

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Commission's Investi-)	
igation into Telephone Numbering and)	Case No. 97-884-TP-COI
Number Assignment Procedures)	

**REQUEST OF UNITED TELEPHONE COMPANY OF OHIO DBA EMBARQ
FOR REVIEW OF A DECISION OF NEUSTAR - POOLING ADMINISTRATOR**

United Telephone Company of Ohio d/b/a Embarq ("Embarq") respectfully requests that the Public Utilities Commission of Ohio ("PUCO" or "Commission") direct NeuStar, the Pooling Administrator ("PA"), to provide Embarq with an uncontaminated consecutive thousand number block in the Howland wire center of the Warren, Ohio rate center to satisfy the request of Embarq's customer, 910th Air Force Reserve Base ("910th") located in Vienna, Ohio. 910th is beginning a seven digit-dialing Department of Defense conversion project, and this consecutive number request is critical to the completion of the project.

BACKGROUND

910th contacted Embarq requesting a consecutive group of Direct Inward Dialing ("DID") numbers for its use. They requested consecutive numbers in the 330-609-2000-3999 range. They cannot use the 1, 8, and 9 blocks. They already utilize the 1 block, and 8 and 9 are used for accessing outside lines.

Embarq reviewed the customer's request and determined that it did not have the requested consecutive number block available within the Warren rate center and requested a formal letter from 910th for the consecutive DID numbers.

On May 13, 2009, 910th provided an official request for the consecutive DID numbers on its letterhead. (Exhibit A).

On May 22, 2009 Embarq submitted a Thousands Block Application Form - Part 1A to the PA for the assignment of a consecutive uncontaminated thousand number block necessary to meet the 910th request. A copy of this application form is attached. (Exhibit B). Embarq completed the application in accordance with the Thousands Block Number (NXX-X) Pooling Administration Guidelines and completed the necessary Months to Exhaust ("MTE") Certification, attached. (Exhibit C).

On May 22, 2009, the PA, via the Pooling Administration System ("PAS"), denied the request on the grounds that Embarq had not met the rate center-based MTE criteria set forth in the NXX Number (NXX) Pooling Administration Guidelines, notwithstanding the fact that Embarq does not have the numbering resources needed to satisfy its customer's request in the switch at issue. This denial of the application received by Embarq from the PAS system is attached. (Exhibit D).

Under earlier months-to-exhaust procedures, waivers or exceptions were granted where customer hardships were demonstrated or where the service provider's inventory did not have a block of numbers large enough to meet a customer's specific request. Under existing procedures, the PA looks at the number of months-to-exhaust for the entire rate center without any exceptions. However, paragraph 64 of the FCC's Third Report and Order in the Numbering Resource Optimization docket states that a carrier ". . . should be able to get additional numbering resources when there is a verifiable need due to the carrier's inability to satisfy specific customer request." Also, paragraph 64 indicates that "States may not accommodate requests for specific numbers (i.e. vanity numbers), but may grant requests for customers seeking contiguous blocks of numbers." Therefore,

this Commission has the authority to review the PA's decision and reverse it when appropriate.

Embarq's request to obtain the required numbering resources from NeuStar was not processed because Embarq does not meet the two required FCC criteria to obtain numbering resources in the Warren rate center. The FCC requires a months-to-exhaust (MTE) of 6 months or fewer. Embarq is at a 232.32 MTE due to the low growth forecast and inventory that does not qualify for donation. In addition, the FCC requires utilization of 75% or higher, and Embarq is at 49.71%. 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:

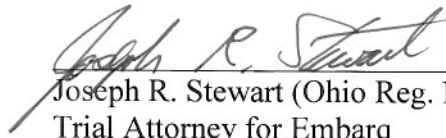
The NANPA shall withhold numbering resources from any U.S. carrier that fails to comply with the reporting and numbering resource application requirements established in this part. The NANPA shall not issue numbering resources to a carrier without an Operating Company Number (OCN). The NANPA must notify 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.

Embarq submits that 910th's request constitutes special circumstances and demonstrates a clear requirement that warrants the Commission's review and reversal of NeuStar's decision.

