

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 February 8, 2012, Windstream Western Reserve, Inc. ("Windstream") filed a motion for review of a decision of the PA. In its filing, Windstream explains that, on January 19, 2012, it submitted a request to the PA for the assignment of a block of one thousand telephone numbers (thousands-block) in the Richfield, Ohio rate center.

According to the attachments accompanying Windstream's motion, the PA denied Windstream's request because Windstream does not meet the months-to-exhaust and utilization criteria established by the FCC as outlined in the Central Office Code Assignment Guidelines.

Windstream states that a new thousands-block is necessary to replenish Windstream's telephone number inventory in the aforementioned rate center, especially because of a lack of availability of consecutive numbering. Windstream states that it recently had a customer reluctantly accept 60 non-sequential numbers because Windstream did not have 60 consecutive numbers available in its inventory.

- (3) By entry issued November 7, 2002, in Case No. 97-884-TP-COI, the Commission, on its own motion, delegated to its legal department the authority to rule, by attorney examiner entry, on carrier numbering requests, other than those seeking reclamation of entire NXX codes or of particular one thousand number blocks.
- (4) After a review of Windstream's motion, the attorney examiner believes that the applicant has demonstrated, in accordance with 47 C.F.R. 52.15(g)(4), both a verifiable need for numbering resources and that it has exhausted all other available remedies.

In reaching this determination, the attorney examiner recognizes Windstream's need for one block of one thousand telephone numbers in the Richfield, Ohio rate center in order to replenish its telephone number inventory there, especially as regards the availability of consecutive numbers. For this reason, the attorney examiner finds that the PA's decision to deny Windstream's application for additional numbering resources in the Richfield, Ohio rate center should be overturned and that the PA should assign to Windstream the requested block of telephone numbers.

It is, therefore,

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

ORDERED, That a copy of this entry be served upon the applicant.

THE PUBLIC UTILITIES COMMISSION OF OHIO

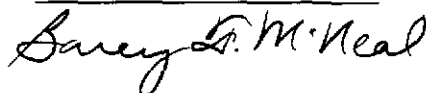


By: Daniel E. Fullin
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Entered in the Journal

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Barcy F. McNeal
Secretary