

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 August 25, 2015, Teleport Communications America, LLC ("Teleport") filed a petition for review of a decision of the PA. In its filing, Teleport represents that on August 20, 2015, it submitted to the PA a request to open a new NXX code in the Chardon rate center, in order to satisfy the needs of a specific customer. 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.
- (3) Teleport explains that its customer, University Hospitals, is expanding its practices, research, lab, and administrative space. In order to accomplish this, University Hospitals has requested 1,000 numbers, in the Chardon rate center, in a specified format that is needed in order to maintain the integrity of University Hospitals' existing internal dialing plan. Teleport submits that, although it has adequate telephone numbers in the Chardon rate center to satisfy incremental requests, without receiving additional numbers, it cannot, from its existing number

inventory, satisfy the specific need of its customer, University Hospitals, for 1,000 numbers in the format specified.

- (4) 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.
- (5) After a review of Teleport's motion, the attorney examiner believes that the applicant has demonstrated a legitimate need for the requested new NXX code, 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 new NXX code that will be compatible with its specific customer's request. For this reason, the attorney examiner finds that the PA's decision to withhold the requested numbering resources in the Chardon rate center should be overturned and Teleport should be assigned a new NXX code 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 Chardon 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 (5). 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 Chardon 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 E. Fullin

By: Daniel E. Fullin
Attorney Examiner

JRJ/dah

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Commission of Ohio Docketing Information System on

8/26/2015 4:18:40 PM

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 in the Chardon rate center; electronically filed by Debra Hight on behalf of Daniel E. Fullin, Attorney Examiner.