CONCLUSION

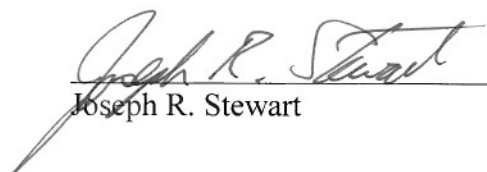
Embarq respectfully requests that the Commission review and reverse the PA's decision to withhold numbering resources because it violates the intent and requirements of the FCC in allowing carriers access to numbering resources to meet specific customer demands upon a sufficient showing of need. The PA's denial of numbering resources interferes with Embarq's ability to serve its customer, 910th. Embarq requests expedited treatment of its request due to the urgent needs and the timeline of the customer and that the Commission overturn the PA's decision and instruct it to release the numbering resources necessary to meet the needs of 910th.

Respectfully submitted,


Joseph R. Stewart (Ohio Reg. No. 0028763)
Trial Attorney for Embarq
50 West Broad Street, Suite 3600
Columbus, OH 43215
Telephone: 614-220-8625
FAX: 614-224-3902
joseph.r.stewart@embarq.com

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that a copy of the foregoing Request was served via first class mail, postage prepaid to the parties listed below on this 27th day of May, 2009.


Joseph R. Stewart

Kathy E. Hobbs Alltel Ohio, Inc. 21 E. State Street, Suite 1900 Columbus, OH 43215	Jon F. Kelly AT&T Ohio 150 E. Gay Street, Rm. 4-A Columbus, OH 43215
J. Drew McFarland Attorney at Law 230 East Broadway, Suite 200 Granville, OH 43023-1306	Sally Briar Tariff Mgr. Law & Govt. Affairs AT&T Comm. of Ohio, Inc. 222 W. Adams Street, Suite 1500 Chicago, IL 60606
Kimberly K. Stump General Manager Benton Ridge Telephone Co. P. O. Box 180 Benton Ridge, OH 45816	Nathaniel Hawthorne Attorney at Law 27600 Chagrin Blvd., Suite 260 Cleveland, OH 44122
Sally W. Bloomfield Bricker & Eckler 100 S. Third Street Columbus, OH 43215	Jean Houck Business Telecom, Inc. 4300 Six Forks Rd., Suite 500 Raleigh, NC 27609
Buckland Telephone Co. 105 S. Main Street Buckland, OH 45819	Vickie Norris CenturyTel of OH, Inc. 17 S. High St., Suite 1250 Columbus, OH 43215
Focal Comm. Corp. of Ohio 200 N. LaSalle St., Suite 1100 Chicago, IL 60601	John Bentine, Esq. Chester, Willcox & Saxbe 65 E. State Street, Suite 1000 Columbus, OH 43215

Nancy B. Rue, Esq. Frost & Jacobs 2500 NC Center 201 E. Fifth Street Cincinnati, OH 45202	Linda Claytor Tariff-Billing Mgr. Chillicothe Telephone Co. P. O. Box 480 Chillicothe, OH 45601
James P. Miggans Regulatory Manager GTE Service Corp. HQE02E94 600 Hidden Ridge Irving, TX 75038	Mark Romito Cincinnati Bell Telephone Co. P. O. Box 2301 201 E. Fourth Street Cincinnati, OH 45201
Chris J. Phillips Kalida Telephone Co., Inc. P. O. Box 267 121 E. Main Street Kalida, OH 45853	Stephen K. Vogelmeier COI Long Distance 921 Eastwind Drive, Suite 104 Westerville, OH 43081-5316
Preston Meyer New Knoxville Telephone Co. 301 West Street New Knoxville, OH 45871	Boyd B. Ferris Ferris & Ferris, LLP 2733 W. Dublin-Granville Road Columbus, OH 43235
Allen F. Gerth President Pageplus, Inc. 1211 W. Sharon Road Cincinnati, OH 45240	Fibernet of Ohio, LLC 211 Leon Sullivan Way Charleston, WV 25301
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DEPARTMENT OF THE AIR FORCE
910 COMMUNICATIONS FLIGHT
3976 KING GRAVES RD UNIT 46
VIENNA, OH 44473-5946

13 May 09

Ms Norma Rose
Chief of Plans and Programs
3976 King Graves Rd Unit 46
Vienna OH 44473-5946

Embarq
Ms Janine Byrnes
22 S. Park Ave
Warren OH 44481

Dear Ms Byrnes

Per our email conversations over the last couple of days, Youngstown Air Reserve Base would like to formally request a consecutive group of DID new numbers and I understand that at this time a new NXX would have to be created.

