



221 East Fourth St.
Cincinnati, OH, 45202
www.cbts.com

June 25, 2019

Ms. Barcy McNeal
Public Utilities Commission of Ohio
Docketing Division
180 East Broad Street
Columbus, Ohio 43215

RE: In the Matter of the Commission's Consideration of Telephone Safety Valve Requests
and Other Number Resource Related Filings, PUCO Case No. 10-0884-TP-UNC

Dear Ms. McNeal:

Accompanying this letter is a Petition of CBTS Technology Solutions LLC for Review of a Decision of the Pooling Administrator to be filed in connection with the above referenced proceeding. This Petition and attachment are being filed electronically and are contained entirely within this PDF document. Questions regarding this filing may be directed to me at the above address or by telephone at (513) 397-6671.

Sincerely,

Patricia L. Rupich

cc: Cheryl Williams (via e-mail)
Dan Fullin (via e-mail)

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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

**PETITION OF CBTS TECHNOLOGY SOLUTIONS LLC
FOR REVIEW OF A DECISION OF THE POOLING ADMINISTRATOR**

CBTS Technology Solutions LLC (“CBTS”) hereby requests that the Commission review and overturn a decision of the number Pooling Administrator (“PA”) which denied a CBTS request for numbering resources. On June 13, 2019 CBTS filed a request with the PA for an NXX in the Cincinnati rate center to establish a Location Routing Number (“LRN”) for a new softswitch that it is deploying. CBTS’s request was denied on the grounds that CBTS has not satisfied the utilization level and months-to-exhaust (“MTE”) criteria established by the Federal Communications Commission and outlined in the Central Office Code Assignment Guidelines (“COCAG”).¹ Under the federal numbering rules, a state commission may overturn the PA’s decision based on its determination that the carrier has demonstrated a verifiable need for the numbering resources and has exhausted all other available remedies.² For the reasons set forth below, CBTS submits that the Commission is justified in overturning the PA’s decision and granting CBTS’s request for a new NXX to establish an LRN for its new switch.

¹ 47 CFR 52.15(g)(3)(iii); 47 CFR 52.15(h); *Central Office Code (NXX) Assignment Guidelines (COCAG)*, ATIS-0300051, Alliance for Telecommunications Industry Solutions (April 5, 2019), Section 4.3.1.

² 47 CFR 52.15(g)(4). Also, see *COCAG*, Section 4.1.3.

The new softswitch will replace an existing switch that is being decommissioned. Although the existing switch will eventually be decommissioned, this cannot be done until the new switch is turned up and all lines and services on the existing switch are ported to the new switch. CBTS plans to begin moving subscribers to the new switch during the third quarter of 2019 and expects the transition to be completed by the end of 2019. Because the two switches will be deployed simultaneously during the transition, CBTS requires a unique LRN for the new switch.³

Due to the specific requirements for LRN assignment,⁴ none of CBTS's existing numbers can be used as an LRN. Upon receipt of the new NXX, CBTS will keep the "0" thousand-block and return the remaining blocks to the number pool. CBTS will be able to port numbers from its existing numbering resources to the new switch once an LRN is assigned for the switch, so it does not anticipate the need for additional numbering resources for this switch beyond this initial request. All of the numbers assigned to the existing switch will be ported to the new switch before the old switch is retired.

As shown on the attached Pooling Administration System Worksheet (Attachment A), CBTS's June 13, 2019 application was denied because CBTS does not satisfy the utilization and MTE criteria for receipt of growth numbering resources.

³ A Location Routing Number is the ten-digit (NPA-NXX-XXXX) number assigned to a switch and is used for routing in a local number portability environment. An LRN is required for each LATA served by the switch.

⁴ See, *Location Routing Number (LRN) Assignment Practices*, ATIS-0300065, Alliance for Telecommunications Industry Solutions, (April 20, 2018).

CBTS requests that the Commission overturn the PA's decision and direct the PA to grant CBTS's request for a new NXX in the Cincinnati rate center to establish an LRN so that CBTS can proceed with deployment of its new switch.

