columbus, Ohio 43215-3793

PUCO

2007 AUG 27 AM 10:38

RECEIVED-DOCKETING DIV

Re: In the Matter of the Commission's Investigation into Telephone Numbering and  
Number Assignment Procedures; PUCO Case No. 97-884-TP-COI

Dear Ms. Jenkins:

I enclose for filing an original and fifteen (15) copies of the Petition of Sprint Communications Company L.P. ("Sprint") for Review of a Decision of the Number Pooling Administrator to be filed in connection with the above-referenced proceeding.

Please return a filed-stamped copy of this letter in the enclosed self-addressed, postage-prepaid envelope. If you have any questions, please feel free to contact me. Thank you for your attention to this matter.

Sincerely,

  
Jennifer A. Duane

Enclosure

cc: Lori Sternisha – PUCO Telecom Specialist  
Jay Agranoff – PUCO Attorney Examiner

This is to certify that the images appearing are an  
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**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

<b>IN THE MATTER OF THE COMMISSION'S</b>	)	
<b>INVESTIGATION INTO TELEPHONE NUMBERING</b>	)	<b>CASE NO. 97-884-TP-COI</b>
<b>AND NUMBER ASSIGNMENT PROCEDURES</b>	)	

**PETITION OF SPRINT COMMUNICATIONS COMPANY L.P. FOR  
REVIEW OF A DECISION OF THE POOLING ADMINISTRATOR**

Sprint Communications Company L.P. ("Sprint") hereby submits this Petition requesting that the Public Utilities Commission of Ohio ("Commission" or "PUCO") review a decision of the Pooling Administrator ("PA" or "NeuStar") that denied Sprint's request for numbering resources in one Ohio rate center. For the reasons set forth more fully below, Sprint respectfully requests that the Commission overturn the PA's decision and direct it to assign the requested thousand-block of numbers to Sprint.

**DISCUSSION**

Sprint recently submitted a request to NeuStar for a thousand-block of numbers in accordance with current guidelines, including the Months-to-Exhaust ("MTE") Certification procedures established in the Central Office Code Assignment Guidelines.<sup>1</sup> Specifically, Sprint requested one (1) one thousand-block in the rate center of Groveport, Ohio.

This thousand-block is necessary to fill a specific request from Sprint's customer, Time Warner Cable, who is entering these Ohio markets to provide Voice over Internet Protocol ("VoIP") services. Sprint cannot meet this customer's request from its current inventory based on Time Warner Cable's forecasted demand for numbers in the Groveport

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<sup>1</sup> These guidelines are set forth on the INC website at <http://www.atis.org/inc/docs.asp>.

rate center while also factoring in the expected number utilization needs of Sprint. Additionally, Sprint currently supports another VoIP provider in the Groveport rate center whose number utilization needs impact Sprint's ability to satisfy Time Warner Cable's forecasted demand for numbers. Moreover, Time Warner Cable's forecast for numbers in the Groveport rate center has increased significantly since it has undertaken a more aggressive marketing and promotional campaign with the launch of its VoIP service.<sup>2</sup> NeuStar, however, denied Sprint's request for numbers on the grounds that Sprint did not meet the utilization threshold necessary in order to obtain growth numbering resources.

On December 28, 2001, the Federal Communications Commission ("FCC") released its *Third Report and Order and Second Order on Reconsideration* in its Numbering Resource Optimization docket. In that Order, the FCC created a safety valve mechanism to provide carriers with a procedure to obtain additional numbering resources when there is a verifiable need due to the carrier's inability to satisfy a specific customer request.<sup>3</sup> Specifically, the Order provides state public utility commissions with delegated authority to hear claims that a safety valve should be applied when the Pooling Administrator denies a specific request for numbering resources. And, under the federal numbering rules, a state commission may overturn the PA's decision based on its determination that the carrier has demonstrated a verifiable need for the numbering resources and has exhausted all other available remedies.<sup>4</sup> Therefore, this Commission has the authority to overturn the PA's decision under the appropriate circumstances and Sprint submits this Petition requesting the assignment of one

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<sup>2</sup> See the explanation contained in the Groveport MTE Worksheet included as part of Sprint Exhibit B.

<sup>3</sup> See In the Matter of Numbering Resource Optimization, *Third Report and Order and Second Order on Reconsideration*, CC Docket No. 99-200, FCC 01-362 at ¶61 (Dec. 28, 2001).

<sup>4</sup> 47 C.F.R. 52.15(g) (4).

thousand-block of telephone numbers in the Groveport rate center under the FCC's safety valve procedures.

Sprint has attached a letter from Time Warner Cable as its Exhibit A demonstrating that it has received a specific customer request for numbering resources in the Groveport rate center that it cannot meet with its current inventory. In addition, Sprint has attached a copy of its MTE and Utilization Worksheet for the Groveport rate center. The MTE and Utilization Worksheet also contains an explanation as to why Sprint cannot satisfy Time Warner Cable's numbering request in this rate center from its existing inventory. This document, along with the denials that Sprint received from NeuStar, are included as Sprint Exhibit B.

