



221 E. Fourth St.
P.O. Box 2301
Cincinnati, Ohio 45201-2301

RECEIVED

April 15, 2011

APR 18 2011

PUBLIC SERVICE
COMMISSION

Mr. Jeff R. Derouen
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, KY 40602-0615

RE: In the Matter of Cincinnati Bell Telephone Company LLC's Petition for the Commission to Review a Decision of the Pooling Administrator Relative to an Application for Numbering Resources in the 859 Area Code
Case No. 2011-_____

Dear Mr. Derouen::

Enclosed are an original and 10 copies of Cincinnati Bell Telephone Company's Petition for the Commission to Review a Decision of the Pooling Administrator Relative to an Application for Numbering Resources in the 859 Area Code.

A duplicate original copy of this letter is enclosed; please date stamp this copy as acknowledgement of its receipt and return it in the enclosed, self-addressed envelope.

Questions regarding this filing may be directed to me at the above address or by telephone at (513) 397-6671.

Sincerely,

A handwritten signature in cursive script that reads "Patricia L. Rupich".

Patricia L. Rupich

Enclosures

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)	
Administrator Relative to a Request for)	Case No. 2011-
Numbering Resources in the 859 Area)	
Code)	

**PETITION OF CINCINNATI BELL TELEPHONE COMPANY LLC
FOR REVIEW OF A DECISION OF THE POOLING ADMINISTRATOR**

Cincinnati Bell Telephone Company LLC (“CBT”) hereby requests that the Commission review and overturn a decision of the number Pooling Administrator (“PA”), which denied a CBT request for numbering resources. On April 1, 2011, CBT filed a request with the PA for a thousands-block of numbers (1,000 numbers) to meet a specific customer request that CBT was unable to satisfy with its existing numbering resources. The PA denied CBT’s request on the grounds that CBT has not satisfied the months-to-exhaust and utilization criteria established in the Central Office Code Assignment Guidelines. 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.¹ For the reasons set forth below, CBT submits that the Commission is justified in overturning the PA’s decision and granting CBT’s request for a new thousands-block.

¹ 47 CFR 52.15(g)(4)

The Federal Communications Commission (“FCC”), in its Third Report and Order in the Numbering Resource Optimization proceeding, found that “a carrier should be able to get additional numbering resources when there is a verifiable need due to the carrier’s inability to satisfy a specific customer request.”² It also clarified that states may grant requests by carriers in such circumstances, as long as the request is for a customer seeking contiguous blocks of numbers and not vanity numbers.³ Therefore, this Commission has the authority to overturn the PA’s decisions under the appropriate circumstances.

In the immediate case, CBT has a request from Cummins Business Services (see Attachment A) for 100 contiguous numbers that will be compatible with its existing dialing plan. Cummins will use the numbers to accommodate its expanding warehouse operations in Walton, Kentucky. All Cummins sites in North America access outside lines by dialing 8, which means that they cannot use numbers from the 8000 block. In addition, numbers from 3920 through 3999 and 6700 through 6799 cannot be used because they are already used for 2nd line rollovers and paging, respectively.

CBT has reviewed its inventory of numbers available for assignment within the Walton rate center and cannot find 100 contiguous numbers that will satisfy Cummins’ requirements. Upon determining that it could not satisfy the customer’s request with its existing numbering resources, CBT requested a new thousands-block from the PA; however, the request was rejected because CBT does not meet the months to exhaust and utilization required for assignment of a new thousands block in the Walton rate center.

² Numbering Resource Optimization, *Third Report and Order and Second Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200*, FCC 01-362, (rel. Dec. 28, 2001) (Third Report and Order) at ¶64.

³ *Id.*

To further assist the Commission's review, attached is a copy of CBT's request to the PA which includes the MTE and Utilization Certification Worksheet as well as the PA's response (see Attachment B).

For the reasons set forth above, CBT requests that the Commission overturn the PA's decision and direct the PA to grant CBT's request for a thousands-block to satisfy the needs of its customer. Furthermore, CBT requests that the Commission expedite consideration of this request so that the customer can promptly proceed with its expansion.

Respectfully submitted,



Douglas E. Hart
441 Vine Street, Suite 4192
Cincinnati, Ohio 45202
(513) 621-6709
(513) 621-6981 fax
dhart@douglasshart.com

Attorney for Cincinnati Bell
Telephone Company LLC

ATTACHMENT A



Cummins is expanding our warehouse in Walton, KY. We will need an additional block of 100 contiguous DID numbers to support this growth.

