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BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO

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|---|---|---|
| **In the Matter of the Commission's Investigation Into Telephone Numbering And Number Assignment Procedures and NPCR, Inc., Complainants** | ) ) ) ) ) | PUCO 10 **Case No. 97-884-TP-COI** |

## 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") review the Pooling Administrator's ("PA" or "Neustar") denial of Sprint's request for numbering resources in Crooksville, OH. 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 number blocks to Sprint.

### Discussion

Sprint recently submitted a request to Neustar for additional numbering resources in accordance with current guidelines, including the Months-to-Exhaust ("MTE") Certification procedures established in the Central Office Code Assignment Guidelines. Specifically, Sprint requested one (1) thousand-block in the rate center of Crooksville.

This thousand-block is necessary to fill a specific request from Sprint's wholesale customer, Time Warner Cable, who in turn has a specific pending business customer order requiring the allocation of a block of 100 contiguous telephone numbers. Neustar, however, denied Sprint's request on the grounds that Sprint did not meet the 75% utilization threshold.

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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 customer request.[1] 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.[2] 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 the thousand-block of telephone numbers in the rate center specified above under the FCC's safety valve procedures.

Sprint has attached letters from Time Warner Cable and its customer as Exhibit A and Exhibit B, respectively, demonstrating that it has received a specific customer request for numbering resources that it cannot meet with its current inventory. In addition, Sprint has attached a MTE and Utilization Worksheet for the Crooksville rate center. This document, along with the PA's denial that Sprint received from Neustar, is included as Exhibit C.

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

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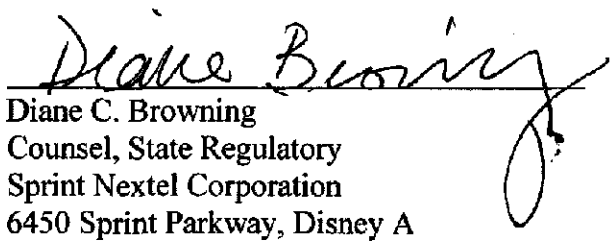
[1] *See* In the matter of Numbering Resource Optimization, *third Report and Order and Second Order on Reconsideration,* CC Docket No. 99-200 at para. 61 (Dec. 28, 2001).
[2] 47 C.F. R. Sec. 52.25(g)(4).

## Conclusion

WHEREFORE, for the reasons set forth above, Sprint respectfully requests that the Commission grant Sprint's petition, overturn Neustar's decision, and direct it to allocate to Sprint one (1) thousand-block of additional numbers in the Crooksville rate center to satisfy the needs of its customer. The grant of this petition serves the public interest because it will ensure the availability of adequate numbering resources for Time Warner Cable, a competitive service provider, to meet its customer's needs. Further, Sprint's reasonable request ensures the efficient use of scarce numbering resources.

Respectfully submitted,

SPRINT COMMUNICATIONS COMPANY L.P.



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Attorney for Sprint Communications Company L.P.

Dated: August 3, 2010

R. Tucker Mostrom
Senior Manager, TN Administration
Time Warner Cable – Telephony Operations
13820 Sunrise Valley Drive
Herndon, VA 20171
Tel 301.252.8825

1 August 2010

Sprint-Nextel
6450 Sprint Parkway
Overland Park, KS 66251

Subject: State Waiver Request for CROOKSVL, OH Rate Center

Time Warner Cable has a pending business customer order requiring the allocation of a block of 100 contiguous telephone numbers to that customer in the CROOKSVL rate center in Ohio. However, our current TN inventory in this rate center is limited to a single 1k block, the 8XXX block. The customer has informed us that their PBX is unable to work with TN's in either the 8XXX or the 9XXX blocks.

This rate center is not at a 75% utilization level and is not due to exhaust, which precludes us from ordering a new block of TN's through the normal PAS process. In order to fill the customer need, Time Warner Cable requests a State Waiver to procure a new 1k block of numbers be submitted to the Public Utilities Commission of Ohio.

Sincerely,

R. Tucker Mostrom
TN Administration

**Exhibit A**

AMERICAN ELECTRIC POWER

*AEP: America's Energy Partner*®

July 30, 2010

Dear Time Warner Cable (or Mr. Hilton),

When American Electric Power signed the agreement (#00134903) with Time Warner Business Class Telephone, it was assumed that the telephone numbers assigned to our Crooksville, OH location would be compatible to our day to day operation in providing a seamless transition for our external and internal customers. Unfortunately, the telephone numbers assigned by TWCBC (740-982-8400-8419, 740-982 8421-8430, 740-982- 8553-8562, 740-982-8567-8576, 740-982- 8627-8656 and 740-982- 8722-8741) will create the exact opposite.