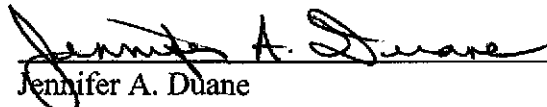
Accordingly, the circumstances described in Sprint's Exhibits A and B and in this Petition warrant application of the Commission's safety valve authority in this instance.

### **CONCLUSION**

WHEREFORE, for the reasons set forth above, Sprint respectfully requests that the Commission overturn NeuStar's decision and direct it to allocate to Sprint this additional one-thousand number block to satisfy the needs of its customer. The grant of this petition serves the public interest because it will ensure the availability of numbering resources to customers seeking to switch to a competitive service provider. Further, Sprint's reasonable request ensures the efficient use of scarce numbering resources. With Time Warner's impending launch of VoIP services in this Ohio market, Sprint respectfully requests that the Commission grant this Petition and issue its order to NeuStar expeditiously.

Respectfully submitted,

SPRINT COMMUNICATIONS COMPANY L.P.



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Dated: August 24, 2007

## **EXHIBIT A**



Robin Citrone  
Manager  
Network Planning and Forecasting  
Time Warner Cable  
13241 Woodland Park Rd.  
Herndon, VA 20171

August 20, 2007

Mr. Pat Maroney  
Sprint/Nextel  
Number Management  
State Regulatory  
6330 Sprint parkway  
Overland Park, Kansas 66251

RE: Sprint Safety Valve Request:

This is to inform you Time Warner is planning to vastly expand VOIP Services in the Groveport, Ohio Rate Center. Based on our experience, this new market will generate significant customer interest and new subscriptions. As our network partner and numbering resource manager, Time Warner requests your assistance in acquiring a thousand block of numbers to serve our customers. Without these Numbering Resources, Time Warner will not be able to meet customer demand for our services.

Please let me know if you need any additional information.

Sincerely,

*Robin Citrone*

## **EXHIBIT B**



# MONTHS TO EXHAUST and UTILIZATION CERTIFICATION WORKSHEET - TN Level:

(Thousands-Block Number Pooling Growth Block Request)

Date: 08/06/07 OCN: 2687 Company Name: **Sprint Communications Company, L.P.**  
 Rate Center: GROVEPORT, OH  
 List of all Codes NPA(s)-NXXs and Blocks NPA(s)-NXX-X(s): 614-482-4  
 Name of Block Applicant: Glenn Parrish Signature: Telephone Number: 913-794-1904 Fax No.: 913-762-0121  
 Title: Network Operations Tech II  
 Email: Glenn.D.Parrish@sprint.com  
 A. Available Numbers 930  
 B. Assigned Numbers 70  
 C. Total Numbering Resources: 1000

D. Quantity of numbers activated in the past 90 days and excluded from the Utilization calculations: 0  
 List excluded Code(s) or Block(s):

	Month #1	Month #2	Month #3	
E. Growth History - Previous 6 months <sup>2</sup>	0	0	70	
F. Forecast - Next months 1-2 <sup>3</sup>	350	350	350	0
G. Average Monthly Forecast (Sum of months 1-6 Part F above divided by 6):			350	0

H. Months to Exhaust\* =  $\frac{\text{Numbers Available for Assignment to Customers (A)}}{\text{Average Monthly Forecast (G)}}$  = 2.66

I. Utilization Level<sup>5</sup> =  $\frac{\text{Assigned Numbers (B) - Excluded Numbers (D)}}{\text{Total Numbering Resources (C) - Excluded Numbers (D)}}$  = 7.00%

**Explanation: Sprint is requesting 1 add'l block to meet unexpected demand in TN assignments in this new market.**

1. A copy of this worksheet is required to be submitted to the Pooling Administrator when requesting additional numbering resources in a rate center. For auditing purposes, the applicant must retain a copy of this document.
2. Net change in TNs no longer available for assignment in each previous month, starting with the most distant month as Month #1, and Month #6 as the current month.
3. Forecast of TNs needed in each month, starting with the most recent month as Month #1.
4. To be assigned an additional thousands-block (NXX-X) for growth, "Months to Exhaust" must be less than or equal to 6 months. (FCC 00-104, 52.15 (g) (3) (iii)).
5. Newly acquired numbers may be excluded from the Utilization calculation (FCC 00 104, Section 52.15 (g)(3)(ii)).



Request For Resources



Modify

Disconnect

Block Transfer

Confirm Block(s) in Service (Part 4)

Search Forms

Submit Forms

User Profile

Donate Blocks

Reports

## Pooling Administration System

glenn.d.parish@gsprint.com (SP)

Sign Out

Your utilization calculates to 7.000 percent. The FCC requires a utilization of 75.000 percent.

Select One Option and Submit

- ☐ Return to the Months To Exhaust Form
- ☐ Discard all the information provided for the request and start with a fresh Part 1A
- ☐ State Waiver Option

