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)	

WINDSTREAM WESTERN RESERVE, LLC'S MOTION FOR REVIEW OF DECISION OF NEUSTAR – POOLING ADMINISTRATOR

Pursuant to 47 CFR § 52.15(g)(3)(iv), Windstream Western Reserve, LLC ("Windstream") hereby moves the Public Utilities Commission of Ohio ("Commission") to review a decision of the Pooling Administrator ("PA" or "Neustar") denying Windstream's request for numbering resources in the Peninsula rate center. For the reasons set forth below, Windstream respectfully requests that the Commission overturn the PA's decision and direct it to assign the requested one-thousand-number block for the rate center to Windstream.

Windstream submitted a request to Neustar on March 16, 2018, 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. Windstream is deploying a new packet switch as a result of a project funded by the Federal Communications Commission's Connect America Fund Phase 2 ("CAF2"). Windstream needs a one-thousand-number NXX block for the rate center to establish the local routing number for the new switch. It does not have any one-thousand-number blocks available in its inventory to transfer to the new switch.

Windstream's request for the additional numbers was denied by Neustar because Windstream does not meet the utilization threshold necessary in order to obtain numbering

Resources. The Federal Communications Commission ("FCC") requires an MTE of six months or less and Windstream is now at:

Peninsula	2,382 months

The FCC's rules set forth the instant procedure for state commission review of a denial of a numbering resource request. 47 CFR § 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 CFR § 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).

This Commission has the authority to overturn the PA's decision when a carrier demonstrates that it cannot meet a customer need for a contiguous block of numbers from its current inventory. Windstream does not have the inventory for one-thousand consecutive numbers in the Peninsula rate center to be able to continue to offer reliable service to its customers. A copy of the thousand-block application, the MTE certification, and the Neustar's denial are attached and incorporated herein as Exhibits A, B, and C, respectively.

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For the reasons set forth herein, Windstream respectfully requests that the Commission overturn Neustar's denial and direct Neustar to allocate to Windstream the requested additional one-thousand-number block.

Respectfully submitted,

/s/ William A. Adams

William A. Adams, Counsel of Record BAILEY CAVALIERI LLC 10 West Broad Street, Suite 2100 Columbus, OH 43215-3422 (614) 229-3278 (telephone) (614) 221-0479 (fax) wadams@baileycav.com Attorneys for Windstream Western Reserve, LLC

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

Revised: January 4, 2016

T 1.			
Tracking Number:	330-PENINSULA-OH-1080074		
rvamoer.	Full NXX: LRN		
Type of	✓ New Change ¹		
Application:	Delete		
1.0 GENERAL	INFORMATION		
1.1 Contact Info	ormation:		
Code Applicant	<u>:</u>		
Company/Entity Name:	WINDSTREAM WESTERN RESER	RVE, INC.	
Headquarters Address:	4001 RODNEY PARHAM ROAD		
City, State, Zip:	LITTLE ROCK, AR, 72212		
Contact Name:	MARY RICHARDS		
Contact Address:	301 N MAIN STREET		
City:	GREENVILLE	State: SC	ZIP: 29609
Phone:	864-672-5329	Fax:	
E-mail:	MARY.RICHARDS@WINDSTREA	M.COM	
Code Administr	ator: ²		
Name:	Patricia Soderland		
Address:	21575 Ridgetop Circle		
City:	Sterling	State: VA	ZIP: 20166
Phone:	<u>571-434-5348</u>	Fax: 434- 5502	
1.2 NPA: 330	NXX: ³ LATA: <u>325</u> Parent Company's O	OCN: ⁴ <u>066</u> CN(s) <u>G118</u>	<u>66</u>
Switching Ident 5 PNSLOHXAPSO	ification (Switching Entity/POI)	.,	
Locality/City/Wire Center:		Rate	
Documey/City/ W	no center.		Center: 6 PENINSULA
Homing Tander	n Operating Co 7:AT&T		m Homing
Homing Tandem Operating Co. 7: AT&T		CLLI ^T	^{M8} :NRFDOHXA01T

