

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Investigation into     )  
Telephone Numbering and Number     )     Case No. 10-884-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 September 9, 2010, AT&T Communications of Ohio, Inc. and TCG Ohio (collectively AT&T) filed a Motion for Review of a Decision of the PA to deny AT&T's request for numbering resources. In its filing, AT&T explains that, on August 20, 2010, it submitted a request with the PA for the assignment of a block of one thousand telephone numbers in the Dayton rate center in order to satisfy a specific customer's request.

AT&T states that its customer, Kramer Graphics, requested 20 consecutive numbers in order to expand its current service in Dayton, Ohio. According to AT&T, its customer stated that the assigned numbers must be consistent with the customer's existing dialing plan in order to eliminate misdialing or confusion. According to AT&T, the customer prefers a thousands-block within its existing central office code (NXX) of "296," but would accept assignment of the requested 20 numbers from any other thousands-block with an NXX not ending in "69" or "96" in order for the new numbers to be compatible with Kramer Graphic's existing dialing plan and to avoid confusion. AT&T attached a letter from its customer stating its need for the requested telephone numbers.

AT&T represents that it is unable to satisfy the customer's request with its existing inventory. However, AT&T states that the pooling inventory for the Dayton rate center includes numbering resources that will be compatible with the customer's request. According to the attachments accompanying AT&T's motion, the PA refused to grant AT&T's request for additional number resources in the Dayton rate center because AT&T's utilization of 44 percent did not meet the 75 percent utilization of assigned numbers as required by the FCC prior to the assignment of additional number resources. In addition, AT&T's projected months-to-exhaust for its numbering resources in this rate center exceeds the FCC's requirement of 6 months.

- (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'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 order to assign the 20 consecutive telephone numbers required by its customer.

In reaching this determination, the attorney examiner recognizes AT&T's need for a block of one thousand telephone numbers to accommodate growth that will be compatible with a specific customer's dialing pattern. For this reason, the attorney examiner finds that the PA's decision to deny AT&T's application for additional numbering resources in the Dayton rate center should be overturned. In the event that the forecasted demand does not occur in the manner represented, the unused thousands-block is to be donated to the number pool in the Dayton rate center.

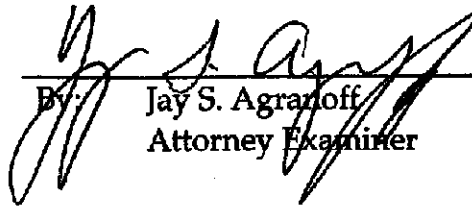
It is, therefore,

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

ORDERED, That should the forecasted demand for the block of one thousand telephone numbers not occur in the manner represented, it will be returned to the applicable pool consistent with this Entry. It is, further,

ORDERED, That a copy of this Entry be served upon the applicant and all interested entities of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

  
By: Jay S. Agranoff  
Attorney Examiner

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/dah

Entered in the Journal

**SEP 27 2010**



Renee J. Jenkins  
Secretary