

FILE

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12  
RECEIVED-DOCKETING DIV  
2012 FEB -8 PM 3:50  
PUCO

February 8, 2012

Ms. Betty McCauley  
Docketing Division  
Public Utilities Commission of Ohio  
180 East Broad Street, 13<sup>th</sup> Floor  
Columbus, OH 43215-3793

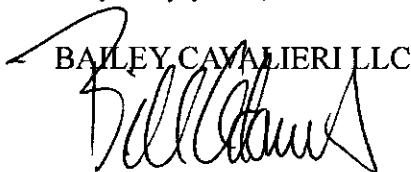
Re: *In the Matter of the Commission's Consideration of Telephone Safety  
Valve Requests and Other Number Resource Related Filings*  
Case No. 10-884-TP-UNC

Dear Ms. McCauley:

Enclosed are the original and fifteen (15) copies of the *Motion for Review of Decision of Neustar-Pooling Administrator* (Richfield, Ohio rate center) for filing in the above-referenced matter on behalf of Windstream Western Reserve, Inc. Please time stamp the extra copies of the *Motion for Review* and return them to our courier.

Thank you for your assistance.

Very truly yours,

BAILEY CAVALIERI LLC  


William A. Adams

WAA/sg

Enclosures

BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

RECEIVED-BOOKING DIV  
2012 FEB -8 PM 3:49  
PUCO

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

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WINDSTREAM WESTERN RESERVE, INC.'S MOTION FOR REVIEW  
OF DECISION OF NEUSTAR – POOLING ADMINISTRATOR

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Pursuant to 47 CFR § 52.15(g)(3)(iv), Windstream Western Reserve, Inc. ("Windstream") hereby moves the Public Utilities Commission of Ohio ("Commission") to review a decision of the Pooling Administrator ("PA" or "NeuStar") denying Windstream's request for numbering resources in one Ohio rate center. For the reasons set forth below, Windstream respectfully requests that the Commission overturn the PA's decision and direct it to assign the requested one thousand number block to Windstream.

Windstream recently submitted a request to NeuStar for a one thousand number block in accordance with current guidelines, including the months-to-exhaust ("MTE") certification procedures established in the Central Office Code Assignment Guidelines. This is a request to replenish Windstream's telephone number inventory because consecutive numbering is severely depleted. Windstream just had a customer reluctantly accept 60 non-sequential numbers because it did not have 60 consecutive numbers available in inventory.

Windstream's request for the additional numbers from NeuStar was denied because Windstream does not meet months to exhaust requirement to obtain numbering resources. The Federal Communication Commission ("FCC") requires a MTE of six months or less and

Windstream is now at 115.534. Notably, however, Windstream does meet the utilization requirement.

The FCC's rules set forth the instant procedure for state commission review of a denial of a numbering resource request. 47 CFR § 52.15(g)(3)(iv). The FCC's rules allow a state commission to, "... overturn the NANPA's decision to withhold numbering resources from the carrier based on its determination that the carrier has demonstrated a verifiable need for numbering resources and has exhausted all other available remedies." 47 CFR § 52.15(g)(4).

The FCC Report and Order adopting this rule elaborates as follows:

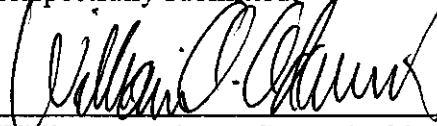
We therefore clarify that states may also grant relief if a carrier demonstrates that it has received a customer request for numbering resources in a given rate center that it cannot meet with its current inventory. Carriers may demonstrate such a need by providing the state with documentation of the customer request and current proof of utilization in the rate center. States may not accommodate requests for specific numbers (i.e., vanity numbers), but may grant requests for customers seeking contiguous blocks of numbers.

*Third Report and Order and Second Order on Reconsideration, Numbering Resource Optimization, FCC 01-362, CC Docket Nos. 96-98 and 99-200, ¶ 64 (December 28, 2001).*

This Commission has the authority to overturn the PA's decision when a carrier demonstrates that it cannot meet a customer need for a contiguous block of numbers from its current inventory. Windstream needs one thousand consecutive numbers in the Richfield rate center to replenish its number inventory. Copies of the thousand-block application, the MTE certification, and NeuStar's denial are attached and incorporated herein.

For the reasons set forth herein, Windstream respectfully requests that the Commission overturn NeuStar's denial and direct NeuStar to allocate to Windstream the requested additional one thousand number block.

Respectfully submitted,



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Attorneys for Windstream Western Reserve, Inc.

