

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE COMMISSION'S
CONSIDERATION OF TELEPHONE SAFETY
VALVE REQUESTS AND OTHER NUMBER
RESOURCES RELATED FILINGS.

CASE NO. 10-884-TP-UNC

ENTRY

Entered in the Journal on October 22, 2018

{¶ 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 15, 2017, TDS Telecom on behalf of Little Miami Telephone Communications Corporation (Little Miami) submitted a request to the PA for one new one-thousand numbers block in the Fayetteville, Ohio rate center. The June 15, 2017 request for additional numbers was denied by the PA because Little Miami did not meet the utilization criteria established by the FCC.

{¶ 3} On June 30, 2017, Little Miami filed a petition with the Commission for review of the PA's decision to deny its June 15, 2017 number resource request. Explaining the basis for its petition for review, Little Miami indicated that it needed the requested numbers-block in order to establish the local routing number (LRN) for the new Metaswitch it was installing in the Fayetteville rate center, as part of a Connect America Fund broadband project. The Metaswitch will eventually replace the existing legacy switch that is there now. However, during the switch replacement period, both the

legacy switch and the new switch will coexist with the legacy equipment already in place in the Fayetteville rate center.

{¶ 4} By attorney examiner's Entry issued August 1, 2017, Little Miami's request to overturn the PA's decision was granted.

{¶ 5} On October 18, 2018, Little Miami filed with the Commission a motion seeking to extend the time period within which it must activate the involved Fayetteville new numbers-block. In its memorandum in support of this motion, Little Miami submits that the switch upgrade underlying the involved Fayetteville new numbers-block request has not proceeded as anticipated. Little Miami understands that, because of this delay in the use of requested numbers-block, the PA may, by October 31, 2018, request to reclaim the involved new Fayetteville numbers-block. To prevent the switch upgrade from being disrupted due to any such number reclamation, Little Miami is requesting a 90-day extension, i.e., until January 29, 2019, of the time period within which the involved Fayetteville new numbers-block must be activated. Little Miami reiterates both: (a) that the installation of the Metaswitch represents a significant investment in Ohio that it believes the Commission should support by granting the requested time extension, and (b) that Little Miami is committed to returning to the PA, for reuse elsewhere in Ohio, an entire one-thousand numbers block, once the company has completed the full migration and decommissioning of the legacy switch. Under such circumstances, and because reclamation of the involved new numbers-block would cause significant hardship to Little Miami, the Fayetteville rate center, and to the state of Ohio generally, the company submits that its time-extension request is reasonable.

{¶ 6} 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.

{¶ 7} After a review of Little Miami's motion, the attorney examiner finds that Little Miami has demonstrated a legitimate need for the time extension it has sought. Granting the requested additional time should allow the Fayetteville switch upgrade -- which is the underlying reason why the new number block was originally requested -- to proceed as expeditiously as possible to completion. Granting the time extension requested appears, at this point, to be the most efficacious way of arriving at what has always been the desired result, namely, installing the new Metaswitch, while at the same time, freeing up of an entire Fayetteville rate center numbers-block for future use elsewhere in Ohio, in a coordinated manner which would coincide with the full migration and decommissioning of the legacy switch.

{¶ 8} The time extension sought is, therefore, granted. The attorney examiner believes, however, that it is necessary to put Little Miami on notice that, to the extent it is unable to, in the manner proposed, complete the involved switch upgrade by January 29, 2019, Little Miami will need to provide Staff, at least 15 days in advance of that date, with detailed supporting documentation as to the reasons for the additional delay.

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That Little Miami's motion for time extension is granted. It is, further,

{¶ 11} ORDERED, That the Fayetteville rate center new numbers-block which was the subject of the attorney examiner's Entry issued August 1, 2017, will not be reclaimed at this time and that, instead, Little Miami is granted an extension of time, until January 29, 2019, subject to the conditions set forth in Paragraph (8), to activate that numbers-block. It is, further,

{¶ 12} ORDERED, That a copy of this Entry be served upon Little Miami and all other interested entities of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Daniel Fullin

By: Daniel E. Fullin
Attorney Examiner

JRJ/sc

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in

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

Summary: Attorney Examiner Entry granting a time extension until 01/29/2019 to activate a new numbers-block in the Fayetteville rate center - electronically filed by Sandra Coffey on behalf of Daniel Fullin, Attorney Examiner, Public Utilities Commission of Ohio