

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

| | | |
|-------------------------------------------------|---|------------------------|
| In the Matter of the Commission's Consideration |) | |
| Of Telephone Safety Valve Requests and Other |) | Case No. 10-884-TP-UNC |
| Number Resource Related Filings |) | |

**PETITION FOR REVIEW OF TDS TELECOM ON BEHALF OF LITTLE MIAMI
TELEPHONE COMMUNICATIONS CORPORATION
OF A DECISION OF NEUSTAR – POOLING ADMINISTRATOR DENYING A
REQUEST FOR NUMBERING RESOURCES**

Pursuant to Section 52.15(g)(3)(iv) of Title 47 of the Code of Federal Regulations ("C.F.R."), TDS Telecom on behalf of Little Miami Telephone Communications Corporation ("Little Miami") hereby petitions the Public Utilities Commission of Ohio ("Commission") to reverse a decision of the Pooling Administrator ("PA" or "Neustar") denying Little Miami's request for numbering resources in the Fayetteville rate center for the reasons set forth below.

On June 15, 2017, Little Miami submitted a request to Neustar for a one-thousand-number block in accordance with current guidelines, including the months-to-exhaust ("MTE") certification procedures established in the Central Office Code Assignment Guidelines. As part of a Connect America Fund broadband project, Little Miami is installing a new Metaswitch which will eventually replace the existing legacy switch. In order to conduct an orderly transition to this new platform, Little Miami requires the use of numbering resources, specifically a Local Routing Number ("LRN"), that will allow these switches to coexist with the legacy equipment. Once the transition is complete, Little Miami intends to return this number block to the PA pool for reuse elsewhere in the State.

On June 15, 2017, Little Miami's request for the additional numbers was denied by Neustar because Little Miami does not meet the utilization threshold necessary in order to obtain

numbering resources. The Federal Communications Commission ("FCC") requires a Months-To-Exhaust ("MTE") of six months or less, and Little Miami is now at 274.10 months for the Fayetteville rate center.

The FCC's rules set forth the instant procedure for state commission review of a denial of a numbering resource request. 47 C.F.R. § 52.15(g)(3)(iv). The FCC's rules allow a state commission to "overturn the NANPA's decision to withhold numbering resources from the carrier based on its determination that the carrier has demonstrated a verifiable need for numbering resources and has exhausted all other available remedies." 47 C.F.R. § 52.15(g)(4). The FCC Report and Order adopting this rule elaborates as follows:

We therefore clarify that states may also grant relief if a carrier demonstrates that it has received a customer request for numbering resources in a given rate center that it cannot meet with its current inventory. Carriers may demonstrate such a need by providing the state with documentation of the customer request and current proof of utilization in the rate center. States may not accommodate requests for specific numbers (i.e., vanity numbers), but may grant requests for customers seeking contiguous blocks of numbers.

Third Report and Order and Second Order on Reconsideration, Number Resource Optimization, FCC 01-362, CC Docket Nos. 96-98 and 99-200, ¶ 64 (December 28, 2001).

Because Little Miami does not meet the PA utilization guidelines needed to obtain a new LRN in Fayetteville, Ohio, it is requesting waiver in the form of an administrative order from the Commission. Little Miami is committing to return the LRN and all associated number blocks to PA once the company has completed the full migration and decommissioning of the legacy switch. Upon completion of the migration, Little Miami will return this new code to Neustar and the number pooling administrator.

Little Miami is anticipating the full migration and decommission of the legacy switch within five years of implementation of the new switch. If unforeseen circumstances arise and Little Miami does not meet this deadline, it will request an extension from the Commission.

Little Miami is requesting a full code be assigned and will retain all 10 blocks to prevent contamination and assignment of numbers within the 513-999. Little Miami will only use numbers for LRN and testing purposes and will ensure all other numbers are blocked so a smooth relinquishment of the 513-999 can happen when the existing legacy switch is decommissioned. This approach will prevent other blocks from being assigned to other carriers and will help ensure the code can be repurposed in the future in another rate center within the NPA boundary.