Our current DID range is 859-426-4920 through 859-426-4999.

Due to our current programming, there are certain numbers that we cannot accommodate. All Cummins sites in North America access outside lines by dialing 8 which means a block that is in the range of 8000 thru 8999 cannot be used.

We also cannot accommodate the range of 3920 through 3999 because we currently use these numbers for our 2nd line rollovers.

We also cannot use any number in the 6700 range due to paging constraints.

We would like to remain within the same prefix if possible.

We are currently in the process of adding additional employees/phones and need these new numbers as soon as possible.

Sincerely,

A handwritten signature in black ink that reads 'Vicki Mills'. The signature is written in a cursive, flowing style.

Vicki Mills

Sr. Manager – Americas Telecom

ATTACHMENT B

Pooling Administration System

denisc.cozad@cinbell.com (SP)

• Sign Out

Time : 04/01/2011 12:31:15 PM EDT

- [-] Individual Block Requests
 - [+] New Block Request
 - [+] New Block Reservation
 - [+] Assign/Cancel/Extend Reservation
 - [+] Block Modification
 - [+] Multiple Block Modification
 - [+] Block Disconnect
 - [+] Saved Block Requests
 - [+] Modify Pending Request
 - [+] Copy Block Request
- [-] CO/NXX Code Requests
- [-] Withdraw Pending Requests
- [-] Confirm Resources In Service
- [-] Donate Blocks
- [-] Submit Forecast
- [-] Search Forms
- [-] Reports
- [-] User Profile

Request Resources

State* KENTUCKY

NPA* 859

Rate Center* WALTON

OCN* 9348-CINCINNATI BELL, INC.

Quantity of Blocks Requested * 1

If requesting more than one block, do you want multiple effective dates? *

Yes No

If requesting more than one block, do you want multiple switches? *

Yes No

Pooling Administration System

denise.cozad@cinbell.com (SP)

• Sign Out

Time : 04/01/2011 12:31:41 PM EDT

- [-] Individual Block Requests
 - [+] New Block Request
 - [+] New Block Reservation
 - [+] Assign/Cancel/Extend Reservation
 - [+] Block Modification
 - [+] Multiple Block Modification
 - [+] Block Disconnect
 - [+] Saved Block Requests
 - [+] Modify Pending Request
 - [+] Copy Block Request
- [-] CO/NXX Code Requests
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- [-] Confirm Resources In Service
- [-] Donate Blocks
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- [-] Search Forms
- [-] Reports
- [-] User Profile

Part 1A

Type of Application : New Block

[View Pool Replenishment Status](#)

1.1 Contact Information :

Note: If any of the contact info is incorrect, edit your user profile.

Block Applicant :

Company Name **CINCINNATI BELL, INC.**
 Headquarters Address: **201 E 4th Street**
 City: **Cincinnati**
 State: **OH**
 Zip: **45202**

Contact Name **Denise Cozad**
 Contact Address **209 E4th Street, 121-1075**
 City **Cincinnati**
 Zip **45202**

State **OH**

Telephone **513-566-4130**

Fax **513-651-9089**

E-mail **denise.cozad@cinbell.com**

Pooling Administrator II:

Contact Name **Genevieve Bettiga**
 Contact Address **1800 Sutter St**
 City **Concord**
 Zip **94520**

State **CA**

Telephone **925-363-7652**

Fax **925-363-7683**

E-mail **genevieve.bettiga@neustar.biz**

1.2 General Information

NPA **859** LATA * **922**
 OCN ^{iv} **9348-CINCINNATI BELL, INC.**
 Parent Company OCN * **NONE**
 Number of Thousands-Blocks Requested **1** City or Wire Center Name
 Switch Identification (Switching Identity/POI)^{viii} **WLTNKYWLDS0**
 Rate Center ^{vi} **WALTON** Rate Center Sub Zone

1.3 Dates

Date of Application ^{vii} **Friday, April 1, 2011**Request Expedited
Treatment Yes NoRequested Effective
Date ^{viii} **05/02/2011** (MM/DD/YYYY)

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-Blocka) Type of Service
Provider* **CAP OR CLEC**b) Primary Type of
Service Blocks to be
used for* **Wireline**c) Thousands-Block
(s) (NPA-NXX-X) **859-485-0**
assignment
preference

Click here to see the
available blocks in the
pool.

