

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 April 5, 2017

{¶ 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 31, 2017, Cincinnati Bell Extended Territories LLC (CBET) filed a petition for review of a decision of the PA. In its filing, CBET represents that on March 9, 2017, it submitted a request to the PA for an NXX in the Dayton rate center to establish a Location Routing Number (LRN)¹ for a new soft switch that it is deploying. 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} CBT explains that the new soft switch will replace an existing switch that is being decommissioned. Although the existing switch will eventually be decommissioned, this cannot be done until the new switch is turned up and all lines on

¹ A Location Routing Number is the ten-digit (NPA-NXX-XXXX) number assigned to a switch and is used for routing in a local number portability environment. An LRN is required for each LATA served by the switch.

the existing switch are ported to the new switch. CBET plans to begin moving subscribers to the new switch by the end of the second quarter of 2017 and expects the transition to be completed by mid-2018. Because the two switches will be deployed simultaneously during the transition, CBET requires a unique LRN for the new switch. CBET states that it will utilize the "0" thousand-block from the new NXX for purposes of establishing the LRN, and return the remaining blocks to the number pool in the Dayton rate center. CBT will be able to port numbers from its existing numbering resources to the new switch once an LRN is assigned for the switch, so CBET does not anticipate the need for additional numbering resources for this switch beyond this initial request. All of the numbers assigned to the existing switch will be ported to the new switch before the old switch is retired. Once the transition to the new switch is complete and the old switch is decommissioned, CBET will be able to return the thousands-block from which the existing LRN is assigned to the pooling administrator.

{¶ 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 CBET'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 CBET's need for the numbering resources it has requested, as described in its petition, in order to establish an LRN for a new soft switch that it is deploying in the Dayton rate center. 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 to CBET the requested numbers for its use in establishing an LRN for its new soft switch in the involved rate center. 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

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

4/5/2017 1:56:23 PM

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 be 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.