

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 March 18, 2019

{¶ 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 13, 2019, TDS Telecom, on behalf of Arcadia Telephone Company (Arcadia), filed a petition for review of a decision of the PA. In its filing, Arcadia represents that on January 25, 2019, it submitted a request to the PA for one new NXX code in the Arcadia rate center. According to the attachments accompanying Arcadia's petition for review, the PA refused to grant Arcadia's request because Arcadia does not meet the utilization criteria established by the FCC.

{¶ 3} Arcadia explains that, as part of a Connect America Fund broadband project, it is installing, in the Arcadia rate center, a new Metaswitch which will eventually replace the existing legacy switch that is now there. Arcadia submits that it needs a new NXX code for the Arcadia 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. Arcadia 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. Arcadia 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 Arcadia does not meet this deadline, it will request an extension.

{¶ 4} Arcadia 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, Arcadia 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 Arcadia'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 Arcadia'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 Arcadia rate center. For this reason, the attorney examiner finds that the PA's decision to deny Arcadia's petition for additional numbering resources in the Arcadia rate center should be overturned and NANPA should assign a new NXX code that meets Arcadia's needs in establishing, for use during the transition period, an LRN for its new switch.

Arcadia 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. Arcadia is also directed, in the meantime, to regularly update the Commission on the status of the migration and decommission. To accomplish this, Arcadia 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 Arcadia'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, Arcadia 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, Arcadia 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 Arcadia.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Daniel E. Fullin

By: Daniel E. Fullin
Attorney Examiner

JRJ/mef

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in

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

Summary: Attorney Examiner Entry overturning decision and providing numbering resources during migration and decommission of the legacy switch, as well as requiring related actions electronically filed by Ms. Mary E Fischer on behalf of Daniel E. Fullin, Attorney Examiner, Public Utilities Commission of Ohio