

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Investigation into                   )  
Telephone Numbering and Number                   ) Case No. 97-884-TP-COI  
Assignment Procedures.                                   )

ENTRY

The attorney examiner finds:

- (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 January 11, 2010, AT&T Ohio filed a Motion for Review of a Decision of the PA to deny AT&T Ohio's request for numbering resources. In its filing, AT&T Ohio explains that on December 29, 2009, it submitted a request to the PA for the assignment of a block of one thousand telephone numbers in the Lancaster rate center in order to satisfy a specific customer's request.

AT&T Ohio states that a customer, Fairfield County, has requested a new thousands-block in order to implement its new Internet Protocol (IP) telecommunications system for the county and to consolidate more than 800 existing telephone numbers in six different central office codes (NXXs) under the new thousands-block. Specifically, AT&T Ohio represents that Fairfield County has requested that a thousands-block beginning with the digit "7" will allow the county to transition a significant number of existing numbers with a prefix change only and maintain its existing 4-digit dialing plan. Finally, AT&T Ohio states that once the new system and telephone numbers have been implemented, the existing numbers will be returned to AT&T Ohio's inventory and will be made available for reassignment to other AT&T Ohio customers.

AT&T Ohio represents that it cannot meet its customer's request for a block of one thousand telephone numbers meeting the customer's specific requirements in the Lancaster Exchange with its existing inventory. According to the attachments accompanying AT&T Ohio's motion, the PA refused to grant AT&T Ohio's request for additional number resources in the Lancaster rate center because the months-to-exhaust for the company's numbering resources in this rate center exceed the FCC's requirement of six months-to-exhaust and the company's percent of utilization falls below the FCC's requirement of seventy-five percent.

- (3) Pursuant to the Commission's Entry of November 7, 2002, in this case, the Commission, on its own motion, delegated the authority to rule on carrier numbering requests, other than an order to reclaim a code or thousands-block, to the Legal Department pursuant to an attorney examiner's entry.
- (4) After a review of AT&T Ohio's motion, the attorney examiner believes that the applicant has demonstrated a legitimate need for the requested block of telephone numbers in accordance with 47 C.F.R. 52.15(g)(3)(iv).

In reaching this determination, the attorney examiner recognizes AT&T Ohio's need for a thousands-block of numbers that will allow for the implementation of Fairfield County's new telecommunications system and the consolidation of its existing telephone numbers. For this reason, the attorney examiner finds that the PA's decision to deny AT&T Ohio's application for additional numbering resources in the Lancaster rate center should be overturned and the PA should issue a block of one thousand telephone numbers in order to satisfy its customer's verifiable need. In the event that forecasted demand does not occur in the manner represented, the unused block should be donated to the numbering pool in the Lancaster rate center.

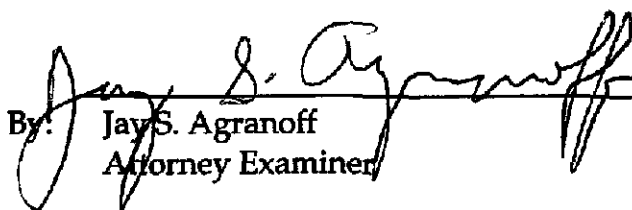
It is, therefore,

ORDERED, That AT&T Ohio's request to overturn the PA's decision to withhold the requested numbering resources be granted as described in Finding (4). It is, further,

ORDERED, That should the forecasted demand for the requested block of telephone numbers not occur in the manner represented, AT&T Ohio will return the applicable block consistent with this Entry. It is, further,

ORDERED, That a copy of this Entry be served upon AT&T Ohio.

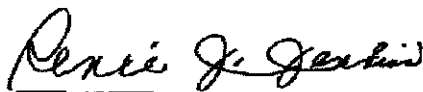
THE PUBLIC UTILITIES COMMISSION OF OHIO

By:  \_\_\_\_\_  
Jay S. Agranoff  
Attorney Examiner

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/dah

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JAN 13 2010



Renee J. Jenkins  
Secretary