

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Investigation into)
Telephone Numbering and Number) Case No. 10-884-TP-COI
Assignment Procedures.)

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 1, 2013, Cincinnati Bell Telephone Company LLC ("CBT") filed a motion for review of a decision of the PA. In its filing, CBT represents that on March 15, 2013, it submitted a request to the PA for the assignment of a new NXX code in the Cincinnati rate center in order to satisfy a specific customer's request. CBT indicates that 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 utilization criteria established by the FCC.

CBT explains that a customer, Cincinnati Children's Hospital Medical Center ("CCHMC"), has requested assignment of all 10,000 consecutive telephone numbers in a new NXX code in order to accommodate several major planned expansions and growth. According to CBT, CCHMC has stated that the assigned numbers must be compatible with the customer's 5-digit dialing plan and current equipment configuration.

Specifically, CCHMC requested that a new 513 NXX code be assigned to it where the third digit is a seven or eight.

Based on the parameters of its customer's requirements, CBT represents that it is unable with its existing inventory to meet its 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 10 thousands-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 10,000 contiguous 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 and CBT should be assigned a new NXX code that meets its needs. In the event that the forecasted demand does not occur in the manner represented, any unused thousands-blocks in the NXX code are to be donated to the numbering 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 telephone numbers not occur in the manner represented, CBT shall, consistent with this entry, return to the numbering pool in the Cincinnati rate center, the applicable unused numbering resources. It is, further,

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

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