November 21, 2003  
ATIS-0300066.at3

Attachment 3

Pooling Administrator's Response/Confirmation  
TBPAG Part 3

Tracking Number : 330-RICHFIELD-  
OH-510400

Date of Application: 01/19/2012 Effective Date: \_\_\_\_\_  
Date of Receipt: 01/19/2012 Date of Response: 01/19/2012

Service Provider Name: WINDSTREAM WESTERN RESERVE, INC.  
(Telcordia <sup>TM</sup> LERG <sup>TM</sup> Routing Guide ) OCN: 0666

NPAC SOA SPID : \_\_\_\_\_

**Pooling Administrator Contact Information:**

Zack Jones Phone: 925-363-7653  
Signature of Pooling Administrator  
Zack Jones Fax: 925-363-7686  
Name (print)  
Email: zack.jones@neustar.blz

NPA-NXX or NPA-  
NXX-X : \_\_\_\_\_

Block Assigned: \_\_\_\_\_  
Block Reserved : \_\_\_\_\_  
Block Reservation  
Expiration Date : \_\_\_\_\_  
Block/Code Modified : \_\_\_\_\_  
Block/Code  
Disconnected : \_\_\_\_\_

Block Contaminated(Yes or No) : \_\_\_\_\_

If Yes, enter the number of TNs contaminated : \_\_\_\_\_

Switch Identification(Switch Entity/POI): <sup>1</sup> \_\_\_\_\_

RCFDOHXARS0

Rate Center: \_\_\_\_\_

RICHFIELD

Rate Center Sub Zone: \_\_\_\_\_

☒ **Form Complete, request denied.**

Explanation:

**DR-57: You do not meet the MTE and/or Utilization requirements, therefore this request for a new block is denied. You may proceed with requesting a State Waiver from the appropriate state commission using this Part 3 denial. If you are in disagreement with the disposition of this request, please refer to the Thousands-Block Number (NXX-X) Pooling Administration Guidelines for the appeals process.**

\_\_\_\_ **Request withdrawn.**

Explanation:

\_\_\_\_ **Assignment activity suspended by the administrator.**

Explanation:

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**Remarks:**

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<sup>1</sup> This is an eleven-character descriptor provided by the owning entity for the purpose of routing calls. This must be the CLLI <sup>TM</sup> Location Identification code of the switching entity/POI shown on the Part 1A form (Telcordia, LERG ROUTING Guide and CLLI are trademarks of Telcordia Technologies, Inc.)

## TBPAG Attachment 1 - March 19, 2007

## Thousands-Block Application Form - Part 1A

**Tracking Number:** 330-RICHFIELD-OH-510400  
Individual Block Request

**Type of Application:** ☒ New ☐ Change ☐ Disconnect

**GENERAL APPLICATION INFORMATION****1.1 Contact Information:**Block Applicant:

**Company Name:** WINDSTREAM WESTERN RESERVE, INC.  
**Headquarters Address:** 4001 Rodney Parham Rd  
**City, State, Zip:** Little Rock, AR, 72212  
**Contact Name:** Paula Hustead  
**Contact Address:** 10005 Monroe Rd, B1F01  
**City, State, Zip:** Matthews, NC, 28105  
**Phone:** 704-845-7489 **FAX:**            **E-mail:** paula.hustead@windstream.com

Pooling Administrator: <sup>ii</sup>

**Contact Name:** Zack Jones  
**Contact Address:** 1800 Sutter St  
**City, State, Zip:** Concord, CA, 94520  
**Phone:** 925-363-7653 **FAX:** 925-363-7686  
**E-mail:** zack.jones@neustar.biz

**1.2 General Information:**

**Check one :** No LRN needed ☒ LRN needed <sup>iii</sup> ☐

NPA: 330 LATA: 320 OCN: <sup>iv</sup> 0666 Parent Company's OCN G118

Number of Thousands-Blocks Requested : 1

Switching Identification(Switch Entity/POI) : <sup>v</sup>  
RCFDOHXARS0

City or Wire Center Name : \_\_\_\_\_ Rate Center: <sup>vi</sup> RICHFIELD

Rate Center Sub Zone: \_\_\_\_\_

### 1.3 Dates:

Date of Application: <sup>vii</sup> 01/19/2012 Requested Block Effective Date: <sup>viii</sup> 02/20/2012

☐ By selecting this checkbox, I acknowledge that I am requesting the earliest possible effective date the Administrator can grant. Please note that this only applies to a reduction in the Administrator's processing time, however the request will still be processed in the order received.

Request Expedited Treatment? (See Section 8.6) Yes \_\_\_\_\_ No X

### 1.4 Type of Service Provider Requesting the Thousands-Block :

a) Type of Service Provider : Incumbent Local Exchange Carrier (ILEC) (LEC, IXC, CMRS, Other)

b) Primary type of service Blocks to be used for : Wireline

c) Thousands-Block(s) (NXX-X) assignment Preference (Optional) \_\_\_\_\_

d) Thousands-Block(s) (NXX-X) that are undesirable for this assignment , if any \_\_\_\_\_  
NO NXX-0 or NXX-9

e) If requesting a code for LRN purposes, indicate which block(s) you will be keeping(the remainder of the blocks will be given to the pool) \_\_\_\_\_

### 1.5 Type of Request:

Initial block for rate center : Yes \_\_\_\_\_ If Yes , attach evidence of authorization and proof of capability to provide service within 60 days.

