

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's	)	
Consideration of Telephone Safety Valve	)	
Requests and Other Number Resource	)	Case No. 10-884-TP-UNC
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 March 7, 2016, Frontier North Inc. (Frontier) filed a petition for review of a decision of the PA. In its filing, Frontier represents that it recently submitted a request to the PA for numbering resources in the Wilmington rate center in order for it to deploy a new Metaswitch gateway in Wilmington, Ohio, which will interface with its existing Metaswitch in Fort Wayne, Indiana. According to Frontier, in order to deploy this gateway, it must establish a new Local Routing Number in the 328 LATA. Frontier explains that this deployment will allow it to provide VoIP technology in the 328 LATA. While requesting a new code, Frontier represents that it would prefer to only utilize the 4 block of the code and intends to immediately return the remaining blocks. Based on the attachments accompanying Frontier's petition, the PA refused to grant Frontier's request because the company does not meet the months-to-exhaust and/or utilization criteria established by the FCC.

- (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 Frontier'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 Frontier's need to open a new code to meet its specific business need. For this reason, the attorney examiner finds that the PA's decision to deny Frontier's petition for additional numbering resources should be overturned and NANPA should assign the requested code in the Wilmington rate center to Frontier in order to deploy its new Metaswitch gateway. Due to the fact that Frontier represents that it will only utilize one block of numbers from the new code, it shall return all remaining unused blocks to the numbering pool.

It is, therefore,

ORDERED, That Frontier'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 Frontier shall return to the numbering pool all applicable unused numbering resources. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Jay S. Agranoff

By: Jay S. Agranoff  
Attorney Examiner

JRJ/dah

**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 orders Frontier's request to overturn the PA's decision to withhold the requested numbering resources is granted as described in Finding (5); and that Frontier shall return to the numbering pool all applicable unused numbering resources - electronically filed by Debra Hight on behalf of Jay S. Agranoff, Attorney Examiner.