1.3	<u>Dates</u>	Requested Effective
Date	of Application: 03/16/2018	Date: 9,10
		05/21/2018
effect reduc	y selecting this checkbox, I acknowledge the cive date the Administrator can grant. Please tion in the Administrator's processing time, ssed in the order received.	note that this only applies to a
-	est Expedited Treatment Yes X Notes	
	dited Explanation: WINDSTREAM IS I	
1.4 <u>Incun</u>	a) Type of Company/Entity Requesting nbent Local Exchange Carrier (ILEC)	Code (LEC, IC, CMRS, Other):
	b) Type of service (e.g., Cellular - Type 2)):Wireline
	c) Code Assignment Preference (Optional)
	d) Codes that are undesirable, if any	
	e) Type of Change (Mark all that apply)	
	☐ OCN-Intra-company ¹¹ ☐ Switching Homing CLLI	g Id Rate Center Tandem
	☐ OCN-Inter-company ¹² ☐ Effective Reservations	Date LATA Extend
1.5	Type of Request (Initial, growth, etc.)	<u>Growth</u>
	initial code, attach (1) evidence of certification in service within 60 days. If a growth code,	
P	Pooling Indicator: ¹³ ✓ Yes □ No	
1.6	NPA Jeopardy Criteria Apply:	No
1.7 PROJ	Code request for new service (Explain): CA	F2 NEW SWITCH DEPLOYMENT

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 application ¹⁴.

MARY RICHARDS

CODE ADMINISTRATOR 03/16/2018
Title Date

Signature of Code Applicant

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 <u>not</u> 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: 330-PENINSULA-OH-1080074

Thousands-Block Application Form - Part 1A Revised: January 4, 2016

Full NXX: LRN

Type of Application:	✓ New	Change i	Disconnect	t
1.1 Contact I		ral Application In	formation	
Block Applic	ant:			
Company Name:	Company WINDSTREAM WESTERN RESERVE INC			
Headquarters Address:	4001 RODNEY PA	ARHAM ROAD		
City:	LITTLE ROCK	State:	AR	ZIP: <u>72212</u>
Contact Name:	MARY RICHARD	<u>s</u>		
Contact Address:	301 N MAIN STR	<u>EET</u>		
City:	GREENVILLE	State:	<u>sc</u>	ZIP: 29609
Phone: <u>864-</u>	<u>672-5329</u>	Fax:		
E-mail: MAR	Y.RICHARDS@W	INDSTREAM.COM	<u>n</u>	
Pooling Adm	inistrator: ⁱⁱ			
Contact Name:	Agnes Rom			
Contact Address:	1800 Sutter St			
City:	Concord	State:	<u>CA</u>	ZIP: <u>94520</u>
Phone:	925-363-7650	Fax: 925-363-768	<u>81</u>	
E-mail: agnes.rom@neustar.biz				
1.2 General Information:				
Check one: 1	No LRN needed _	LRN neede	d ⁱⁱⁱ : x	

NPA: 330 LATA: 325 OCN ^{iv} : 0666 Parent Company's OCN G118
Number of Thousands-Blocks Requested : 1
Switch Identification (Switching Entity/POI ^v): PNSLOHXAPS0
Rate Center ^{vi} : PENINSULA
1.3 Dates:
Date of Application ^{vii} : Requested Effective Date ^{viii} :
Requested Expedited Treatment? (See Section 8.6) YesXNo Expedited Explanation: WINDSTREAM IS ITS OWN AOCN
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: <u>Incumbent Local Exchange Carrier (ILEC)</u> (LEC, IXC, CMRS, Other)
b) Primary Type of Service Blocks to be used for : Wireline
c) Thousands-Block(s) (NXX-X) assignment preference (Optional)
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)
1.5 Type of Request:
Initial block for rate center: YesIf Yes, attach evidence of authorization and proof of capability to provide service within 60 days.
Growth block for rate center: YesXIf 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-compa	ny ^{ix} Switching Id Part 1B	
OCN: Inter-compa	any ^x Effective Date	
Change block: YesI	f Yes, list NPA-NXX-X	
1.6 Block Return:		
a) Is this block Contaminate	d: Yes No	
b) If Yes how many TNs are	NOT available for assignment:	
c) Have all new Intra SP por	ts been completed in the NPAC: Yes _	No
d) Has this block been prote	cted from further assignment: Yes	_ No
Disconnect block : Yes	If Yes, list NPA-NXX-X	
Remarks:		
and accurate to the best of my prepared in accordance with the Administration Guidelines AT	information requesting an NXX-X blocknowledge and that this application has the Thousands-Block (NXX-X) Pooling IS-0300066 available on the ATIS web acting inc@atis.org as of the date of this	s been site
MARY RICHARDS	CODE ADMINISTRATOR	03/16/2018
Signature of Block Applicant	Title	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:

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

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

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

ivOperating 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.

viRate 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.

