

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 1, 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 June 30, 2017, TDS Telecom, on behalf of Oakwood Telephone Company (Oakwood), filed a petition for review of a decision of the PA. In its filing, Oakwood represents that on June 13, 2017, it submitted a request to the PA for one new NXX code in the Oakwood rate center. According to the attachments accompanying Oakwood's petition for review, the PA refused to grant Oakwood's request because Oakwood does not meet the utilization criteria established by the FCC.

{¶ 3} Oakwood explains that, as part of a Connect America Fund broadband project, it is installing, in the Oakwood rate center, a new Metaswitch which will eventually replace the existing legacy switch that is now there. Oakwood submits that it needs a new NXX code for the Oakwood rate center, in order to establish the local routing number (LRN) for the new switch, so that, during the switch replacement transition period, both the legacy switch and the new switch will coexist with the legacy equipment already in place in the involved rate center. Oakwood commits to returning to the PA, once the company has completed the full migration and decommission of the legacy

switch, the entire new NXX code it now seeks – including both the LRN and all associated number blocks, for reuse elsewhere. Oakwood anticipates that the full migration and decommission of the legacy switch will occur within five years of implementation of the new switch. Nevertheless, if unforeseen circumstances arise and Oakwood does not meet this deadline, it will request an extension.

{¶ 4} Oakwood is requesting that a full code be assigned and will retain all 10 blocks of the new NXX code throughout the entire transition period. However, in order to prevent contamination and assignment of numbers within the newly assigned NXX code, Oakwood will only use numbers for the LRN and testing purposes and will ensure that all other numbers are blocked so that a smooth relinquishment of the entire assigned code now being assigned can happen after the existing legacy switch is decommissioned. This approach will prevent other blocks from being assigned to other carriers and will help ensure the entire code can be repurposed in the future in another rate center.

{¶ 5} 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.

{¶ 6} After a review of Oakwood'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 Oakwood's need, in the involved rate center, for a new NXX code to establish a LRN for use during the transition period that will occur as a new Metaswitch is installed to replace the existing legacy switch now in use in the Oakwood rate center. For this reason, the attorney examiner finds that the PA's decision to deny Oakwood's petition for additional numbering resources in the Oakwood rate center should be overturned and NANPA should assign a new NXX code that meets Oakwood's needs in establishing, for use during the transition period, an LRN for its new switch. Oakwood is directed to return to the PA

pool, once the company has completed the full migration and decommission of the legacy switch, the entire NXX code it has sought – including both the LRN and all associated number blocks. Oakwood is also directed, in the meantime, to regularly update the Commission on the status of the migration and decommission. To accomplish this, Oakwood shall file in this docket, a periodic series of letters, each updating the Commission on the project's then-current status, every six months, beginning six months from the date of this Entry, and continuing until such time as the legacy switch is decommissioned and the NXX code is returned to the PA

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That Oakwood's request to overturn the PA's decision to withhold the requested numbering resources is granted as described in Paragraph (6). It is, further,

{¶ 9} ORDERED, That, once the company has completed the full migration and decommission of the legacy switch, Oakwood shall return to the PA pool, for use elsewhere, the entire new NXX code it has sought – including both the LRN and all associated number blocks. It is, further,

{¶ 10} ORDERED, That, Oakwood is directed to regularly update the Commission on the status of the migration and decommission, every six months, until the legacy switch is decommissioned and the entire code now being assigned is returned to the PA. It is, further,

{¶ 11} That a copy of this Entry be served upon Oakwood.

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

8/1/2017 2:57:10 PM

in

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

Summary: Attorney Examiner Entry granting a request to review and overturn the Pooling Administrator's earlier decision to deny numbering resources. Entry electronically filed by Debra Hight on behalf of Daniel E. Fullin, Attorney Examiner.