

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 June 27, 2012, Frontier North Inc. (Frontier) filed a Motion for Review of a Decision of the PA. In its filings, Frontier explains that it submitted a request to the PA for the assignment of a new NXX code in order to establish a location routing number (LRN) for a new Genband G6 gateway that it plans to deploy for use in the Athens rate center.

Frontier explains that it is adding a new switch to its network to interface with its existing Metaswitch in Charleston, WV. This new interface will allow Frontier to provide VoIP technology in the 324 LATA. Frontier states that it will utilize only the 4 block from the new NXX code for the purpose of establishing an LRN, and Frontier will return the remaining blocks to the number pool in the Athens rate center.

According to the attachments accompanying Frontier's motion, the PA denied Frontier's request because Frontier

does not meet the months to exhaust and/or utilization criteria established by the FCC as outlined in the Central Office Code Assignment Guidelines.

- (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 examiner's 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 Frontier's motion, the attorney examiner believes that the applicant has demonstrated both a legitimate need for an entire NXX code, in order to meet a verifiable need for number resources in accordance with 47 C.F.R. §52.15(g)(4), and that it has exhausted all other available remedies.

In reaching this determination, the attorney examiner recognizes Frontier's need for a new code that will allow it to establish an LRN for its new gateway. The attorney examiner also agrees that the industry guidelines allow for the assignment of an LRN for this purpose.¹ For this reason, the attorney examiner finds that the PA's decision to deny Frontier's application for additional numbering resources in the Athens rate center should be overturned and the PA should assign to Frontier the requested NXX code. The attorney examiner also directs Frontier to donate the remaining unused thousands-blocks to the number pool in the Athens rate center.

It is, therefore,

ORDERED, That Frontier's request to overturn the PA's decision to withhold the requested numbering resources is granted. It is, further,

ORDERED, That Frontier shall, consistent with this entry, return to the number pool of the Athens rate center, all requested numbering resources that are not used for LRN purposes. It is, further,

¹ *Location Routing Number (LRN) Assignment Practices*, ATIS-0300065, issued July 19, 2010.

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Daniel Fullin

By: Daniel E. Fullin
Attorney Examiner

JRJ/sc

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in

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

Summary: Attorney Examiner Entry ordered, that Frontier North, Inc's request to overturn the PA's decision to withhold the requested numbering resources be granted as described in Finding (4); that Frontier North, Inc. is directed to, consistent with this entry, return to the numbering pool of the Athens rate center, any of the requested numbering resources that are not used for LRN purposes. - electronically filed by Ms. Sandra M. Coffey on behalf of Daniel Fullin, Attorney Examiner, Public Utilities Commission of Ohio