American Electric Power utilizes an audinet application for reporting outages and for the consumer to inquire on the ETA of such outages. This system uses a dial pattern of 8xxx and 9xxx for internal and external customers to be directed to the proper location inside the system, for their reporting of outages, and the inquiring of resolution of outages.

As you can see, the telephone numbers assigned to American Electric Power Crooksville location will not be compatible to our system needs.

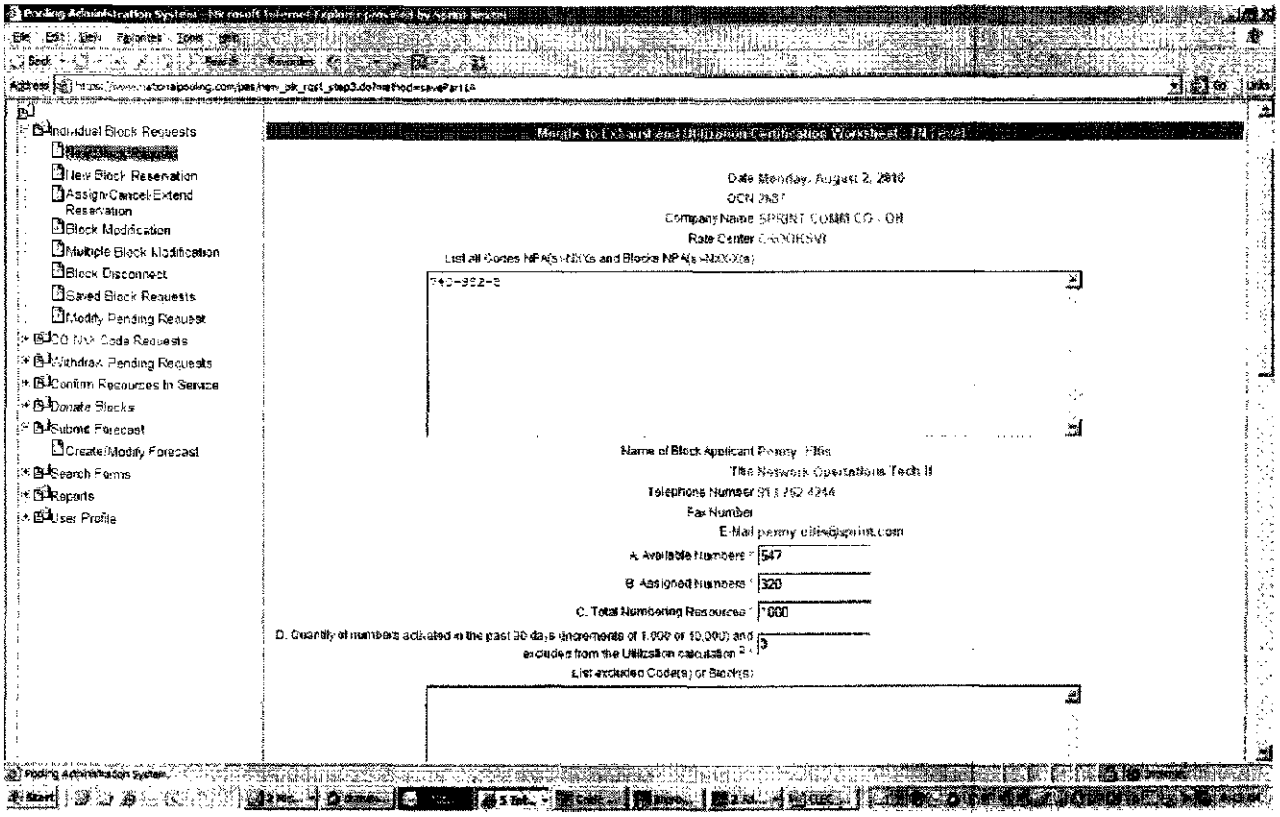
Please consider this a formal request for a "new" block of (100) DID telephone numbers. We would prefer the numbers in the range of 740-982-4xxx, but any block that does not begin with 8xxx or 9xxx will work.

