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October 20, 2005

Patricia L. Rupich
Cincinnati Bell Telephone Company
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CERTIFICATE OF SERVICE

RE: Case No. 2005-00406
Cincinnati Bell Telephone Company

I, Beth O'Donnell, Executive Director of the Public Service Commission, hereby certify that the enclosed attested copy of the Commission's Order in the above case was served upon the addressee by U.S. Mail on October 20, 2005.

Executive Director

BOD/je
Enclosure

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CINCINNATI BELL TELEPHONE COMPANY)	
LLC'S PETITION FOR THE COMMISSION TO)	
REVIEW A DECISION OF THE POOLING)	CASE NO.
ADMINISTRATOR RELATIVE TO AN)	2005-00406
APPLICATION FOR NUMBERING)	
RESOURCES IN THE 859 AREA CODE)	

O R D E R

On October 4, 2005, Cincinnati Bell Telephone Company ("CBT") filed a petition requesting this Commission review and overturn a determination by the North American Numbering Plan Administration ("NANPA").¹ The petition was filed pursuant to 47 C.F.R. Section 52.15(g)(4) wherein the Commission is granted the authority 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."

CBT explains that Pomeroy IT Solutions, a customer of CBT, requested 2,000 consecutive numbers for its headquarters in Hebron, Kentucky, which is within the Boone rate center. The customer needs additional numbering resources to accommodate anticipated growth as well as installation of a centralized phone system

¹ The NANPA is an independent non-governmental entity selected by the Federal Communications Commission ("FCC") and is responsible for administering and managing the North American Numbering Plan ("NANP"). Neustar, Inc. is currently contracted by the FCC as the NANPA and Pooling Administrator.

to serve its 26 call centers across the nation. The centralized system will allow Pomeroy IT Solutions to provide a consistent dialing plan across all locations.²

CBT lacks sufficient numbering resources within the Boone rate center to meet the customer's request. Hence, on August 2, 2005, CBT submitted to the NANPA requests for two consecutive thousands-blocks of numbers in order to address the business needs of Pomeroy IT Solutions. The application process with the NANPA requires the submission of information used for a Months-To-Exhaust ("MTE") and Utilization Certification Worksheet ("Worksheet") pertaining to the affected rate center.³ Based on the submitted information and resulting calculations, the NANPA concluded that CBT did not meet the FCC's required guideline for MTE of 6 months or less⁴ and determined that CBT's request for additional numbering resources should be denied.

The NANPA is not a policy-making entity. In making assignment decisions, the NANPA follows regulatory directives and industry-developed guidelines. The NANPA's responsibilities are defined in FCC rules and in comprehensive technical requirements drafted by the telecommunications industry and approved by the FCC.⁵

Pursuant to 47 C.F.R. Section 52.15(g)(4), this Commission may overturn the determination of the NANPA if the requesting carrier has demonstrated a verifiable need

² See CBT's Petition for Review.

³ In accordance with 47 C.F.R. Section 52.15(g)(3), the MTE and utilization level are calculated by the Worksheet based on various inputs supplied by the applying carrier.

⁴ According to the Worksheet, the MTE was calculated to be 75.020 months for the Boone rate center.

⁵ See generally, 47 C.F.R. Section 52.

for numbering resources and that all other available remedies have been exhausted. The Commission finds that CBT has demonstrated a verifiable need for additional numbering resources by presenting the request of a specific customer, Pomeroy IT Solutions, for 2,000 consecutive numbers in the Boone rate center. CBT advises that it will be unable to provide telecommunications services requested by the customer without additional numbering resources in the Boone rate center. The Commission further finds that CBT has exhausted all available remedies in the Boone rate center to the extent that no combination of existing numbering resources in the Boone rate center can be employed to meet the customer's demand for 2,000 consecutive numbers in the Boone rate center. CBT states that it does not currently have 2,000 consecutive numbers within the Boone rate center that would allow CBT to accommodate the customer's need.

This Commission finds that the NANPA determination to deny CBT the additional numbering resources described herein should be overturned, and the NANPA is directed to assign to CBT 2,000 consecutive numbers in the Boone rate center. The Commission notes that the numbering resources considered in this Order are to be assigned for the sole use of serving CBT's customer, Pomeroy IT Solutions, in the Boone rate center. If the service requested by Pomeroy IT Solutions is withdrawn, declined, or terminated, the associated numbering resources approved in this Order should be returned to the NANPA and may not be utilized to serve other customers without first meeting the NANPA numbering resource guidelines.

IT IS THEREFORE ORDERED that:

1. CBT's Petition regarding the NANPA's denial of its application for assignment of additional numbering resources in the 859 Numbering Plan Area is granted.

2. The decision of the NANPA denying CBT's request for additional numbering resources in the Boone rate center is hereby overturned.

3. The NANPA shall assign CBT 2,000 consecutive numbers within the Boone rate center.

4. The numbering resources considered in this Order are to be assigned for the sole use of serving CBT's customer, Pomeroy IT Solutions, in the Boone rate center. If the service requested by Pomeroy IT Solutions is withdrawn, declined, or terminated, the associated numbering resources approved in this Order shall be returned to the NANPA.

Done at Frankfort, Kentucky, this 20th day of October, 2005.

By the Commission

ATTEST



Executive Director