Youngstown Air Reserve Base would like to request that these numbers be consecutive in the range of XXX-XXX-2000-3999. We are already using 1000-1999 since we are presently using 330-609-1000-1999.

Please let me know if you have any other questions. I would appreciate an update as soon as possible as this seven digit-dialing DoD-wide conversion project is beginning very soon and time is critical.

A handwritten signature in cursive script, reading "Norma J. Rose", is located in the bottom right area of the letter.

NORMA J. ROSE

Pooling Administration System - Microsoft Internet Explorer provided by Sprint Nextel

File Edit View Favorites Tools Help

Back Forward Stop Search Favorites Go Links

Address https://www.nationalpooling.com/pas/new_blk_rqt_step2.do?method=createPart1A

Pooling Administration System

andrew.p.chalk@embarq.com (SP) Sign Out

Time: 05/22/2009 09:21:08 AM EDT

- Individual Block Requests
 - New Block Request**
 - New Block Reservation
 - Assign/Cancel/Extend Reservation
 - Block Modification
 - Block Disconnect
 - Saved Block Requests
 - Modify Pending Request
- CO/NXX Code Requests
- Withdraw Pending Requests
- Confirm Resources In Service
- Donate Blocks
- Submit Forecast
 - Create/Modify Forecast
- Search Forms
- Reports
- User Profile

Request Resources

State:

NPA:

Rate Center:

OCN:

Quantity of Blocks Requested:

If requesting more than one block, do you want multiple effective dates? ☐ Yes ☒ No

If requesting more than one block, do you want multiple switches? ☐ Yes ☒ No

05/22/2009 09:21:08 AM EDT
 05/22/2009 09:21:08 AM EDT
 05/22/2009

Pooling Administration System.

Start Inbox - Microsoft O... RE: 2000 NEW DID ... Untitled - Message (...) Microsoft Excel - W... 9:43 AM Friday

Pooling Administr... Java Console Code Routing Syste... Document1 - Micros...

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Address https://www.nationalpooling.com/pas/new_blk_rqt_step2.do?method=createPart1A

Pooling Administration System

andrew.p.chalk@embarq.com (SP) Sign Out

Time: 05/22/2009 09:21:22 AM EDT

- Individual Block Requests
 - New Block Request**
 - New Block Reservation
 - Assign/Cancel/Extend Reservation
 - Block Modification
 - Block Disconnect
 - Saved Block Requests
 - Modify Pending Request
- CO/NXX Code Requests
- Withdraw Pending Requests
- Confirm Resources In Service
- Donate Blocks
- Submit Forecast
 - Create/Modify Forecast
- Search Forms
- Reports
- User Profile

Part 1A

Type of Application : New Block

[View Pool Replenishment Status](#)

1.1 Contact Information :

Note: If any of the contact info is incorrect, edit your user profile.

Block Applicant :

Company Name UNITED TEL CO OF OH
 Headquarters Address: 665 Lexington Ave
 City: Mansfield
 State: OH
 Zip: 44907

Contact Name Andrew Chalk
 Contact Address 665 Lexington Ave
 City: Mansfield
 Zip: 44907
 Telephone 419-755-8767
 E-mail andrew.p.chalk@embarq.com

State OH
 Fax

Pooling Administrator ii:

Contact Name Diane Calhoun
 Contact Address 1800 Sutter St
 City: Sutter

05/22/2009 09:21:22 AM EDT
 05/22/2009 09:21:22 AM EDT
 05/22/2009

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Address https://www.nationalpooling.com/pas/new_blk_rqst_step2.do?method=createPart1A

Telephone 925-363-7656 Fax 925-363-7655
E-mail diane.calhoun@neustar.biz

1.2 General Information

NPA 330 LATA 322
OCN 0661-UNITED TEL CO OF OH
Parent Company OCN 0661
Number of Thousands-Blocks Requested 2 City or Wire Center Name Howland
Switch Identification (Switching Identity/POI) WRRNOHXFRST
Rate Center WARREN Rate Center Sub Zone

1.3 Dates

Date of Application Friday, May 22, 2009
Request Expedited Treatment ☐ Yes ☒ No
Requested Effective Date 06/22/2009 (MM/DD/YYYY)
☐ By selecting this checkbox, I acknowledge that I am requesting the earliest possible effective date the Administrator can grant. Please note that this only applies to a reduction in the Administrator's processing time, however the request will still be processed in the order received.

