

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 13, 2013, Cincinnati Bell Telephone Company LLC (CBT) filed a motion for review of a decision of the PA. In its filing, CBT explains that, on February 6, 2013, it submitted a request with the PA for the assignment of a new NXX code in the Cincinnati rate center in order to satisfy a specific customer's request.

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

CBT states that its customer, Catholic Health Partners, has requested assignment of all 10,000 consecutive telephone numbers in a new NXX code number in order to accommodate a new hospital, Mercy West Hospital, and an adjacent medical office building. CBT states that Mercy

West Hospital is expected to open in the fall of 2013. According to CBT, Catholic Health Partners has stated that the assigned numbers must be compatible with the customer's five-digit dialing plan and current equipment configuration. Specifically, Catholic Health Partners requested that a new 513 NXX code be assigned to it where the third digit is five.

Based on the parameters of its customer's requirements, CBT represents that it is unable, with its existing inventory, to meet the customer's request for 10,000 consecutive telephone numbers in the Cincinnati Exchange.

- (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 CBT'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 CBT's need for a block of 10,000 consecutive telephone numbers for growth that will be compatible with a specific customer's telephone system and dialing pattern. For this reason, the attorney examiner finds that the PA's decision to deny CBT's application for additional numbering resources in the Cincinnati 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 Cincinnati rate center.

It is, therefore,

ORDERED, That CBT'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, CBT shall, consistent with this entry, return to the number pool of the Cincinnati 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

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

Summary: Attorney Examiner Entry grants Cincinnati Bell Telephone Co's. request to review and overturn 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