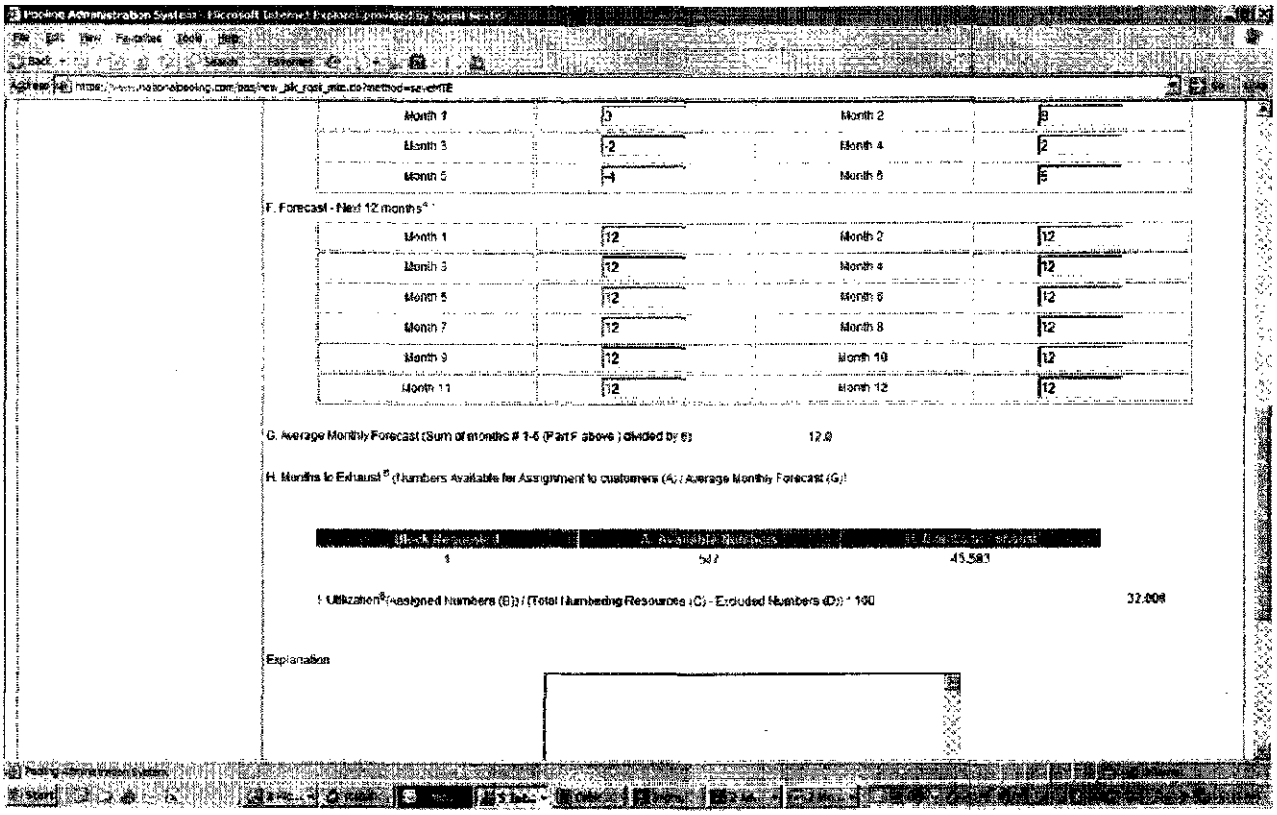
By: Christine Turocy

AEP/IT Eng Telecom Transport

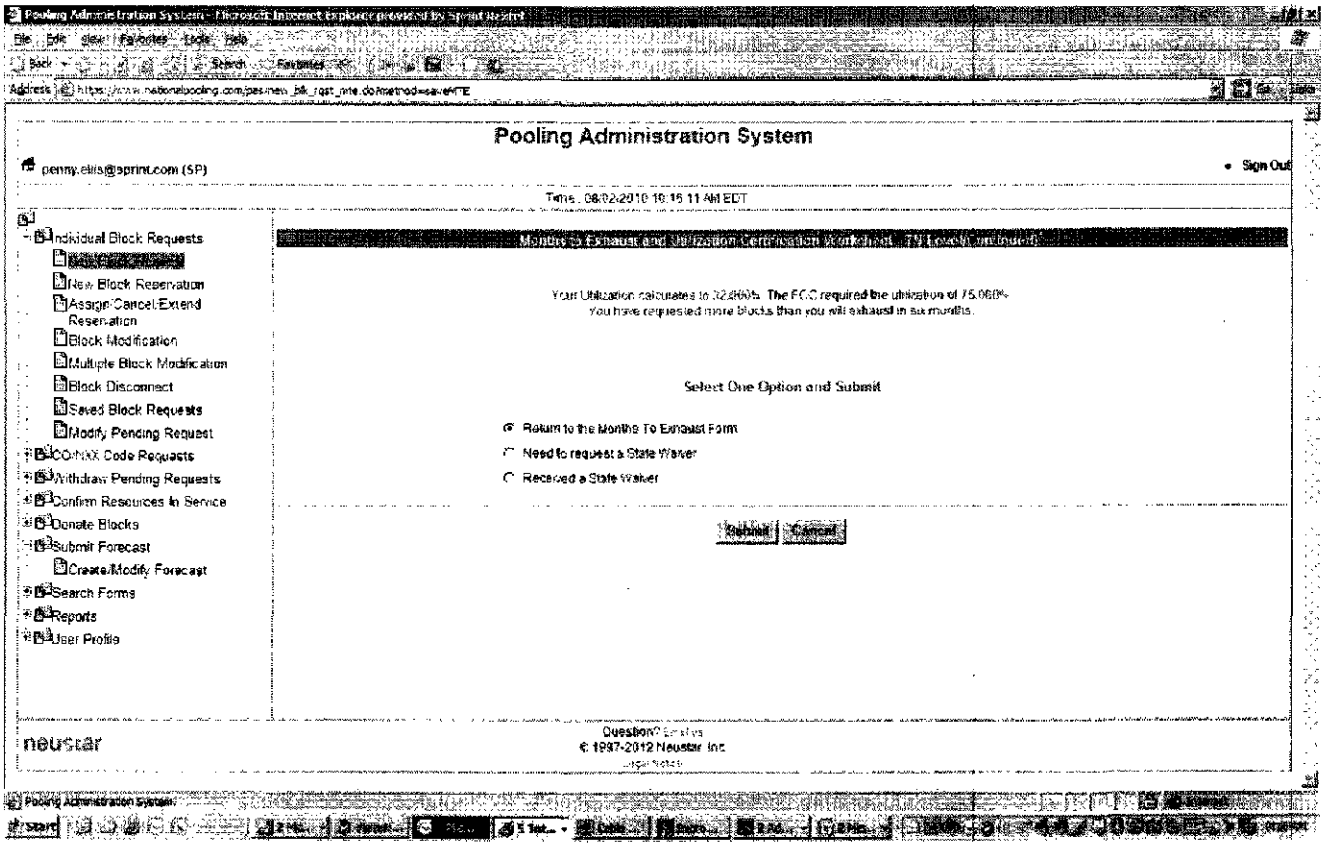
Title: Network Analyst

**Exhibit B**


Individual Block Requests
New Block Reservation
Assign/Cancel/Extend Reservation
Block Modification
Multiple Block Modification
Block Disconnect
Saved Block Requests
Modify Pending Request
Withdraw Pending Requests
Confirm Resources In Service
Donate Blocks
Submit Forecast
Create/Modify Forecast
Search Forms
Reports
User Profile
Date Monday, August 2, 2010
Company Name SPRINT COMM CO - OH
Name of Block Applicant Penny Hills
Title Network Operations Tech II
Telephone Number 913 762 4244
E-Mail penny.c.hills@sprint.com
A. Available Numbers 547
B. Assigned Numbers 320
C. Total Numbering Resources 1,000
D. Quantity of numbers activated in the past 90 days (increments of 1,000 or 10,000) and excluded from the Utilization calculation 3
List excluded Code(s) or Block(s)


Month 1 0 Month 2 0
Month 3 2 Month 4 2
Month 5 4 Month 6 5
F. Forecast - Next 12 months
Month 1 12 Month 2 12
Month 3 12 Month 4 12
Month 5 12 Month 6 12
Month 7 12 Month 8 12
Month 9 12 Month 10 12
Month 11 12 Month 12 12
G. Average Monthly Forecast (Sum of months # 1-6 (Part F above ) divided by 6) 12.0
H. Months to Exhaust (Numbers Available for Assignment to customers (A) / Average Monthly Forecast (G)
1 547 45,583
I. Utilization (Assigned Numbers (B)) / (Total Numbering Resources (C) - Excluded Numbers (D)) * 100 32.000
Explanation

