

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 March 24, 2014, Teleport Communications America, LLC ("Teleport") filed a motion for review of a decision of the PA. In its filing, Teleport represents that on March 19, 2014, it submitted a request to the PA for the assignment of one thousands-block of telephone numbers in the Mason 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 Mason rate center because Teleport does not meet the months-to-exhaust and/or utilization criteria established by the FCC.

Teleport explains that a customer, Duke Realty Corporation ("Duke Realty"), has requested assignment of 75 consecutive telephone numbers in order to retain an internal dialing plan with its corporate office in Indianapolis and 16 other satellite locations. According to Teleport, Duke Realty has stated that the assigned numbers must be compatible with the customer's existing network configuration. Specifically, Duke Realty

requested that the NXX be of the format NX5 and that the block be of the format 0XXX or 2XXX-9XXX. Based on the parameters of its customer's requirements, Teleport represents that it is unable with its existing inventory to meet Duke Realty'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 Mason 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 Mason 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 Mason 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/Jeffrey R. Jones

By: Jeffrey R. Jones  
Attorney Examiner

sef/vrm

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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 Vesta R Miller on behalf of Jeffrey R. Jones, Attorney Examiner, Public Utilities Commission of Ohio