

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 January 31, 2011, as amended on February 11, 2011, Cincinnati Bell Extended Territories, LLC (CBET) filed a Motion for Review of a Decision of the PA to deny CBET's request for numbering resources. In its filing, CBET explains that, on January 25, 2011, it submitted a request with the PA for the assignment of a full code in the Springfield rate center in order to satisfy a specific customer's request.

CBET states that a customer, Community Mercy Health Partners (CMHP), originally requested 10,000 consecutive numbers in order to establish a new hospital system in Springfield, Ohio which will replace two existing hospitals that currently serve the region. According to CBET, its customer requires that the assigned numbers be consecutive in order to implement a seven-digit dialing plan for the new facility, as well as its other related health care facilities and providers in the region. Upon further review of the thousands-blocks available in the Springfield rate center numbering pool, CMHP believes that the 9,000 numbers available

in the pool will satisfy its immediate needs and future growth. Therefore, CBET amended its original request and now requests that the nine blocks of 1,000 telephone numbers available in the 937-523 prefix be assigned to CBET in order for it to satisfy CMHP's need for additional numbering resources. CBET attached a detailed letter from its customer explaining its need for the additional numbering resources.

Based on the parameters of its customer's requirements, CBET represents that it is unable to meet CMHP's request for 9,000 consecutive telephone numbers in the Springfield Exchange with its existing inventory. According to the attachments accompanying CBET's motion, the PA refused to grant CBET's request for additional numbering resources in the Springfield rate center because the company's months-to-exhaust for its current numbering inventory exceeds the FCC's six months-to-exhaust criteria.

- (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 CBET'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 reaching this determination, the attorney examiner recognizes CBET's need for 9,000 contiguous telephone numbers to accommodate growth that will be compatible with a specific customer's telephone system and dialing pattern. For this reason, the attorney examiner finds that the PA's decision to deny CBET's application for additional numbering resources in the Springfield rate center should be overturned and the PA should issue nine blocks of 1,000 telephone numbers in the 937-523 NXX in order to satisfy its customer's verifiable need. In the event that the forecasted demand does not occur in the manner represented, the unused block(s) are to be donated to the number pool in the Springfield rate center.

It is, therefore,

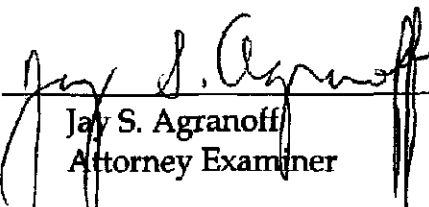
ORDERED, That CBET's request to overturn the PA's decision to withhold the requested numbering resources is granted as described in Finding (4). It is, further,

ORDERED, That should the forecasted demand for the requested block of telephone numbers not occur in the manner represented, CBET will return the applicable block(s) consistent with this Entry. It is, further,

ORDERED, That a copy of this Entry be served upon CBET.


THE PUBLIC UTILITIES COMMISSION OF OHIO

By:


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Attorney Examiner

GRJ
/dah

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Renee J. Jenkins

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Secretary