

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 9, 2015, Cincinnati Bell Telephone Company LLC (CBT) filed a petition for review of a decision of the PA. In its filing, CBT represents that on August 28, 2015, it submitted a request to the PA seeking 3,000 contiguous numbers in the Cincinnati rate center in order to meet a specific customer request that CBT was unable to satisfy with its existing numbering resources. The PA denied CBT's request on grounds that CBT does not meet the months-to-exhaust and/or utilization criteria established by the FCC.

CBT explains that it has a request from Mercy Health for 3,000 contiguous numbers in the Cincinnati rate center to be used for its new corporate headquarters facility that is scheduled to open in late 2015 in Cincinnati, Ohio. This new facility will house over 1,700 employees when it opens and will provide room for growth. In order to integrate the new

numbers with its existing dialing plan, Mercy Health has requested the 4,000 through 6,000 blocks, although the specific NXX does not matter. CBT submits that it cannot, from its existing number inventory, satisfy the specific customer need for 3,000 numbers in the format specified.

- (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 the numbering resources it has requested. 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 3,000 consecutive telephone numbers that meet CBT's specific customer's need. In the event that the forecasted demand for the requested telephone numbers does not occur in the manner represented, CBT shall return to the numbering pool of the Cincinnati rate center, the applicable unused numbering resources.

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, consistent with this Entry, 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 Fullin

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By: Daniel E. Fullin  
Attorney Examiner

JRJ/sc

**This foregoing document was electronically filed with the Public Utilities**

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**in**

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

Summary: Attorney Examiner Entry granting request to review and overturn the Pooling Administrator's earlier decision to deny numbering resources. - electronically filed by Sandra Coffey on behalf of Daniel Fullin, Attorney Examiner, Public Utilities Commission of Ohio