

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Investigation into)
Telephone Numbering and Number) Case No. 10-884-TP-UNC
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 October 22, 2010, Sprint Communications Company, L.P. (Sprint) filed a Motion for Review of a decision of the PA. In its filing, Sprint explains that it recently submitted a request to the PA for the assignment of a block of one thousand telephone numbers in the Seaman rate center in order to serve its wholesale customer, Time Warner Cable (TWC), a Voice over Internet Protocol (VoIP) provider, who in turn has a request from its business customer for fifty contiguous telephone numbers. Sprint attached a letter from TWC stating its need for the requested telephone numbers in order to serve its business customer. According to TWC, its customer requires telephone numbers from any thousands-block other than a central office code beginning with the digit "0", "1," "8" or "9," in order to be compatible with its customer's existing telecommunications system. TWC states that its current existing inventory of telephone numbers in the Seaman rate center, as provided to it by Sprint, is limited to a thousands-block beginning with the digit "8."

According to Sprint, its request for additional numbering resources in the Seaman rate center, on behalf of its wholesale customer,

TWC, was denied by the PA because Sprint's utilization did not meet the 75 percent utilization of assigned numbers in the rate center as required by the FCC.

- (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 central office code or thousands-block, to the Legal Department pursuant to an attorney examiner's entry.
- (4) After a review of Sprint's motion, the attorney examiner believes that the applicant has demonstrated a legitimate need for a block of one thousand telephone numbers in the Seaman rate center in order to meet a verifiable need for number resources in accordance with 47 C.F.R. §52.15(g)(4).

In reaching this determination, the attorney examiner recognizes Sprint's need for telephone numbers in order to accommodate its wholesale customer, TWC's, plan to serve its business customer that cannot be met with TWC's current inventory provided by Sprint in the Seaman rate center. For this reason, the attorney examiner finds that the PA's decision to deny Sprint's application for additional numbering resources in the Seaman rate center should be overturned and the PA should assign to Sprint the requested block of telephone numbers. Should the need for this thousands-block of telephone numbers not occur in the manner represented by the applicant, the unused thousands-block should be donated to the number pools in the applicable rate center.

It is, therefore,

ORDERED, That Sprint's request to overturn the PA's decision to withhold the requested thousands-block of telephone numbers is granted. It is, further,

ORDERED, That should the forecasted demand for the requested thousands-block of telephone numbers not occur in the manner represented, the block should be returned to the applicable numbering 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
Jay S. Agranoff
Attorney Examiner

JAG
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Renee J. Jenkins

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Secretary