^x Select if you are <u>not</u> 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.



MTE Block Page 1 of 3

Thousands-Block Number Pooling Administration Guidelines (TBPAG) - 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: 330-PENINSULA-OH-1080074

Date: Friday, March Company Name: WINDSTREAM WESTERN

16, 2018 OCN: 0666 RESERVE, INC.

Rate Center: PENINSULA

List all Codes NPA(s)-NXX(s) and Blocks NPA(s)-NXX-X(s)²:330-657-1,2,9

Name of Block Applicant: MARY RICHARDS

Signature: MARY RICHARDS

Title: CODE ADMINISTRATOR Phone: 864-672-5329- Fax:

E-Mail: MARY.RICHARDS@WINDSTREAM.COM

A. Available Numbers: 2382

B. Assigned Numbers: <u>534</u>

C. Total Numbering Resources:3000

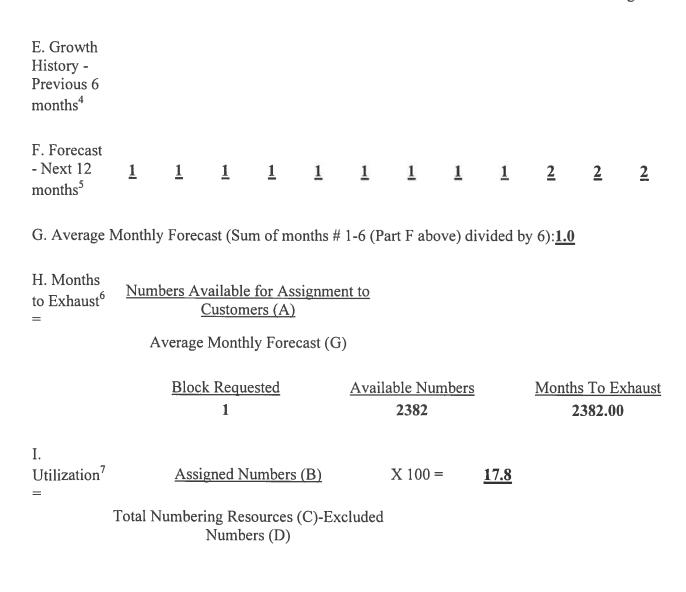
D. Quantity of numbers activated in the past 90 days (increments of 1,000 or 10,000) and excluded from the Utilization calculation ${}^3:\underline{\mathbf{0}}$

List Excluded Code(s) or Block(s):

Month Month

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

<u>-3</u> <u>0</u> <u>-1</u> <u>-12</u> <u>-1</u> <u>-6</u>



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))

ATIS-0300066.ap3 - Appendix 3

MONTHS TO EXHAUST and UTILIZATION CERTIFICATION WORKSHEET – TN Level ¹ (Thousands-Block Number Pooling Growth Block Request)