This installation of the Metaswitch represents a significant investment in Ohio and Little Miami hopes the Commission will support these investments by granting this waiver request.

Copies of the thousand-block application, the Months-To-Exhaust certification, and the Neustar's denial are attached and incorporated herein as Exhibits A, B and C, respectively.

Respectfully submitted,

/s/ Frank P. Darr (Sup. Ct. No. 0025469)
McNees Wallace & Nurick
21 East State Street
Columbus, Ohio 43215
Telephone: 614-469-8000
Fax: 614-469-4653
fdarr@mcneeslaw.com

Counsel of Record for TDS

EXHIBIT A

Central Office Code Assignment Guidelines (COCAG)
Central Office Code (NXX) Assignment Request-Part 1

Revised: January 4, 2016

Tracking
Number: **513-FAYETTEVL-OH-1021613**

Full NXX: LRN

Type of
Application: ☒ New ☐ Change¹ ☐
Delete

1.0 GENERAL INFORMATION

1.1 Contact Information:

Code Applicant:

Company/Entity
Name: **LITTLE MIAMI COMMUNICATIONS CORP.**

Headquarters
Address: **525 Junction Rd**

City, State, Zip: **Madison, WI, 53717**

Contact Name: **Paul Nejedlo**

Contact
Address: **525 Junction Rd**

City: **Madison** State: **WI** ZIP: **53717**

Phone: **608-664-4659** Fax :

E-mail: **paul.nejedlo@tdstelecom.com**

Code Administrator:²

Name: **Patricia Soderland**

Address: **21575 Ridgetop Circle**

City: **Sterling** State: **VA** ZIP: **20166**

Phone: **571-434-5348** Fax : **571-434-5502**

1.2 NPA: **513** NXX:³ LATA: **922** OCN:⁴**0613**
Parent Company's OCN(s) **0881**

Switching Identification (Switching Entity/POI) ⁵**FYVLOHXAGT0**

Locality/City/Wire Center:**FAYETTEVILLE**

Rate

Center:⁶**FAYETTEVL**

Homing Tandem Operating Co.⁷:**CINCINNATI BELL**

Tandem Homing
CLLI^{TM8}:**CNCNOHWS03T**

1.3 DatesDate of Application: 06/15/2017Requested Effective
Date:^{9,10}12/14/2017

☐ By selecting this checkbox, I acknowledge that I am requesting the earliest possible effective date the Administrator can grant. Please note that this only applies to a reduction in the Administrator's processing time, however the request will still be processed in the order received.

Request Expedited Treatment Yes _____ No X

Expedite Documentation must be provided if "Request Expedite" = Yes

Expedited Explanation:

1.4 a) Type of Company/Entity Requesting Code (LEC, IC, CMRS, Other): Incumbent Local Exchange Carrier (ILEC)b) Type of service (e.g., Cellular - Type 2): Wirelinec) Code Assignment Preference (Optional) 513-999

d) Codes that are undesirable, if any _____

e) Type of Change (Mark all that apply)

☐ OCN-Intra-company¹¹ ☐ Switching Id ☐ Rate Center ☐ Tandem Homing
CLLI☐ OCN-Inter-company¹² ☐ Effective Date ☐ LATA ☐ Extend Reservations1.5 Type of Request (Initial, growth, etc.) Growth

If an initial code, attach (1) evidence of certification and (2) proof of ability to place code in service within 60 days. If a growth code, attach months to exhaust worksheet.

Pooling Indicator: ¹³ ☒ Yes ☐ No1.6 NPA Jeopardy Criteria Apply: ☐ Yes ☐ No1.7 Code request for new service (Explain): LRN NEEDED FOR NEW SWITCH BEING
INSTALLED

1.8 It is the code applicant's responsibility to arrange input of Part 2 information into BIRRDS. The 45-calendar day nationwide minimum interval cut-over for BIRRDS will not begin until input into BIRRDS has been completed.