Respectfully submitted,

/s/ Douglas E. Hart

Douglas E. Hart (Ohio Bar. #0005600)

441 Vine Street, Suite 4192

Cincinnati, Ohio 45202

(513) 621-6709

(513) 621-6981

dhart@douglasshart.com

Attorney for CBTS Technology Solutions LLC

June 25, 2019

ATTACHMENT A

Tracking Number: **513-CINCINNATI-OH-1163684**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: **CBTS TECHNOLOGY SOLUTIONS LLC - OH**

Headquarters Address: **229 West Seventh Street Room 121-1075**

City: **Cincinnati** State: **OH** ZIP: **45202**

Contact Name: **Kimberly Listo**

Contact Address: **229 West Seventh Street Room 121-1075**

City: **Cincinnati** State: **OH** ZIP: **45202**

Phone: **513-565-5605** Fax: **513-621-2660**

E-mail: **kimberly.listo@cinbell.com**

Pooling Administrator:ⁱⁱ

Contact Name: **Agnes Rom**

Contact Address: **1800 Sutter St**

City: **Concord** State: **CA** ZIP: **94520**

Phone: **925-420-0129** Fax: **925-420-0377**

E-mail: **arom@somos.com**

1.2 General Information:

Check one : No LRN needed ☐ LRN neededⁱⁱⁱ: ☒ X

NPA: 513 LATA: 922 OCN^{iv}: 600F Parent Company's OCN 9348

Number of Thousands-Blocks Requested : 1

Switch Identification (Switching Entity/POI^v):
CNCNOHWSPS5

Rate Center^{vi}: CINCINNATI

1.3 Dates:

Date of Application^{vii}:
06/13/2019

Requested Effective Date^{viii}:
08/18/2019

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 : CAP OR CLEC (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) 513-xxx-0

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.

Kimberly Listo

Technical Clerk 3

06/13/2019

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:

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.

* Select if you are not the current Block Holder

xi Common Language® and Telcordia® are registered trademarks and CLLI™, LERG™ Routing Guide and iconectiv™ are trademarks and the Intellectual Property of Telcordia Technologies, Inc. dba iconectiv.

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: 513-CINCINNATI-OH-1163684Date: Thursday, June 13, 2019 OCN: 600FCompany Name: CBTS TECHNOLOGY SOLUTIONS LLC - OHRate Center: CINCINNATIList all Codes NPA(s)-NXX(s) and Blocks NPA(s)-NXX-X(s)²: 513-835-0,Name of Block Applicant: Kimberly Listo Signature: Kimberly ListoTitle: Technical Clerk 3Phone: 513-565-5605-Fax: 513-621-2660E-Mail: kimberly.listo@cinbell.comA. Available Numbers: 339B. Assigned Numbers: 661C. Total Numbering Resources: 1000D. 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>-2</u>	<u>-5</u>	<u>-1</u>	<u>0</u>	<u>-1</u>	<u>-10</u>
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Previous 6
months⁴

F. Forecast

- Next 12 months⁵ -10 -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

339

Months To Exhaust

-33.90

I.

Utilization⁷

=

Assigned Numbers (B)

X 100 =

66.1

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

Explanation: _____

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 List all numbering resources allocated to the OCN for the requested rate center, including newly acquired codes (NPA-NXXs) and blocks (NPA-NXX-Xs). This information is available from the Total Numbering Resources Report in PAS and shall automatically populate on this form in PAS. When an exception exists, the Applicant shall adjust the auto-populated list and shall provide an explanation of the adjustment in the Explanation field.

³ The total quantity of numbers available for assignment from the numbering resources allocated to the OCN for the requested rate center, including newly acquired codes (NPA-NXXs) and blocks (NPA-NXX-Xs). When an exception exists, the Applicant shall adjust the auto-populated number as needed and provide an explanation of the adjustment in the Explanation field (e.g., to increase the number of available resources due to pending applications in the same rate center, or for documentation purposes for safety valve waivers).

⁴The total quantity of numbering resources allocated to the OCN for the requested rate center, including newly acquired codes (NPA-NXXs) and blocks (NPA-NXX-Xs). This information is available from the Total Numbering Resources Report in PAS and shall automatically populate on this form in PAS. When an exception exists, the Applicant shall adjust the auto-populated number as needed and provide an explanation of the adjustment in the Explanation field (e.g., to increase the total number of resources to include pending applications in the same rate center, or for documentation purposes for safety valve waivers).

