

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's )  
Consideration of Telephone Safety Valve ) Case No. 10-884-TP-UNC  
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 October 26, 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 Hudson rate center in order to serve its customer, Pilot Catastrophe Services, Inc. (Pilot) which requires 400 DID numbers to operate in its new building in Hudson, Ohio.

According to Windstream, its request for additional numbering resources in the aforementioned rate center was rejected by the PA because Windstream both does not meet the FCC-required utilization threshold necessary in order to obtain numbering resources, and because its current number inventory in the Hudson rate center exceeds the FCC's six months-to-exhaust requirement.

Windstream states that a new thousands-block is necessary to serve Pilot who has a pending customer request for a block of 400 contiguous telephone numbers within the NPA [area code]-NXX [central office code]-6XXX block. Windstream explains that it

cannot with its existing inventory satisfy this request. Windstream attached a letter from Pilot 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 to the Legal Department the authority to rule, by attorney examiner's entry, on carrier numbering requests other than those seeking reclamation of entire NXX codes or particular one thousand number blocks.
- (4) After a review of Windstream's motion, the attorney examiner believes that the applicant has, in accordance with 47 C.F.R. §52.15(g)(4), demonstrated a legitimate need for a block of one thousand telephone numbers in the Hudson rate center in order to meet a verifiable need for number resources.

In reaching this determination, the attorney examiner recognizes Windstream's need for a block of one thousand telephone numbers in order to accommodate Pilot's anticipated growth in the Hudson 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 Hudson rate center should be overturned and the PA should assign to Windstream the requested block of telephone numbers. Should the forecasted demand for the requested block of telephone numbers not occur in the manner represented by the applicant, the unused block should be donated to the number pool in the Hudson rate center.

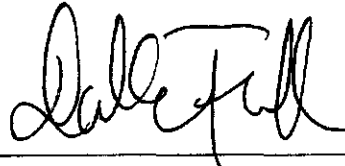
It is, therefore,

ORDERED, That Windstream'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 by the applicant, the unused block should, consistent with this entry, be donated to the number pool in the Hudson rate center. 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

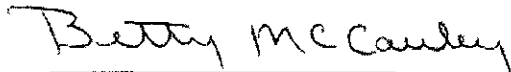


By: Daniel E. Fullin  
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Betty McCauley  
Secretary