1.4 Type of Service Provider Requesting the Thousands-Block

a) Type of Service Provider Incumbent Local Exchange Carrier (ILEC)
b) Primary Type of Service Blocks to be used for Wireline
c) Thousands-Block(s) (NPA-NXX-X)

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Address https://www.nationalpooling.com/pas/new_blk_rqst_step2.do?method=createPart1A

be processed in the order received.

1.4 Type of Service Provider Requesting the Thousands-Block

a) Type of Service Provider Incumbent Local Exchange Carrier (ILEC)
b) Primary Type of Service Blocks to be used for Wireline
c) Thousands-Block(s) (NPA-NXX-X) assignment preference
Click here to see the available blocks in the pool
NOTE The blocks available list shows blocks that are available at the time a request is submitted. These same blocks may not be available at the time the request is processed. Therefore it is recommended that you provide additional block preferences in the event those blocks are not available
d) Thousands-Block(s) (NPA-NXX-X) that are undesirable for this assignment, if any cannot use blocks 1, 8 or 9

1.5 Type of Request

☐ Initial block for rate center Or ☒ Growth block for rate center

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Address https://www.nationalpooling.com/pas/new_blk_rqst_step3.do?method=savePart1A

Pooling Administration System

andrew.p.chalk@embarq.com (SP) Sign Out

Time: 05/22/2009 09:37:02 AM EDT

- Individual Block Requests
 - New Block Request
 - New Block Reservation
 - Assign/Cancel/Extend Reservation
 - Block Modification
 - Block Disconnect
 - Saved Block Requests
 - Modify Pending Request
- CO/NXX Code Requests
- Withdraw Pending Requests
- Confirm Resources In Service
- Donate Blocks
- Submit Forecast
 - Create/Modify Forecast
- Search Forms
- Reports
- User Profile

Months to Exhaust and Utilization Certification Worksheet - TN Level¹

Date Friday, May 22, 2009
OCN 0661

Company Name UNITED TEL CO OF OH
Rate Center WARREN

List all Codes NPA(s)-NXXs and Blocks NPA(s)-NXX-X(s)

330-306-0, 1, 2, 3, 4, 5, 6, 7, 330-367-0, 1, 2, 3, 4, 6, 8, 330-369-0, 1, 2, 3, 4, 5, 6, 7, 8, 330-373-0, 1, 2, 3, 4, 5, 6, 7, 9, 330-609-0, 1, 5, 6, 7, 8, 330-675-0, 1, 2, 3, 4, 5, 6, 7, 8, 330-824-0, 2, 3, 5, 6, 7, 8, 9, 330-847-0, 1, 2, 3, 5, 6, 7, 8, 9, 330-856-1, 2, 3, 4, 5, 6, 7, 8, 9, 330-372, 330-392, 330-393, 330-394, 330-395, 330-399, 330-841, 330-898

Name of Block Applicant Andrew Chalk
Title network engineer
Telephone Number 419-755-8767
Fax Number
E-Mail andrew.p.chalk@embarq.com

A. Available Numbers *
B. Assigned Numbers *

Pooling Administration System.

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Address https://www.nationalpooling.com/pas/new_blk_rqst_step3.do?method=savePart1A

A. Available Numbers *
B. Assigned Numbers *
C. Total Numbering Resources *

D. Quantity of numbers activated in the past 90 days (increments of 1,000 or 10,000) and excluded from the Utilization calculation ² *
List excluded Code(s) or Block(s):

E. Growth History - Previous 6 months² *

Month 1	<input type="text" value="-232"/>	Month 2	<input type="text" value="-212"/>
Month 3	<input type="text" value="-213"/>	Month 4	<input type="text" value="-212"/>
Month 5	<input type="text" value="-328"/>	Month 6	<input type="text" value="-303"/>

F. Forecast - Next 12 months⁴ *

Month 1	<input type="text" value="2000"/>	Month 2	<input type="text" value="0"/>
Month 3	<input type="text" value="0"/>	Month 4	<input type="text" value="0"/>
Month 5	<input type="text" value="0"/>	Month 6	<input type="text" value="0"/>
Month 7	<input type="text" value="0"/>	Month 8	<input type="text" value="0"/>
Month 9	<input type="text" value="0"/>	Month 10	<input type="text" value="0"/>

Pooling Administration System.

