

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 August 23, 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 August 18, 2016, Cincinnati Bell Extended Territories LLC (CBET) filed a petition for review of a decision of the PA. In its filing, CBET represents that it recently submitted a request to the PA for two contiguous one-thousand-number blocks of telephone numbers in the Mason, Ohio rate center. According to the attachments accompanying CBET's petition, the PA refused to grant CBET's request because CBET does not meet the months-to-exhaust and/or utilization criteria established by the FCC.

{¶ 3} CBET explains that its customer, Mercy Health, is in the process of launching a new facility, in Mason, Ohio, named Mercy Mason Campus. More than 1,200 employees will work at Mercy Mason Campus, and the new facility will support a call center and other administrative functions. As a part of this launch, Mercy Health has made a request for 2,000 new telephone numbers, in a specified format, in the Mason rate center. CBET submits that it cannot from its existing Mason rate center

inventory, satisfy the specific need of its customer, Mercy Health, for 2,000 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 attorney 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 CBET's petition, the attorney examiner believes that the petitioner, 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 CBET's need for two one-thousand-number blocks 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 CBET's petition for additional numbering resources should be overturned and NANPA should assign the requested numbers in the Mason, Ohio rate center to CBET for use by Mercy Health in meeting the identified need of that customer. In the event that the forecasted demand does not occur in the manner represented, CBET shall return to the numbering pool in the involved rate center, all applicable unused numbering resources.

{¶ 6} It is, therefore,

{¶ 7} ORDERED, That CBET'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, CBET shall return to the numbering pool in the involved rate center, all applicable unused numbering resources. It is, further,

{¶ 9} ORDERED, That a copy of this Entry be served upon CBET.

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 ordering CBET'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, CBET 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.