BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's Consideration of Telephone Safety Valve Requests and Other Number Resource Related Filings.	))))	Case No. 10-884-TP-UNC

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 11, 2014, Cincinnati Bell Extended Territories LLC ("CBET") filed a motion for review of a decision of the PA. In its filing, CBET represents that on February 3, 2014, it submitted a request to the PA for the assignment of an NXX in the Dayton rate center to establish a Location Routing Number ("LRN") for a new switch it is deploying. According to the attachments accompanying CBET's motion, the PA refused to grant CBET's request for additional number resources in the Dayton rate center because CBET does not meet the utilization threshold necessary in order to obtain numbering resources.

CBET further explains that the new switch will replace an existing switch that is nearing capacity. However, the move will not be flash cut. CBET expects the move to be completed by the end of the year. Because the two switches will be deployed simultaneously for several months, CBET

requires a unique LRN for the new switch. Due to the specific requirements for LRN assignment, none of CBET's existing numbers can be used as an LRN. Upon receipt of the new NXX, CBET will keep the "0" thousand-block and return the remaining blocks to the numbering pool. CBET will be able to port numbers from its existing numbering resources to the new switch once an LRN is assigned for the switch, so it does not anticipate the need for additional numbering resources for this switch beyond the initial request. All of the numbers assigned to the existing switch will be ported to the new switch when the old switch is retired.

(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 CBET's motion, the attorney examiner believes that the applicant has demonstrated a legitimate need for the requested NXX code 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 CBET's need for an NXX code to accommodate its new switch in the Dayton rate center. For this reason, the attorney examiner finds that the PA's decision to deny CBET's application for additional numbering resources in the Dayton rate center should be overturned. In the event that the forecasted demand does not occur in the manner represented, CBET shall return to the numbering pool in the Dayton rate center, the applicable unused numbering resources.

It is, therefore,

ORDERED, That CBET'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, CBET shall, consistent with this entry, return to the numbering pool in the Dayton rate center, the applicable unused numbering resources. It is, further,

ORDERED, That a copy of this Entry be served upon CBET.

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 CBET's 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