

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Investigation into )  
Telephone Numbering and Number ) Case No. 10-884-TP-UNC  
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 May 9, 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 May 1, 2013, it submitted a request to the PA for the assignment of a new NXX code in the Clermont 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 Clermont rate center because CBT does not meet the months-to-exhaust and/or utilization criteria established by the FCC.

CBT explains that a customer, Total Quality Logistics ("TQL"), has requested assignment of an entire NXX in order to facilitate the company's intention to update the manner in which it makes use of employee telephone numbers and to, correspondingly, accommodate new company growth. CBT states that TQL's existing way of routing calls from a single number to each employee's extension is no longer cost effective and, with the assignment of an NXX code, each

employee will be assigned a specific telephone number. According to CBT, the third digit in the assigned NXX should be a "5" in order to be compatible with TQL's current internal five-digit extension system.

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 an entire NXX code in the Clermont 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 NXX code 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 an entire NXX code 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 Clermont 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, CBT shall return to the numbering pool in the Clermont rate center, the applicable unused numbering resources.

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 Clermont 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

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By: Daniel E. Fullin  
Attorney Examiner

JRJ/sc

**This foregoing document was electronically filed with the Public Utilities**

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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