Comments:

I hereby certify that the above information requesting an NXX code is true and accurate to the best of my knowledge and that this application has been prepared in accordance with Central Office Code (NXX) Assignment Guidelines posted to the ATIS web site (<http://www.atis.org/inc/incguides.asp>) as of the date of this application¹⁴.

Paul Nejedlo

Signature of Code Applicant

Sr. Administrator

Title

06/15/2017

Date

¹Identify type and reason for change(s) in Section 1.4(e).

²A list of the current Code Administrator(s) who can provide assistance in completing this form is available upon request from NANPA.

³The NXX field is required for any code request in which there is a change or the NXX is being returned.

⁴Operating Company Number (OCN) assignments must uniquely identify the applicant. Relative to CO Code assignments, NECA-assigned Company Codes may be used as OCNs. Companies with no prior CO Code or Company Code assignments may contact NECA (800-228-8597) to be assigned a Company Code(s). Since multiple OCNs and/or Company Codes may be associated with a given company, companies with prior assignment should direct questions regarding appropriate OCN usage to the iconectiv TelcordiaTM Routing Administration (TRA) on 732-699-6700.

⁵This is an 11 character descriptor of the switch provided by the owning entity for the purpose of routing calls. This is the 11 character Common Language[®] Location Code (CLLITM Code) of the applicant's switch or POI. Common Language[®] and Telcordia[®] are registered trademarks and CLLITM, LERGTM Routing Guide and iconectivTM are trademarks and the Intellectual Property of Telcordia Technologies, Inc. dba iconectiv.

⁶Rate Center name must be a tariffed Rate Center associated with toll billing.

⁷Applies to any code applicant connecting to the Public Switched Telephone Network via a tandem owned by a different carrier.

⁸This is an eleven-character descriptor provided by the owning entity for the purpose of routing calls. This must be the CLLITM Location Identification Code of the switching entity/POI, and is the same on Part 2, Form 1, Page 2 of 2.

⁹Code applicants should request an effective date that is at least 66 calendar days from the submission of this form. It should be noted that interconnection arrangements and facilities

need to be in place prior to activation of a code. Such arrangements are outside the scope of these guidelines.

¹⁰Requests for code assignment shall not be made more than six months prior to the requested effective date.

¹¹Select if you are the current Code Holder

¹²Select if you are not the current Code Holder

¹³The Applicant will indicate "YES" if the NXX being requested will be used for thousands-block number pooling and will leave this field blank if it is not.

¹⁴An incomplete form may result in delays in processing this request.

Tracking Number: 513-FAYETTEVL-OH-1021613

Thousands-Block Application Form - Part 1A

Revised: January 4, 2016

Full NXX: LRN

Type of Application: ☒ New ☐ Change ⁱ ☐ Disconnect

General Application Information

1.1 Contact Information:

Block Applicant:

Company Name: LITTLE MIAMI COMMUNICATIONS CORP.Headquarters Address: 525 Junction RdCity: Madison State: WI ZIP: 53717Contact Name: Paul NejedloContact Address: 525 Junction RdCity: Madison State: WI ZIP: 53717Phone: 608-664-4659

Fax:

E-mail: paul.nejedlo@tdstelecom.comPooling Administrator:ⁱⁱContact Name: Agnes RomContact Address: 1800 Sutter StCity: Concord State: CA ZIP: 94520Phone: 925-363-7650 Fax: 925-363-7681E-mail: agnes.rom@neustar.biz

1.2 General Information:

Check one : No LRN needed _____ LRN neededⁱⁱⁱ: XNPA: 513 LATA: 922 OCN^{iv}: 0613 Parent Company's OCN 0881Number of Thousands-Blocks Requested : 1Switch Identification (Switching Entity/POI^v): FYVLOHXAGT0

Rate Center^{vi}: FAYETTEVL

1.3 Dates:

Date of Application^{vii}: 06/15/2017 Requested Effective Date^{viii}:
12/14/2017

Requested Expedited Treatment? (See Section 8.6) Yes _____ No X

☐ By selecting this checkbox, I acknowledge that I am requesting the earliest possible effective date the Administrator can grant. Please note that this only applies to a reduction in the Administrator's processing time, however the request will still be processed in the order received.