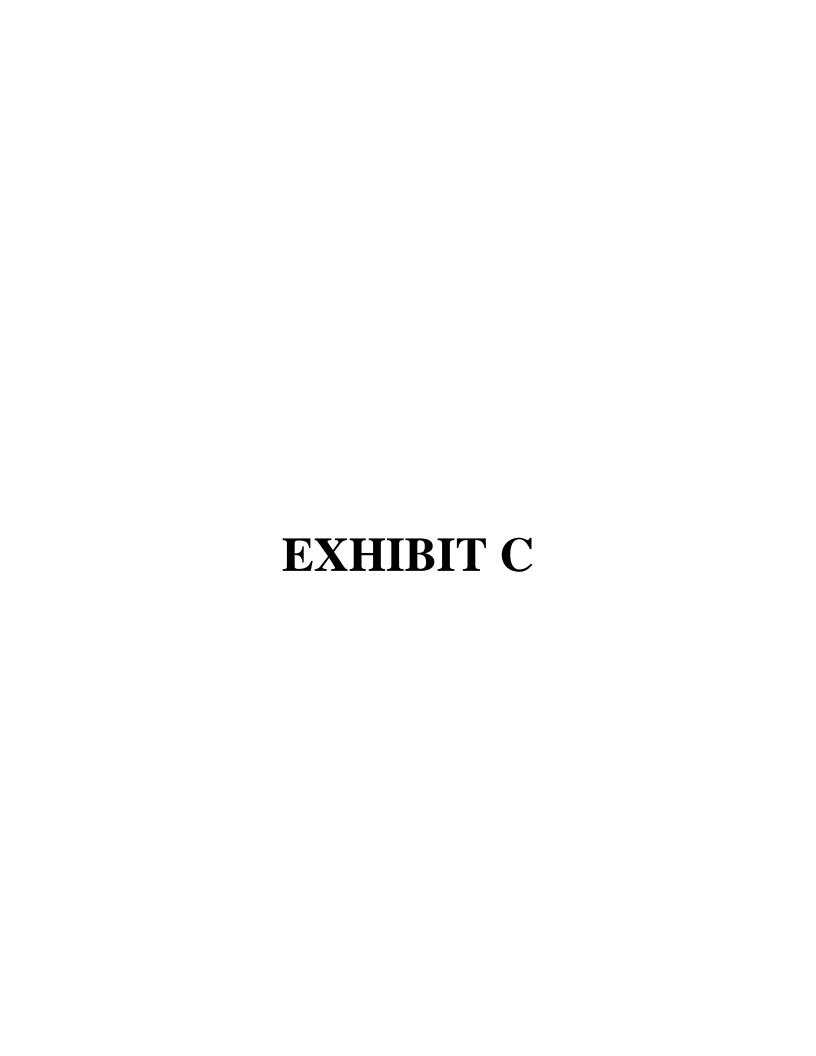
¹ A copy of this worksheet is required to be submitted to the Pooling Administrator when requesting additional numbering resources in a rate center. For auditing purposes, the applicant must retain a copy of this document.

² Net 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.

³ Forecast of TNs needed in each following month, starting with the most recent month as Month #1.

⁴ To be assigned an additional thousands-block (NXX-X) for growth, "Months to Exhaust" must be less than or equal to 6 months. (FCC 00-104, § 52.15 (g) (3) (iii)).

⁵ Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (g)(3)(ii))



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

Revised: January 4, 2016 Pooling Administrator's Response/Confirmation

Tracking Number:	330-PENINSU OH-1080074	LA-	
Date of Application:	03/16/2018	Effective Date:	
Date of Receipt:	03/16/2018	Date of Response:	03/16/2018
Service Provider Name:	WINDSTREAM	/I WESTERN RESERVE,	INC.
(LERG TM Routing Guide ¹) OCN:	0666		
Parent Company OCN:	G118		
NPAC SOA SPID :			***
Pooling Administrator C			
Agnes Rom		Phone:	925-363-7650
Signature of Pooling Ad		_	
Agnes Rom]	Fax:	925-363-7681
Name (print)			
Email:	-	ngnes.rom@neustar.biz	
NPA-NXX or NPA-NXX-X:		Block Assigned:	
		Block Reserved:	
		Block Reservation	
		Expiration Date : _	
		Block/Code Modified:	
		Block/Code Disconnected:	
Block Contaminate	ed (Yes or No):	-	
If yes, enter the nur contaminated (1-10	mber of TNs		
Switch Identification	,	OI) ² : PNSLOHXAPS0	

	Rate Center:	PENINSULA
X	Form complete, request	denied.
	Explanation:	
	this request for a new co State Waiver from the ap If you are in disagreeme	the MTE and/or Utilization requirements, therefore ode is denied. You may proceed with requesting a ppropriate state commission using this Part 3 denial. ent with the disposition of this request, please refer to umber (NXX-X) Pooling Administration Guidelines for
	Request Withdrawn.	
	Explanation:	
	Assignment Activity Su	spended by Administrator.
	Explanation:	
Rei	narks:	

¹ Telcordia[®] is a registered trademark and LERGTM Routing Guide and iconectivTM 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 (CLLITM 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

3/21/2018 9:23:12 AM

in

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

Summary: Motion for Review of Decision of Neustar-Pooling Administrator electronically filed by Mr. William A. Adams on behalf of Windstream Western Reserve, Inc.