Growth block for rate center : Yes X If Yes , attach months to exhaust worksheet

☐ By selecting this checkbox, I acknowledge that I am willing to accept a block in red and explicitly understand that the underlying CO code may not yet be activated in the PSTN and loaded in the NPAC on the block effective date.

Type of change(Mark **all** that apply)

☐ OCN:Intra-company <sup>ix</sup> ☐ Switching Id ☐ Part 1B



☐ OCN:Inter-company <sup>x</sup> ☐ Effective Date

Change block : Yes \_\_\_\_\_ If Yes , list NPA-NXX-X \_\_\_\_\_

### 1.6 Block Return :

- a) Is this block Contaminated Yes \_\_\_\_\_ No \_\_\_\_\_
- b) If Yes how many TNs are NOT available for assignment : \_\_\_\_\_
- c) Have all new Intra SP ports been completed in the NPAC Yes \_\_\_\_\_ No \_\_\_\_\_
- d) Has this block been protected from further assignment Yes \_\_\_\_\_ No \_\_\_\_\_

Disconnect block : Yes \_\_\_\_\_ If Yes , list NPA-NXX-X \_\_\_\_\_

Remarks:

I hereby certify that the above information requesting an NXX-X block is true and accurate to the best of my knowledge and that this application has been prepared in accordance with the Thousands-Block (NXX-X) Pooling Administration Guidelines(ATIS-0300066) available on the ATIS web site (<http://www.atis.org/inc>) or by contacting [inc@atis.org](mailto:inc@atis.org) as of the date of this application.

Paula Hustead

Signature of Block Applicant

CODE  
ADMINISTRATION 01/19/2012

Title

Date

### Instructions for filling out each Section of the Part 1A form:

Section 1.1 Contact information requires that Service Providers supply under "Block Applicant" the company name, company headquarters address, a contact within the company, an address where the contact person may be reached, in addition to the correct phone, fax, and e-mail address. The Pooling Administrator section also requires the Service Provider to fill in the Pooling Administrator's name, address, phone, fax and e-mail.

Section 1.2 Service Providers who need a thousands-block assignment or for an Location Routing Number (LRN) are required to fill in this section. If needed for an LRN, a CO Code Application needs to also be submitted to the PA. The Service Provider should supply the Numbering Plan Area (NPA); the Local Access Transport Area (LATA), which is a three-digit number that can be found in the Telcordia<sup>TM</sup> LERG<sup>TM</sup> Routing Guide. The Operating Company Number (OCN) assigned to the service provider and the OCN its parent company. An OCN is a four-character alphanumeric assigned by Telcordia<sup>TM</sup> Routing Administration (TRA). In addition, the number of thousands-blocks requested should be supplied. The Switch Identification as well as the city or wire center name, rate center, rate center sub zone, homing tandem and CLLI<sup>TM</sup> tandem of the facilities based provider<sup>xi</sup>. Explanations of these terms may be found in the footnotes.

Section 1.3 The date the Service Provider completes the application should be entered in this

section, as well as the Effective Date of the requested thousands-block.

Section 1.4 Service Providers should indicate their type, e.g., local exchange carrier, competitive local exchange carrier, interexchange carrier, CMRS. They also indicate the primary type of business in which the numbering resource is to be used. Service Providers also may indicate their preference for a particular thousands-block, e.g., 321-9XXX, or indicate any thousands-blocks that may be undesirable, e.g., 321-6XXX.

Section 1.5 Service Providers indicate the type of request. Initial requests are for first applications for thousands-blocks in a rate center, growth for additional thousands-blocks in a rate center in which the applicant already has numbering resources, and provide the required evidence as ordered by the FCC.

Section 1.6 Service Providers must indicate the updated/current information in regards to contaminated TNs on the block they are returning to the pool. Blocks with over 10% contamination (101 TNs or more) shall not be returned to the pool unless they meet criteria outlined in section 9.1.2 of these Guidelines. If the block being returned is over 10% contaminated the PA shall seek a new block holder. If question c and/or d have a response of No, the request for return shall be denied. The thousands-block applicant certifies veracity of this form by signing their name, and providing their title and date.

