

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE COMMISSION'S
CONSIDERATION OF TELEPHONE SAFETY
VALVE REQUESTS AND OTHER NUMBER
RESOURCE RELATED FILINGS.

CASE No. 10-884-TP-UNC

ENTRY

Entered in the Journal on July 6, 2016

{¶ 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 28, 2016, The Ohio Bell Telephone Company d/b/a AT&T Ohio and/or Ameritech Ohio (AT&T) filed a petition for review of a decision of the PA. In its filing, AT&T represents that it recently submitted a request to the PA for 4,000 numbers, in a specified format, in the Kent rate center in order to satisfy a specific customer request. According to the attachments accompanying AT&T's petition, the PA refused to grant AT&T's request because AT&T does not meet the months-to-exhaust and/or utilization criteria established by the FCC.

{¶ 3} AT&T explains that its customer, Kent State University (Kent State), is in the process of expanding and upgrading phone systems at their Kent Campus location and has requested 4,000 numbers, in a specified format, for use by Kent State. AT&T submits that, although it has adequate telephone numbers in the Kent rate center to satisfy incremental requests without receiving additional numbers, it cannot from its existing inventory, satisfy the specific need of its customer, Kent State, for 4,000 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 AT&T'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 AT&T's need for 4,000 telephone numbers to meet a specific business need of one of its customers. For this reason, the attorney examiner finds that the PA's decision to deny AT&T's petition for additional numbering resources should be overturned and NANPA should assign the requested numbers in the Kent rate center to AT&T for use by Kent State in meeting the identified need of that customer. In the event that the forecasted demand does not occur in the manner represented, AT&T shall return to the numbering pool in the involved rate center, all applicable unused numbering resources.

{¶ 6} It is, therefore,

{¶ 7} ORDERED, That AT&T's request to overturn the PA's decision to withhold the requested numbering resources is granted as described in Paragraph (5). It is, further,

{¶ 8} ORDERED, That should the forecasted demand for the requested telephone numbers not occur in the manner represented, AT&T shall return to the numbering pool in the involved rate center, all applicable unused numbering resources. It is, further,

{¶ 9} That a copy of this Entry be served upon AT&T.

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 orders AT&T's request to overturn the PA's decision to withhold the requested numbering resources is granted as described in Paragraph (5); and that should the forecasted demand for the requested telephone numbers not occur in the manner represented, AT&T shall return to the numbering pool in the involved rate center, all applicable unused numbering resources. Entry electronically filed by Debra Hight on behalf of Daniel E. Fullin, Attorney Examiner.