

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.     )

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 March 16, 2011, 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 1,000 telephone numbers in the New Philadelphia rate center in order to serve its wholesale customer, Time Warner Cable (Time Warner), which is entering the identified Ohio market as a voice over the Internet protocol provider.

According to Sprint, its request for additional numbering resources in the aforementioned rate center was rejected by the PA because Sprint did not meet the 75 percent utilization of assigned numbers in the rate center as required by the FCC.

Sprint states that a new block of 1,000 telephone numbers is necessary to serve Time Warner, who has a pending customer request for a block of 70 contiguous telephone numbers. Sprint explains that it cannot satisfy Time Warner's request with its existing inventory. Sprint attached a letter from Time Warner verifying its need for telephone numbers.

- (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 Sprint's motion, the attorney examiner believes that the applicant has demonstrated a legitimate need for a block of 1,000 telephone numbers in the New Philadelphia 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 Time Warner's anticipated growth in the aforementioned 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 New Philadelphia rate center should be overturned and that the PA should assign to Sprint the requested block of telephone numbers. If the need for the block of telephone numbers does not occur in the manner represented by the applicant, the unused thousand-block should be donated to the number pool in the New Philadelphia rate center.

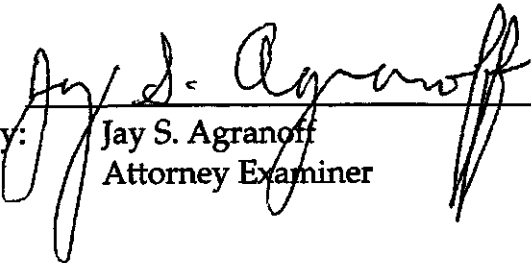
It is, therefore,

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

ORDERED, That should the forecasted demand for the requested block of telephone numbers not occur in the manner represented, the block should 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.

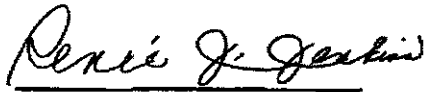
THE PUBLIC UTILITIES COMMISSION OF OHIO

By:   
Jay S. Agranoff  
Attorney Examiner

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Entered in the Journal

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Renee J. Jenkins  
Secretary