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Address https://www.nationalpooling.com/pas/new_blk_rqt_mte.do?method=saveMTE

by 5)

H. Months to Exhaust⁵ (Numbers Available for Assignment to customers (A) / Average Monthly Forecast (G))

Block Requested	A. Available Numbers	H. Months to Exhaust
1	77440	232.320
2	78440	235.320

I. Utilization² (Assigned Numbers (B)) / (Total Numbering Resources (C) - Excluded Numbers (D)) * 100 49.714

Explanation

Show Calculations Continue Cancel Save

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 Quantity of numbers activated in the past 90 days is based on blocks and/or codes received from the administrator and shall be reported in increments of 1,000 or 10,000 TNs (e.g.: 2 blocks received=2,000 and 1 code received =10,000).

³ 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.

⁴ Forecast of TNs needed in each following month, starting with the most recent month as Month #1

Pooling Administration System.

Start

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Internet 9:45 AM Friday

Task 1: Pooling Administration System.

Start

Inbox - Microsoft O... RE: 2000 NEW DID ... Untitled - Message (... Microsoft Excel - W...

Pooling Administr... Java Console Code Routing System... Document1 - Micros...

Internet

9:46 AM Friday

Downloading picture list.gif at www.nationalpooling.com (secure Web site)...

Start | Taskbar | Internet

Inbox - Microsoft O... | RE: 2000 NEW DID ... | Untitled - Message (... | Microsoft Excel - W...

Pooling Administr... | Java Console | Code Routing System... | Document1 - Micros...

9:46 AM
Friday

From: diane.calhoun@neustar.biz
To: Chalk, Andrew P[EQ];
cc: PA_Part3@neustar.biz;
Subject: PAS - Pooling Administrator's Response/
 Confirmation for Tracking Number: 330-WARREN-OH-295776
Date: Friday, May 22, 2009 9:48:10 AM

Pooling Administration System

Dated 22 May 2009

November 21, 2003

Attachment 3

ATIS-0300066.at3

Pooling Administrator's Response/Confirmation
TBPAG Part 3

**Tracking
Number :** 330-
WARREN-
OH-295776

Date of Application:	<u>05/22/2009</u>	Effective Date:	<u> </u>
Date of Receipt:	<u>05/22/2009</u>	Date of Response:	<u>05/22/2009</u>

**Service Provider
Name:** UNITED TEL CO OF OH

(Telcordia TM
 LERG TM Routing
 Guide) OCN: 0661

NPAC SOA
 SPID :

Pooling Administrator Contact Information:

Diane Calhoun Phone: 925-363-7656

Signature of Pooling
 Administrator

Diane Calhoun Fax: 925-363-7655

Name (print)

Email:

diane.
calhoun@neustar.
biz

NPA-NXX
or NPA-
NXX-X : _____

Block
Assigned: _____

Block
Reserved : _____

Block
Reservation
Expiration
Date : _____

Block/Code
Modified : _____

Block/Code
Disconnected : _____

Block Contaminated(Yes
or No) : _____

If Yes,enter the number
of TNs contaminated : _____

Switch Identification
(Switch Entity/POI): 1

WRRNOHXFRS1

Rate Center:

WARREN

Rate Center Sub Zone: _____

X Form Complete, request denied.

Explanation:

DR-57: You do not meet the MTE and/or Utilization requirements, therefore this request for a new block is denied. You may proceed with requesting a State Waiver from the appropriate state commission using this Part 3 denial. If you are in disagreement with the disposition of this request, please refer to the Thousands-Block Number (NXX-X) Pooling Administration Guidelines for the appeals process.

Request withdrawn.

— Explanation:

Assignment activity suspended by the administrator.

— Explanation:

Remarks:

¹ This is an eleven-character descriptor provided by the owning entity for the purpose of routing calls. This must be the CLLI TM Location Identification code of the switching entity/POI shown on the Part 1A form (Telcordia, LERG ROUTING Guide and CLLI are trademarks of Telcordia Technologies, Inc.)

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

5/27/2009 4:23:06 PM

in

Case No(s). 97-0884-TP-COI

Summary: Request of United Telephone Company of Ohio d/b/a Embarq for review of a decision of Neustar-Pooling Administrator electronically filed by Sonya I Summers on behalf of United Telephone Company of Ohio d/b/a Embarq