

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 June 27, 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 June 25, 2019, CBTS Technology Solutions, LLC (CBTS) filed a petition for review of a decision of the PA. In its filing, CBTS represents that on June 13, 2019, it submitted a request to 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. According to the attachments accompanying CBTS's petition for review, the PA refused to grant CBTS's request because CBTS does not meet the utilization level and months-to-exhaust criteria established by the FCC.

{¶ 3} CBTS explains that the new softswitch will replace an existing switch that is being decommissioned, but that the old switch cannot be decommissioned until the new switch is turned up and all lines and services on the existing switch are ported to the new switch. CBTS submits that it 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.

{¶ 4} Due to specific requirements for LRN assignment, none of CBTS's existing numbers can be used as an LRN. CBTS submits that, upon receipt of the new NXX, it will keep the "0" thousand-block and return the remaining blocks to the number pool. CBTS explains that it will be able to port numbers from its existing numbering resources to the new switch once an LRN is assigned, 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.

{¶ 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 CBTS's petition, the attorney examiner believes that CBTS, 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 CBTS's need for an NXX code in the Cincinnati rate center in order to establish an LRN for the new softswitch that it is deploying. For this reason, the attorney examiner finds that the PA's decision to deny CBTS's petition for the NXX code should be overturned and NANPA should assign an NXX code that meets CBTS's needs in establishing a unique LRN for the new softswitch. CBTS is directed to return the remaining number blocks to the PA pool, upon receipt of the new NXX, but may keep the "0" thousand-block.

{¶ 7} It is, therefore,

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

{¶ 9} ORDERED, That CBTS may keep the “0” thousand-block, but shall return the remaining blocks to the PA number pool. It is, further,

{¶ 10} ORDERD, That a copy of this Entry be served upon CBTS.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Jeffrey R. Jones

By: Jeffrey R. Jones
Attorney Examiner

NJW/mef

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

Summary: Attorney Examiner Entry overturning the pooling administrator's decision and granting specified numbering resources electronically filed by Ms. Mary E Fischer on behalf of Jeffrey R. Jones, Attorney Examiner, Public Utilities Commission of Ohio