

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's)
Consideration of Telephone Safety) Case No. 10-884-TP-UNC
Valve Requests and Other Number)
Resource Related Filings.)

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 February 9, 2011, AT&T Communications of Ohio 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 February 3, 2011, it submitted a request with the PA for the assignment of two blocks of 1,000 telephone numbers in the West Jefferson rate center in order to satisfy a specific customer's request.

AT&T states that its customer, Battelle Memorial Institute ("Battelle"), requested 2,000 consecutive numbers in order to expand its current telecommunications system in order to deploy additional telephone numbers for new employees in a new building and to implement a new communications plan which will require the assignment of all requested telephone numbers within 180 days of activation. AT&T attached a letter from its customer stating its need for the requested telephone numbers at its West Jefferson location.

AT&T represents that it is unable to meet the customer's request for 2,000 consecutive telephone numbers, with its existing inventory. According to the attachments accompanying AT&T's motion, the PA refused to grant AT&T's request for additional number resources in the West Jefferson rate center because AT&T's utilization 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 its numbering resources in this rate center exceed the FCC's requirement of six months-to-exhaust.

- (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 blocks of telephone numbers in accordance with 47 C.F.R. 52.15(g)(3)(iv) in order to assign 2,000 consecutive telephone numbers to its customer.

In reaching this determination, the attorney examiner recognizes AT&T's need for two blocks of one thousand telephone numbers to accommodate growth of a specific customer. For this reason, the attorney examiner finds that the PA's decision to deny AT&T's application for additional numbering resources in the West Jefferson rate center should be overturned. In the event that the forecasted demand does not occur in the manner represented, the unused thousands-block(s) are to be donated to the number pool in the West Jefferson 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 thousands block(s) 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
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Attorney Examiner

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Entered in the Journal

FEB 22 2011

Reneé J. Jenkins

Reneé J. Jenkins
Secretary