

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 September 2, 2014, a telecommunications provider named "tw telecom of ohio llc" (TWTC) filed a motion for review of a decision of the PA. In its filing, TWTC represents that on August 20, 2014, it submitted a request to the PA for the assignment of 3,000 sequential direct inward dial (DID) telephone numbers in the Pataskala rate center in order to satisfy a specific customer's request. According to the attachments accompanying TWTC's motion, the PA refused to grant TWTC's request for additional number resources in the Pataskala rate center because TWTC does not meet the months-to-exhaust and/or utilization criteria established by the FCC.

TWTC explains that its customer, Ascena Retail Group Inc. (Ascena), which has many facilities including a new data center in the Pataskala area, has currently exhausted its DID numbers. Consequently, Ascena has a need for, and has requested assignment of 3,000 consecutive DID numbers in the Pataskala rate center, which will be used by Ascena both to program new numbers into its system and to keep track of its different

facilities. Based on the parameters of its customer's requirements, TWTC represents that it is unable with its existing inventory to meet Ascena'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 TWTC's motion, the attorney examiner believes that the applicant has demonstrated a legitimate need for the requested three sequential blocks of one thousand 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 TWTC's need for three sequential blocks of one thousand telephone numbers that will be compatible with its specific customer's dialing pattern needs. For this reason, the attorney examiner finds that the PA's decision to deny TWTC's application for additional numbering resources in the Pataskala rate center should be overturned and NANPA should assign three sequential blocks of one thousand telephone numbers that meet the specific needs of TWTC's customer. In the event that the forecasted demand does not occur in the manner represented, TWTC shall return to the numbering pool in the Pataskala rate center, the applicable unused numbering resources.

It is, therefore,

ORDERED, That TWTC'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, TWTC shall, consistent with this Entry, return to the numbering pool in the Pataskala rate center, the applicable unused numbering resources. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Daniel E. Fullin

By: Daniel E. Fullin
Attorney Examiner

JRJ/dah

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in

Case No(s). 10-0884-TP-UNC

Summary: Attorney Examiner Entry that grants to review and overturn the Pooling Administrator's earlier decision to deny numbering resources; electronically filed by Debra Hight on behalf of Daniel E. Fullin, Attorney Examiner.