1.4 Type of Service Provider Requesting the Thousands-Block :

- a) Type of Service Provider : Incumbent Local Exchange Carrier (ILEC) (LEC, IXC, CMRS, Other)
- b) Primary Type of Service Blocks to be used for : Wireline
- c) Thousands-Block(s) (NXX-X) assignment preference (Optional) 513-999
- d) Thousands-Block(s) (NXX-X) that are undesirable for this assignment , if any _____
- e) If requesting a code for LRN purposes, indicate which block(s) you will be keeping (the remainder of the blocks will be given to the pool) 513-xxx-1,

1.5 Type of Request:

Initial block for rate center : Yes _____ If Yes, attach evidence of authorization and proof of capability to provide service within 60 days.

Growth block for rate center : Yes X If Yes, attach months to exhaust worksheet

☐ By selecting this checkbox, I acknowledge that I am willing to accept a block in red and explicitly understand that the underlying CO code may not yet be activated in the PSTN and loaded in the NPAC on the block effective date.

Type of change (Mark all that apply)

☐ OCN: Intra-company^{ix} ☐ Switching Id ☐ Part 1B

☐ OCN: Inter-company^x ☐ Effective Date

Change block : Yes _____ If Yes, list NPA-NXX-X _____

1.6 Block Return :

- a) Is this block Contaminated: Yes ____ No ____
- b) If Yes how many TNs are NOT available for assignment : ____
- c) Have all new Intra SP ports been completed in the NPAC: Yes ____ No ____
- d) Has this block been protected from further assignment: Yes ____ No ____

Disconnect block : Yes ____ If Yes, list NPA-NXX-X ____

Remarks:

I hereby certify that the above information requesting an NXX-X block is true and accurate to the best of my knowledge and that this application has been prepared in accordance with the Thousands-Block (NXX-X) Pooling Administration Guidelines ATIS-0300066 available on the ATIS web site (www.atis.org/inc) or by contacting inc@atis.org as of the date of this application.

Paul Nejedlo

Signature of Block Applicant

Sr. Administrator

Title

06/15/2017

Date

Instructions for filling out each Section of the Part 1A form:

Section 1.1 Contact information requires that Service Providers supply under "Block Applicant" the company name, company headquarters address, a contact within the company, an address where the contact person may be reached, in addition to the correct phone, fax, and e-mail address. The Pooling Administrator section also requires the Service Provider to fill in the Pooling Administrator's name, address, phone, fax and e-mail.

Section 1.2 Service Providers who need a thousands-block assignment or for an Location Routing Number (LRN) are required to fill in this section. If needed for an LRN, a CO Code Application needs to also be submitted to the PA. The Service Provider should supply the Numbering Plan Area (NPA); the Local Access Transport Area (LATA), which is a three-digit number that can be found in the Telcordia Technologies, Inc. dba iconectiv (iconectivTM) LERGTM Routing Guide^{xi}. The Operating Company Number (OCN) assigned to the service provider and the OCN of its parent company. An OCN is a four-character alphanumeric NECA-assigned Company Code or a four-character alphanumeric identifier assigned by the iconectivTM Telecom Routing Administration (TRA). In addition, the number of thousands-blocks requested should be supplied. The Switch Identification. Explanations of these terms may be found in the footnotes.

Section 1.3 The date the Service Provider completes the application should be entered in this section, as well as the Effective Date of the requested thousands-block.

Section 1.4 Service Providers should indicate their type, e.g., local exchange carrier, competitive local exchange carrier, interexchange carrier, CMRS or VoIP. Also indicate the primary type of business in which the numbering resource is to be used. Service Providers may indicate their preference for a particular thousands-block, e.g., 321-9XXX, or indicate any thousands-blocks that may be undesirable, e.g., 321-6XXX.

