

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 April 24, 2012, Windstream Western Reserve, Inc. ("Windstream") filed, as amended by a subsequent filing dated May 23, 2012, a motion for review of a decision of the PA. In its filing, as amended, Windstream explains that, on April 18, 2012, it had submitted a request to the PA for the assignment of a block of one thousand telephone numbers (thousands-block) in the Russell, 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 it is deploying a new packet switch to support a new product offering called Unified Communications. Windstream asserts that it needs one thousands-block on the new remote packet switch to support deployment of this new product offering that is not available

on the legacy switch. Windstream explains that it does not have any one thousand-number blocks available in its existing inventory to be moved to the new switch.

- (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 Russell, Ohio rate center in order to accommodate its new switch. For this reason, the attorney examiner finds that the PA's decision to deny Windstream's application for additional numbering resources in the Russell, Ohio rate center should be overturned and that the PA should assign to Windstream the requested block of telephone numbers. In the event that the forecasted demand for the requested block of telephone numbers does not occur in the manner represented, all unused portions of the block shall be returned to the number pool in the Russell, Ohio rate center.

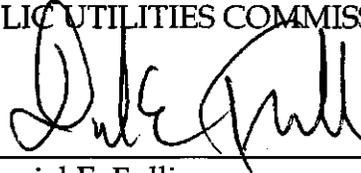
It is, therefore,

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 should the forecasted demand for the requested block of telephone numbers not occur in the manner represented, all unused portions of the block shall be returned to the applicable pool consistent with this entry. It is, further,

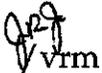
ORDERED, That a copy of this entry be served upon the applicant.

THE PUBLIC UTILITIES COMMISSION OF OHIO



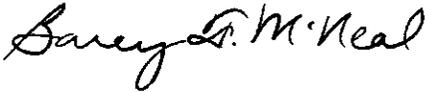
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By: Daniel E. Fullin  
Attorney Examiner



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MAY 31 2012

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Barcy F. McNeal  
Secretary