# Exhibit C


Pooling Administration System
penny.ellis@sprint.com (SP)
Sign Out
Time : 08/02/2010 10:16:11 AM EDT
Individual Block Requests
New Block Reservation
Assign/Cancel/Extend Reservation
Block Modification
Multiple Block Modification
Block Disconnect
Saved Block Requests
Modify Pending Request
COCN/OCN 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 - (Level Contained)
Your Utilization calculates to 32.8808%. The FCC required the utilization of 75.060%
You have requested more blocks than you will exhaust in six months.
Select One Option and Submit
Return to the Months To Exhaust Form
Need to request a State Waiver
Received a State Waiver
Submit
Cancel
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**Appendix B**

**CO CODE ASSIGNMENT**
**MONTHS TO EXHAUST CERTIFICATION WORKSHEET - TN Level1**
(Worksheet to be used for Requests for Additional Codes for Growth)

Date: 08/01/2010 Company Name: **Sprint Communications** Cable Partner: TWC

Switching Entity: **AKRNOHIJ1GT(AKRNOHIJ1GT_N** Point of Interconnection (CLLI): **CLMBOH11** Rate Center: CROOKSVL-O

NPA(s)-NXXs included in growth calculation[2] :

740-982-8

Signature of Authorized Representative of Code Applicant:

Title: Network Analyst Telephone No.: FAX No.: (913) 762 0121

Assigned Telephone Numbers for CROOKSVL-OH : 320

A. Telephone Numbers (TNs) Available for Assignment (See Glossary[3] ): 547

| | | Month #1 | Month #2 | Month #3 | Month #4 | Month #5 | Month #6 | Month #7 | Month #8 | Month #9 | Month #10 | Month #11 | Month #12 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| B. | Previous 6-month growth history[4] | 3 | 9 | -2 | | | | | | | | | |
| C. | Forecast – Next months 1-12[5] | 12 | 12 | 12 | | | | | | | | | |

D. Average Monthly Forecast (Sum of months 1-6 Part C above divided by 6): 12.0

E. Months to Exhaust[6] = Telephone Numbers (TNs) Available for Assignment (A) = 45.58
Average Monthly Forecast (D)

F. Utilization Level[7] = Telephone Numbers (TNs) Assigned X 100 = 32.0%
Total Numbering Resources in Applicant's Inventory

1. A copy of this worksheet is required to be submitted to the Code Administrator; for audit purposes, it must be in the applicant's files.
2. Report on all resources served by the switching entity/POI for the requested geographic area. For example, the geographic area could be the rate area, that portion of a rate area served by the switching entity/POI, or that portion of a rate area served by a particular NPA code.
3. Definitions of terms may be found in the Glossary section of the Central Office Code (NXX) Assignment Guidelines.
4. 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."NA" means data is "Not Available" in NASTI (most probably due to PAM/BAMBI failure on process date used to generate MTE report)
5. Forecast of TNs needed in each following month, starting with the most recent month as Month #1. In a jeopardy situation, only 6 months growth projection is required.
6. To be assigned an additional CO Code (NXX) for growth, "Months to Exhaust" must be less than or equal to 6 months. (FCC 00-104, § 52.15 (g) (3) (iii)).
7. Newly acquired numbers (see glossary) may be excluded from the utilization calculation (FCC 00-104, § 52.15 (g) (3) (ii)).

Explanation:

Telephone numbers that are available for assignment are listed as 'Available' in the NMS NL-Status to NASTI NRUF Matrix document:

http://nasti.corp.sprint.com/reports/Data/NRUF_Matrix/NMS_NL_Status_to_NASTI_NRUF_Matrix.xls

In section 'F', 'Telephone Numbers Assigned' counts how many numbers are in any of the states listed in the matrix as 'Assigned' and the 'Total Number Resources in Applicant's Inventory' is calculated by multiplying the number of codes listed at the top of the document times 10,000 plus the number of blocks listed at the top of the document times 1,000.
Old NPA's involved in a split that are past permissive dialing date are not included. New NPA's that will be created by a split are not included until the permissive dialing date.

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