Section 1.5 Service Providers indicate the type of request. Initial requests are for first applications for thousands-blocks in a rate center, growth for additional thousands-blocks in a rate center in which the applicant already has numbering resources, and provide the required evidence as ordered by the FCC.

Section 1.6 Service Providers must indicate the updated/current information in regards to contaminated TNs on the block they are returning to the pool. Blocks with over 10% contamination (101 TNs or more) shall not be returned to the pool except when a service provider is exiting the market or is exchanging a block that was identified as being over 10% contaminated. If the block being returned is over 10% contaminated, the PA shall seek a new block holder. If question c and/or d have a response of No, the request for return shall be denied.

The thousands-block applicant certifies veracity of this form by signing their name, and providing their title and date.

Footnotes:

ⁱIdentify the type of change(s) in Section 1.5.

ⁱⁱThe Pool Administrator is available to assist in completing these forms.

ⁱⁱⁱA CO Code application will also need to be submitted to the PA.

^{iv}Operating Company Number (OCN) assignments must uniquely identify the applicant. Relative to CO Code assignments, NECA-assigned Company Codes may be used as OCNs. Companies with no prior CO Code or Company Code assignments should contact NECA (800 524-1020) to be assigned a Company Code(s). Since multiple OCNs and/or Company Codes may be associated with a given company, companies with prior assignments should direct questions regarding appropriate OCN usage to TRA (732-699-6700).

^vThis is an eleven-character descriptor of the switch provided by the owning entity for the purpose of routing calls. This is the 11 character CLLITM Code of the switch /POI.

^{vi}Rate Center name must be a tariffed Rate Center.

^{vii}Acknowledgment and indication of disposition of this application will be provided to applicant within seven calendar days from the date of receipt of this application. An incomplete form may result in delays in processing this request.

^{viii}Please ensure that the NPA-NXX of the LRN to be associated with this block(s) is/will be active in the PSTN prior to the effective date of the block(s).

^{ix}Select if you are the current Block Holder.

^xSelect if you are not the current Block Holder

^{xi}Common Language[®] and Telcordia[®] are registered trademarks and CLLITM, LERGTM Routing Guide and iconectivTM are trademarks and the Intellectual Property of Telcordia Technologies, Inc. dba iconectiv.

EXHIBIT B

Thousands-Block Number Pooling Administration Guidelines (TBPA) - Appendix 3

Revised: January 4, 2016

MONTHS TO EXHAUST and UTILIZATION CERTIFICATION WORK SHEET - TN Level¹
(Thousands-Block Number Pooling Growth Block Request)Tracking Number: 513-FAYETTEVL-OH-1021613Date: Thursday, June 15, 2017OCN: 0613Company Name: LITTLE MIAMI COMMUNICATIONS CORP.Rate Center: FAYETTEVLList all Codes NPA(s)-NXX(s) and Blocks NPA(s)-NXX-X(s)²: 513-875-2, 3, 4, 5Name of Block Applicant: Paul NejedloSignature: Paul NejedloTitle: Sr. AdministratorPhone: 608-664-4659-

Fax:

E-Mail: paul.nejedlo@tdstelecom.comA. Available Numbers: 2741B. Assigned Numbers: 1259C. Total Numbering Resources: 4000D. Quantity of numbers activated in the past 90 days (increments of 1,000 or 10,000) and excluded from the Utilization calculation ³: 0List
Excluded
Code(s) or
Block(s):

| Month | Month | Month | Month | Month | Month | Month | Month | Month | Month | Month | Month | Month |
|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | |

| | | | | | | |
|---------------------|----------|----------|----------|----------|-----------|-----------|
| E. Growth History - | <u>5</u> | <u>3</u> | <u>5</u> | <u>7</u> | <u>14</u> | <u>11</u> |
|---------------------|----------|----------|----------|----------|-----------|-----------|

Previous 6
months⁴

F. Forecast

- Next 12 months⁵ 10 10 10 10 10 10 10 10 10 10 10

G. Average Monthly Forecast (Sum of months # 1-6 (Part F above) divided by 6): 10.0

H. Months
to Exhaust⁶
=

Numbers Available for Assignment to
Customers (A)

Average Monthly Forecast (G)

Block Requested

1

Available Numbers

2741

Months To Exhaust

274.10

I.

