

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's )  
Consideration of Telephone Safety Valve )  
Requests and Other Number Resource ) Case No. 10-884-TP-UNC  
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 June 9, 2011, Windstream Western Reserve, Inc. (Windstream) filed a Motion for Review of a decision of the PA. In its filing, Windstream explains that it recently submitted a request to the PA for the assignment of a block of one thousand telephone numbers in the Geneva rate center in order to serve its customer, HDT Global, which requires 200 [Direct Inward Dialing] DID numbers due to expansion and in order to be compatible with its existing telephone system.

According to Windstream, its request for additional numbering resources in the aforementioned rate center was rejected by the PA because Windstream did not meet the 75-percent utilization of assigned numbers and its current number inventory exceeds the six months-to-exhaust in the rate center as required by the FCC.

Windstream states that a new thousands-block is necessary to serve HDT Global, which has a pending customer request for a block of 200 contiguous telephone numbers within the NPA [area code]-

NXX [central office code]-8XXX block. Windstream explains that it cannot satisfy HDT Global's request with its existing inventory. Windstream attached a letter from HDT Global verifying its need for telephone numbers.

- (3) Pursuant to the Commission's Entry of November 7, 2002, in Case No. 97-884-TP-COI, 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 Windstream's motion, the attorney examiner believes that the applicant has demonstrated a legitimate need for a block of one thousand telephone numbers in the Geneva 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 Windstream's need for telephone numbers in order to accommodate HDT Global's anticipated growth in the aforementioned rate center. For this reason, the attorney examiner finds that the PA's decision to deny Windstream's application for additional numbering resources in the Geneva rate center should be overturned and that the PA should assign to Windstream the requested block of telephone numbers. Should the need for this thousands-block not occur in the manner represented by the applicant, the unused thousand-block should be donated to the number pool in the Geneva rate center.

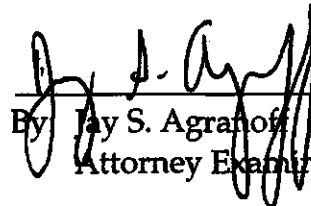
It is, therefore,

ORDERED, That Windstream's request to overturn the PA's decision to withhold the requested block of telephone numbers be 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.

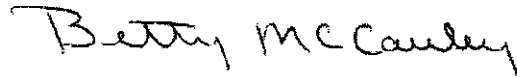
THE PUBLIC UTILITIES COMMISSION OF OHIO

  
By Jay S. Agranoff  
Attorney Examiner

  
/dah

Entered in the Journal

**JUN 16 2011**



Betty McCauley  
Secretary