

**In the Matter of the Commission’s
Consideration of Telephone Safety Valve
Requests and Other Number Resource
Related Filings**

This NPA-NXX is necessary to fill a specific request from Sprint's wholesale customer, Time Warner Cable, who in turn has a specific pending business customer order for PRI service requiring the allocation of a block of 10,000 telephone numbers. The customer currently owns a large facility with several adjacent offices, and expects to grow significantly in the next five years. Neustar, however, denied Sprint's request on the grounds that Sprint did not meet the 75% utilization threshold.

On December 28, 2001 the Federal Communications Commission (“FCC”) released its *Third Report and Order and Second Order on Reconsideration* in its Numbering Resource Optimization docket. In that Order, the FCC created a safety valve mechanism to provide carriers with a procedure to obtain additional numbering resources when there is a verifiable need due to the carrier’s inability to satisfy a customer request.¹ Specifically, the Order provides state public utility commissions with delegated authority to hear claims that a safety valve should be applied when the Pooling Administrator denies a specific request for numbering resources. And under the federal numbering rules, a state commission may overturn the PA’s decision based on its determination that the carrier has demonstrated a verifiable need for the numbering resources and has exhausted all other available remedies.² Therefore, this Commission has the authority to overturn the PA’s decision under the appropriate circumstances and Sprint submits this petition requesting the assignment of an NPA-NXX block in the rate center specified above under the FCC’s safety valve procedures.

Sprint has attached a redacted letter from Time Warner Cable as Exhibit A, demonstrating that Sprint has received a specific customer request for numbering resources that it cannot meet with its current inventory. In addition, Sprint has attached a MTE and Utilization Worksheet for the Portsmouth rate center. This document, along with the PA’s denial that Sprint received from Neustar, is included as Exhibit B.

Accordingly, the circumstances described in Sprint’s Exhibits and in this Petition warrant application of the Commission’s safety valve authority in this instance.

Conclusion

¹ See In the matter of Numbering Resource Optimization, *third Report and Order and Second Order on Reconsideration*, CC Docket No. 99-200 at para. 61 (Dec. 28, 2001).

² 47 C.F. R. Sec. 52.25(g)(4).

WHEREFORE, for the reasons set forth above, Sprint respectfully requests that the Commission grant Sprint's petition, overturn Neustar's decision, and direct it to allocate to Sprint one NPA-NXX block of additional numbers in the Portsmouth rate center to satisfy the needs of its customer. The grant of this petition serves the public interest because it will ensure the availability of adequate numbering resources for Time Warner Cable, a competitive service provider, to meet its customer's needs. Further, Sprint's reasonable request ensures the efficient use of scarce numbering resources.

Respectfully submitted,

SPRINT COMMUNICATIONS COMPANY L.P.

/s/ Diane Browning

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Dated: June 26, 2012



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22 June 2012

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Subject: State Waiver Request for the PORTSMOUTH-OH Rate Center

Time Warner Cable has a pending business customer order requesting the allocation of a dedicated new NPA-NXX from the PORTSMOUTH rate center in Ohio.

[REDACTED] has submitted a letter of request stating that they wish to purchase PRI service from TWC along with an entire NPA-NXX to be used exclusively by [REDACTED].

TWC has also attached a .pdf copy of the contract with the customer.

Sincerely,

R. Tucker Mostrom
Code Administration
& Numbering

Exh. A

MONTHS TO EXHAUST and UTILIZATION CERTIFICATION WORKSHEET - TN Level
(Thousands-Block Number Pooling Growth Block Request)

Date: 10/12/10 OCN: 2687 Company Name: **Sprint Communications Company, L.P.**

Rate Center: Portsmouth, OH

List of all Codes NPA(s)-NXXs and Blocks NPA(s)-NXX-X(s): 740-876-4, 740-876-8, 740-876-9, 740-981-3

Name of Block Applicant: Brandy Clark Signature: Telephone Number: 913-253-5340 Fax No.: 0

Title: Network Engineer II

Email: brandy.clark@ericsson.com

A. Available Numbers 1320

B. Assigned Numbers 2450

C. Total Numbering Resources: 4000

D. Quantity of numbers activated in the past 90 days and excluded from the Utilization calculations:
 List excluded Code(s) or Block(s): 0

| | Month #1 | Month #2 | Month #3 | | | | | | |
|--|----------|----------|----------|--|---|---|---|---|---|
| E. Growth History - Previous 6 months ² | 43 | 31 | 80 | | | | | | |
| F. Forecast - Next months 1-2 ³ | 10000 | 0 | 0 | | 0 | 0 | 0 | 0 | 0 |

G. Average Monthly Forecast (Sum of months 1-6 Part F above divided by 6): **3,333**

H. Months to Exhaust⁴ = $\frac{\text{Numbers Available for Assignment to Customers (A)}}{\text{Average Monthly Forecast (G)}}$ =

I. Utilization Level⁵ = $\frac{\text{Assigned Numbers (B) - Excluded Numbers (D)}}{\text{Total Numbering Resources (C) - Excluded Numbers (D)}}$ **61.25%**

Explanation: TWC has a customer that is requesting 1,000 TNs for a PRL.

1. 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.
2. 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.
3. Forecast of TNs needed in each month, starting with the most recent month as Month #1.
4. 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, 52.15 (g) (3) (iii)).
5. Newly acquired numbers may be excluded from the Utilization calculation (FCC 00 104, Section 52.15 (g)(3)(ii)).

EXH. B




























Pooling Administration System

 brandy.j.clark@sprint.com (SP)

[Sign Out](#)

Time : 06/20/2012 04:16:03 PM EDT



-  Individual Block Requests
 -  **New Block Request**
 -  New Block Reservation
 -  Assign/Cancel/Extend Reservation
 -  Block Modification
 -  Multiple Block Modification
 -  Block Disconnect
 -  Saved Block Requests
 -  Modify Pending Request
 -  Copy Block Request
-   CO/NXX Code Requests
-   Withdraw Pending Requests
-   Confirm Resources In Service
-   Donate Blocks
-   Submit Forecast
 -  Create/Modify Forecast
-   Search Forms
-   Reports
-   User Profile

Months to Exhaust and Utilization Certification Worksheet - TN Level(Continued)¹

Your Utilization calculates to **61.250%**. The FCC required the utilization of **75.000%**.

Select One Option and Submit

- ☒ Return to the Months To Exhaust Form
- ☐ Need to request a State Waiver
- ☐ Received a State Waiver

Submit

neustar

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Exh. B

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

6/27/2012 10:50:58 AM

in

Case No(s). 10-0884-TP-UNC

Summary: Petition for Review of a Decision of the Pooling Administrator electronically filed by Ms. Diane Browning on behalf of Sprint Nextel