Utilization⁷
=

Assigned Numbers (B)

X 100 =

31.475

Total Numbering Resources (C)-Excluded
Numbers (D)

Explanation: _____

¹A copy of this worksheet is required to be submitted to the Pooling Administrator when requesting additional numbering resources in a rate center. For auditing purposes, the applicant must retain a copy of this document.

²Report on all resources for the requested geographic area, including newly acquired blocks/codes.

³Quantity of numbers activated in the past 90 days is based on blocks and/or codes received from the administrator and shall be reported in increments of 1,000 or 10,000 TNs (e. g.: 2 blocks received=2,000 and 1 code received =10,000).

⁴Net change in TNs no longer available for assignment in each previous month, starting with the most distant month as Month 1, and Month 6 as the current month.

⁵Forecast of TNs needed in each following month, starting with the most recent month as Month 1.

⁶To be assigned an additional thousands-block (NXX-X) for growth, "Months to Exhaust" must be less than or equal to 6 months. (47 CFR § 52.15 (g) (4) (iii)).

⁷Newly acquired numbers may be excluded from the Utilization calculation (47 CFR § 52.15 (g)(4)
(ii))

EXHIBIT C

Thousands-Block Number Pooling Administration Guidelines
(TBPAG) - Part 3

Revised: January 4, 2016

Pooling Administrator's Response/Confirmation

Tracking Number : 513-FAYETTEVL-OH-1021613

Date of Application: 06/15/2017 Effective Date: _____

Date of Receipt: 06/15/2017 Date of Response: 06/15/2017

Service Provider Name: LITTLE MIAMI COMMUNICATIONS CORP.

(LERGTM Routing Guide¹) 0613

OCN: _____

Parent Company OCN: 0881

NPAC SOA SPID : _____

Pooling Administrator Contact Information:

Agnes Rom Phone: 925-363-7650

Signature of Pooling Administrator

Agnes Rom Fax: 925-363-7681

Name (print) _____

Email: agnes.rom@neustar.biz

 NPA-NXX or
NPA-NXX-X :

Block Assigned: _____

Block Reserved : _____

Block Reservation

Expiration Date : _____

Block/Code

Modified : _____

Block/Code

Disconnected : _____

Block Contaminated (Yes or No): _____

If yes, enter the number of TNs contaminated
(1-1000): _____

Switch Identification (Switching/POI)²: FYVLOHXAGT0

Rate Center: FAYETTEVL

☒ Form complete, request denied.

Explanation:

DR-57: You do not meet the MTE and/or Utilization requirements, therefore this request for a new code is denied. You may proceed with requesting a State Waiver from the appropriate state commission using this Part 3 denial. If you are in disagreement with the disposition of this request, please refer to the Thousands-Block Number (NXX-X) Pooling Administration Guidelines for the appeals process.

☐ Request Withdrawn.

Explanation:

☐ Assignment Activity Suspended by Administrator.

Explanation:

Remarks:

¹ Telcordia® is a registered trademark and LERG™ Routing Guide and iconectiv™ are trademarks and the Intellectual Property of Telcordia Technologies, Inc. dba iconectiv.

² This is an eleven-character descriptor provided by the owning entity for the purpose of routing calls. This must be the Common Language® Location Code (CLLI™ Code) of the switching entity/POI shown on the Part 1A form. Common Language® is a registered trademark and CLLI is a trademark and the Intellectual Property of Telcordia Technologies, Inc. dba iconectiv.

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

6/30/2017 10:15:19 AM

in

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

Summary: Petition for Review of TDS Telecom on Behalf of Little Miami Telephone Communications Corporation of a Decision of Neustar - Pooling Administrator Denying a Request for Numbering Resources electronically filed by Mr. Frank P Darr on behalf of TDS Telecom