⁵Quantity of numbers activated in the past 90 days indicates newly acquired 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).

⁶Net 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.

⁷Forecast of TNs needed in each following month, starting with the most recent month as Month 1.

⁸This field is automatically calculated and populated on this form in PAS.

⁹This field is automatically calculated and populated on this form in PAS. To be assigned an additional thousands-block (NXX-X) for growth, "Months to Exhaust" shall be less than or equal to 6 months. (47 CFR § 52.15 (g) (4) (iii)).

¹⁰This field is automatically calculated and populated on this form in PAS. To be assigned an additional thousands-block (NXX-X) for growth, "Utilization" shall be 75% or more (47 CFR § 52.15 (h)). Newly acquired numbers may be excluded from the Utilization calculation (47 CFR § 52.15 (g)(4)(ii)).

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

Revised: January 4, 2016

Tracking
Number: **513-CINCINNATI-OH-1163684**

Full NXX: LRN

Type of
Application: ☒ New
☐ Change¹ ☐ Delete

1.0 GENERAL INFORMATION

1.1 Contact Information:

Code Applicant:

Company/Entity
Name: **CBTS TECHNOLOGY SOLUTIONS LLC - OH**

Headquarters
Address: **229 West Seventh Street Room 121-1075**

City, State, Zip: **Cincinnati, OH, 45202**

Contact Name: **Kimberly Listo**

Contact
Address: **229 West Seventh Street Room 121-1075**

City: **Cincinnati** State: **OH** ZIP: **45202**

Phone: **513-565-5605** Fax : **513-621-2660**

E-mail: **kimberly.listo@cinbell.com**

Code Administrator:²

Name: **Patricia Soderland**

Address: **2411 Dulles Corner Park Suite 250**

City: **Herndon** State: **VA** ZIP: **20171**

Phone: **571-363-3828** Fax : **571-363-3838**

NXX:³ LATA: **922**

1.2 NPA: **513** OCN:⁴**600F** Parent Company's
OCN(s) **9348**

Switching Identification (Switching Entity/POI)

⁵**CNCNOHWSPS5**

Locality/City/Wire Center:**CINCINNATI**

Rate
Center:⁶CINCINNATI
Homing Tandem Operating Co.⁷:CINCINNATI Tandem Homing
BELL INC CLLI^{TM8}:CNCNOHWS03T

1.3 DatesDate of Application:06/13/2019

Requested Effective

Date:^{9,10}08/18/2019

☐ 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): CAP OR CLEC

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-company¹¹ ☐ Switching Id ☐ Rate Center
Tandem Homing CLLI

☐ OCN-Inter-company¹² ☐ Effective Date ☐ LATA ☐ Extend
Reservations

1.5 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 ☐ No

1.6 NPA Jeopardy Criteria Apply: ☐ Yes ☐ No

1.7 Code request for new service (Explain): _____

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

Kimberly Listo

Signature of Code Applicant

Technical Clerk 3

Title

06/13/2019

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 Telcordia™ 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 (CLLI™ Code) of the applicant's switch or POI. Common

Language[®] and Telcordia[®] are registered trademarks and CLLI[™], LERG[™] Routing Guide and iconectiv[™] 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 CLLI[™] 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.

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

Revised: January 4, 2016

Pooling Administrator's Response/Confirmation

Tracking Number : 513-CINCINNATI-
OH-1163684

Date of Application: 06/13/2019 Effective Date: _____

Date of Receipt: 06/13/2019 Date of Response: 06/13/2019

Service Provider Name: CBTS TECHNOLOGY SOLUTIONS LLC - OH

(LERGTM Routing Guide¹) OCN: 600F

Parent Company OCN: 9348

NPAC SOA SPID : _____

Pooling Administrator Contact Information:

Agnes Rom Phone: 925-420-0129

Signature of Pooling Administrator

Agnes Rom Fax: 925-420-0377

Name (print)

Email: arom@somos.com

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: CNCNOHWSPS5

Rate Center:

CINCINNATI

☒ 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

6/25/2019 4:07:39 PM

in

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

Summary: Petition Petition of CBTS Technology Solutions LLC for Review of a Decision of the Pooling Administrator electronically filed by Ms. Patricia L Rupich on behalf of CBTS Technology Solutions LLC