

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 18, 2014, Teleport Communications America LLC ("Teleport") filed a motion for review of a decision of the PA. In its filing, Teleport represents that on January 31, 2014, it submitted a request to the PA for the assignment of one thousands-block of telephone numbers in the Lockbourne rate center in order to satisfy a specific customer's request. According to the attachments accompanying Teleport's motion, the PA refused to grant Teleport's request for additional number resources in the Lockbourne rate center because Teleport does not meet the months-to-exhaust and/or utilization criteria established by the FCC.

Teleport explains that a customer, Avnet, Inc. ("Avnet"), has requested assignment of 600 consecutive telephone numbers in order to accommodate the consolidation of three Ohio locations, along with locations in Texas and California, into one new 500,000+ square foot facility in Obetz, Ohio.

According to Teleport, Avnet has stated that the assigned numbers assigned must be compatible with the customer's existing network configuration. Specifically, Avnet requested that the numbers assigned in the 614 NXX should not start with a "0", "1", or "9". Based on the parameters of its customer's requirements, Teleport represents that it is unable with its existing inventory to meet Avnet's numbering resource needs.

- (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 Teleport's motion, the attorney examiner believes that the applicant has demonstrated a legitimate need for the requested one thousands-block 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 Teleport's need for a thousands-block that will be compatible with its specific customer's request. For this reason, the attorney examiner finds that the PA's decision to deny Teleport's application for additional numbering resources in the Lockbourne rate center should be overturned and Teleport should be assigned one thousands-block that meets its needs. In the event that the forecasted demand does not occur in the manner represented, Teleport shall return to the numbering pool in the Lockbourne rate center, the applicable unused numbering resources.

It is, therefore,

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

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

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 Teleport'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