

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 January 10, 2013, Buckeye TeleSystem, Inc. (Buckeye) filed a motion for review of a decision of the PA. In its filing, Buckeye explains that, on January 7, 2013, it submitted a request with the PA for the assignment of a block of 4,000 numbers in the Perrysburg, Ohio rate center in order to satisfy a specific customer's request.

According to the attachments accompanying Buckeye's motion, the PA refused to grant Buckeye's request for additional number resources in the Perrysburg, Ohio rate center because Buckeye does not meet the months-to-exhaust and/or utilization criteria established by the FCC.

Buckeye states that its customer, Mercy Health Partners (Mercy Health), has requested that Buckeye provide it with a block of 4,000 numbers which Mercy Health needs because it is in the process of opening up a new location in Perrysburg, Ohio, that Buckeye plans to serve in the near

future. A letter from Mercy Health stating its need for the requested telephone numbers has been attached to Buckeye's application in this case. In that letter, Mercy Health states that its new location is starting out as an Emergency Department and then will evolve into a medical office building as well as a hospital. Mercy Health asserts that the requested block of 4,000 numbers will be able to cover all of its telecommunications needs. Buckeye represents that it is unable, with its existing inventory, to meet the customer's request for a block of 4,000 telephone numbers.

- (3) By entry issued on 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 Buckeye's motion, the attorney examiner believes that the applicant has demonstrated a legitimate need for the requested blocks of telephone numbers in accordance with 47 C.F.R. 52.15(g)(4), and that it has exhausted all other remedies.

In reaching this determination, the attorney examiner recognizes Buckeye's need for a block of 4,000 telephone numbers to accommodate the needs of a specific customer. For this reason, the attorney examiner finds that the PA's decision to deny Buckeye's application for additional numbering resources in the Perrysburg, Ohio rate center should be overturned. In the event that the forecasted demand for the numbers does not occur in the manner represented, the unused telephone numbers are to be donated to the number pool in the Perrysburg, Ohio rate center.

It is, therefore,

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

ORDERED, That should the forecasted demand for the requested numbering resources not occur in the manner represented, Buckeye shall, consistent with this entry, return to the number pool of the Perrysburg, Ohio rate center, the applicable unused numbering resources. It is, further,

ORDERED, That a copy of this entry be served upon the applicant and all interested entities of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Daniel Fullin

By: Daniel E. Fullin
Attorney Examiner

JRJ/sc

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

1/28/2013 12:50:52 PM

in

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

Summary: Attorney Examiner Entry grants the request to review and overturn the Pooling Administrator's earlier decision to deny numbering resources. - electronically filed by Sandra Coffey on behalf of Daniel Fullin, Attorney Examiner, Public Utilities Commission of Ohio