

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 March 29, 2013, Buckeye TeleSystem, Inc. ("Buckeye") filed a motion for review of a decision of the PA. In its filing, Buckeye represents that on March 28, 2013, it submitted a request to the PA for the assignment of a new NXX code in the Bowling Green 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 Bowling Green rate center because Buckeye does not meet the months-to-exhaust and/or utilization criteria established by the FCC.

Buckeye explains that a customer, Bowling Green State University ("BGSU"), has requested assignment of a block of 10,000 Direct Inward Dialing (DID) telephone numbers in order to uniquely identify and configure a 911 location for

approximately 9,200 rooms. Buckeye states that BGSU is "in the midst of a project to replace a PBX system with a Voice Over IP system." According to Buckeye, the third digit in the assigned NXX cannot be a "2".

Based on the parameters of its customer's requirements, Buckeye represents that it is unable with its existing inventory to meet its customer's request for 10,000 consecutive telephone numbers in the Bowling Green 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 Buckeye'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 Buckeye's need for 10,000 contiguous telephone numbers 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 Buckeye's application for additional numbering resources in the Bowling Green rate center should be overturned and Buckeye 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 Bowling Green 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 telephone numbers not occur in the manner represented, Buckeye shall, consistent with this entry, return to the numbering pool in the Bowling Green rate center, the applicable unused numbering resources. It is, further,

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

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 Buckeye'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