

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 December 18, 2014, Cincinnati Bell Telephone Company LLC (CBT) filed a petition for review of a decision of the PA. In its filing, CBT represents that on December 17, 2014, it submitted a request to the PA for a new NXX to establish a Location Routing Number (LRN) for its new switch. According to the attachments accompanying CBT's petition, the PA refused to grant CBT's request for an NXX to establish an LRN for its new switch because CBT does not meet the months-to-exhaust and/or utilization criteria established by the FCC.

CBT explains that its new switch will provide it the ability to offer innovative new services not possible with its existing circuit switches, will enable CBT to relieve overcrowding on existing switches, and allow CBT to operate its network more efficiently. However, before CBT can begin using the new switch, a unique LRN must be assigned to it, in order to accommodate number portability and number pooling. Due to the specific requirements for LRN assignment, none of CBT's

existing numbers can be used as an LRN. Upon receipt of the requested new NXX, CBT will keep the "0" thousand-block and return the remaining blocks to the number pool. Once an LRN is assigned, CBT will be able to port numbers from its existing numbering sources to the new switch, so CBT does not anticipate the need for additional numbering resources for its new switch beyond this initial request.

- (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 petition, the attorney examiner believes that the applicant has demonstrated, in accordance with 47 C.F.R. 52.15(g)(4), both a verifiable need for the requested numbering resources and that it has exhausted all other remedies.

In reaching this determination, the attorney examiner recognizes CBT's need for a new NXX to establish a LRN for its new switch. For this reason, the attorney examiner finds that the PA's decision to deny CBT's petition for additional numbering resources should be overturned and NANPA should assign a new NXX that meets CBT's needs in establishing an LRN for its new switch. Upon receipt of the requested new NXX, CBT will keep the "0" thousand-block and return the remaining blocks to the number pool.

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 return to the number pool all 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 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 a request 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.