

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 June 12, 2015, Teleport Communications America, LLC (Teleport) filed a petition for review of a decision of the PA. In its filing, Teleport represents that it recently submitted a request to the PA for assignment of 3,000 numbers in the Akron, Ohio rate center. According to the attachments accompanying Teleport's petition, the PA refused to grant Teleport's request because Teleport does not meet the months-to-exhaust and/or utilization criteria established by the FCC.

Teleport explains that its customer, University Hospitals, is acquiring multiple physicians' practices and is integrating these into the University Hospitals' enterprise system. In order to accomplish this, University Hospitals has requested 3,000 numbers, in a specific format that is needed in order to maintain the integrity of University Hospitals' existing internal dialing plan. Teleport has developed a communications plan that University Hospitals will implement, but submits that it cannot, from its existing number inventory, satisfy the specific customer need for 3,000 numbers in the format specified. For this reason, Teleport has requested the 3,000 telephone

numbers needed to meet the specific needs of its customer. Teleport submits that it will assign the 3,000 numbers needed by its customer within 180 days of the numbers being made available.

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

In reaching this determination, the attorney examiner recognizes Teleport's need for a new NXX code to meet a specific business growth need of one of its customers. For this reason, the attorney examiner finds that the PA's decision to deny Teleport's petition for additional numbering resources should be overturned and NANPA should assign a new NXX code that meets Teleport's identified customer's needs. In the event that the forecasted demand does not occur in the manner represented, Teleport shall return to the numbering pool in the involved rate center, all 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 return to the numbering pool all 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 E. Fullin

By: Daniel E. Fullin
Attorney Examiner

/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.