**Foot Notes :**

- <sup>i</sup> Identify the type of change(s) in Section 1.5.
- <sup>ii</sup> The Pool Administrator is available to assist in completing these forms.
- <sup>iii</sup> A CO Code application will also need to be submitted to the PA.
- <sup>iv</sup> Operating Company Number (OCN) assignments must uniquely identify the applicant. Relative to CO Code assignments, NECA-assigned Company Codes may be used as OCNs. Companies with no prior CO Code or Company Code assignments should contact NECA (800 524-1020) to be assigned a Company Code(s). Since multiple OCNs and/or Company Codes may be associated with a given company, companies with prior assignments should direct questions regarding appropriate OCN usage to (TRA) (732-699-6700).
- <sup>v</sup> This is an eleven-character descriptor of the switch provided by the owning entity for the purpose of routing calls. This is the 11 character CLLI<sup>TM</sup> code of the switch /POI.
- <sup>vi</sup> Rate Center name must be a tariffed Rate Center.
- <sup>vii</sup> Acknowledgment and indication of disposition of this application will be provided to applicant within seven calendar days from the date of receipt of this application. An incomplete form may result in delays in processing this request.
- <sup>viii</sup> Please ensure that the NPA-NXX of the LRN to be associated with this block(s) is/will be active in the network prior to the effective date of the block(s).
- <sup>ix</sup> Select if you are the current Block Holder.
- <sup>x</sup> Select if you are not the current Block Holder
- <sup>xi</sup> Telcordia, LERG Routing Guide, and CLLI are trademarks of Telcordia Technologies, Inc.

## Appendix 3

May 16, 2008

**MONTHS TO EXHAUST and UTILIZATION CERTIFICATION WORK SHEET - TN Level<sup>1</sup>**  
**(Thousands-Block Number Pooling Growth Block Request)**

Tracking Number: **330-RICHFIELD-OH-510400**Date: **01/19/2012**OCN: **0666**Company Name: **WINDSTREAM WESTERN  
RESERVE, INC.**Rate Center: **RICHFIELD**List all Codes NPA(s)-NXX(s) and Blocks NPA(s)-NXX-X(s): **330-523-1, 2, 3, 4; 330-659**Name of Block Applicant: **Paula Hustead**Signature: **Paula Hustead**Title: **CODE ADMINISTRATION**  
No.:Telephone No.: **704-845-7489**

FAX

E-mail: **paula.hustead@windstream.com**A. Available Numbers: **1579**B. Assigned Numbers: **12043**C. Total Numbering Resources: **14000**D. Quantity of numbers activated in the past 90 days (increments of 1,000 or 10,000) and excluded from the Utilization calculation <sup>2</sup>: **0**

List  
Excluded  
Code(s) or  
Block(s):

Month	Month	Month	Month	Month	Month	Month	Month	Month	Month	Month	Month	Month
#1	#2	#3	#4	#5	#6	#7	#8	#9	#10	#11	#12	

E. Growth History - Previous 6	<b><u>9</u></b>	<b><u>3</u></b>	<b><u>0</u></b>	<b><u>2</u></b>	<b><u>0</u></b>	<b><u>9</u></b>
--------------------------------------	-----------------	-----------------	-----------------	-----------------	-----------------	-----------------

months<sup>3</sup>

F. Forecast

- Next 12 months <sup>4</sup>	<u>60</u>	<u>4</u>	<u>4</u>	<u>4</u>	<u>5</u>	<u>5</u>	<u>6</u>	<u>6</u>	<u>7</u>	<u>7</u>	<u>8</u>	<u>8</u>
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G. Average Monthly Forecast (Sum of months 1-6 (Part F above) divided by 6): 13.667H. Months  
to Exhaust<sup>5</sup>

$$\frac{\text{Numbers Available for Assignment to Customers(A)}}{\text{Average Monthly Forecast(G)}}$$
Block Requested

1

Available Numbers

1579

Months To Exhaust

115.534

I.

$$\text{Utilization}^6 = \frac{\text{Assigned Numbers(B)} - \text{Excluded Numbers (D)}}{\text{Total Numbering Resources(C)-Excluded Numbers(D)}} \times 100 =$$
86.021

Explanation: \_\_\_\_\_

<sup>1</sup> A copy of this worksheet is required to be submitted to the Pooling Administrator when requesting additional numbering resources in a rate center. For auditing purposes, the applicant must retain a copy of this document.

<sup>2</sup> Quantity of numbers activated in the past 90 days is based on blocks and/or codes received from the administrator and shall be reported in increments of 1,000 or 10,000 TNs (e. g.: 2 blocks received=2,000 and 1 code received =10,000).

<sup>3</sup> Net change in TNs no longer available for assignment in each previous month, starting with the most distant month as Month #1, and Month #6 as the current month.

<sup>4</sup> Forecast of TNs needed in each following month, starting with the most recent month as Month #1.

<sup>5</sup> To be assigned an additional thousands-block (NXX-X) for growth, "Months to Exhaust" must be less than or equal to 6 months. (FCC 00-104, section 52.15 (g) (3) (iii)).

<sup>6</sup> Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (g)(3)(ii))