NOTE: The blocks
available list shows
blocks that are
available at the
time a request is
submitted. These
same blocks may
not be available at
the time the request
is processed.
Therefore, it is
recommended that
you provide
additional block
preferences in the
event those blocks
are not available.

d) Thousands-Block
(s) (NPA-NXX-X) that
are undesirable for
this assignment, if
any

1.5 Type of Request*

Initial block for
rate center Or Growth block for rate
center

By selecting this checkbox, I acknowledge that I am willing to accept a block in red and explicitly understand that the underlying code may not yet be activated in the PSTN and loaded in the NPAC on the block effective date.

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 (<http://www.atis.org/inc>) or by contacting Inc@atis.org as of the date of this application.

Continue

Cancel

Save

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™ LERG™ Routing Guide. The Operating Company Number (OCN) assigned to the service provider and the OCN its parent company. An OCN is a four-character alphanumeric assigned by Telcordia™ Routing Administration (TRA). In addition, the number of thousands-blocks requested should be supplied. The Switch Identification as well as the city or wire center name, rate center, rate center sub zone, homing tandem and CLLI™ tandem of the facilities based provider^{xi}. 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. They also indicate the primary type of business in which the numbering resource is to be used. Service Providers also 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.

The thousands-block applicant certifies veracity of this form by signing their name, and providing their title and date.

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 unless they meet criteria outlined in section 9.1.2 of these Guidelines. 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.

Foot Notes:

ⁱ Identify type of change(s) in Section 1.5.

ⁱⁱ The Pool Administrator is available to assist in completing these forms.

ⁱⁱⁱ A 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).

v This is an eleven-character descriptor of the switch provided by the owning entity for the purpose of routing calls. This is the 11 character CLLI™ 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 network prior to the effective date of the block(s).

ix Select if you are the current Block Holder.

x Select if you are not the current Block Holder.

xi Telcordia, LERG Routing Guide, and CLLI are trademarks of Telcordia Technologies, Inc.

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Question? Email us
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Pooling Administration System

denise.cozad@cinbell.com (SP)

Time : 04/01/2011 12:38:28 PM EDT

- Individual Block Requests
 - New Block Request
 - New Block Reservation
 - Assign/Cancel/Extend Reservation
 - Block Modification
 - Multiple Block Modification
 - Block Disconnect
 - Saved Block Requests
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- User Profile

Months to Exhaust and Utilization Certification Worksheet - TN Level¹

Date **Friday, April 1, 2011**

OCN **9348**

Company Name **CINCINNATI BELL, INC.**

Rate Center **WALTON**

List all Codes NPA(s)-NXXs and Blocks NPA(s)-NXX-X(s)

859-485-1, 2, 3, 4, 6, 7, 8, 9
859-493-0

Name of Block Applicant **Denise Cozad**

Title **Technical Clerk 3**

Telephone Number **513-566-4130**

Fax Number **513-651-9089**

E-Mail **denise.cozad@cinbell.com**

A. Available Numbers * 4195

B. Assigned Numbers * 4846

C. Total Numbering Resources * 9041

D. Quantity of numbers activated in the past 90 days
(increments of 1,000 or 10,000) and excluded from the
Utilization calculation ² *

List excluded Code(s) or Block(s)

E. Growth History - Previous 6 months³ *

Month 1	-36	Month 2	-18
Month 3	-11	Month 4	-9
Month 5	-30	Month 6	-20

F. Forecast - Next 12 months⁴ *

Month 1	100	Month 2	50
---------	-----	---------	----

Month 3	10	Month 4	10
Month 5	10	Month 6	10
Month 7	10	Month 8	10
Month 9	10	Month 10	10
Month 11	10	Month 12	10

G. Average Monthly Forecast (Sum of months # 1-6 (Part F above) divided by 6) **31.667**

H. Months to Exhaust ⁵ (Numbers Available for Assignment to customers (A) / Average Monthly Forecast (G))

Block Requested	A. Available Numbers	H. Months to Exhaust
1	4195	132.472

I. Utilization⁶(Assigned Numbers (B)) / (Total Numbering Resources (C) - Excluded Numbers (D)) * 100 **53.6**

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 Quantity of numbers activated in the past 90 days is based on blocks and/or codes received from the administrator 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).
³ Net 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.
⁴ Forecast of TNs needed in each following month, starting with the most recent month as Month #1.
⁵ To be assigned an additional thousands-block (NXX-X) for growth, "Months to Exhaust" must be less than or equal to 12 months. (FCC 00-104, § 52.15 (g)(3)(iii)).
⁶ Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (g)(3)(ii))

Pooling Administration System

denise.cozad@cinbell.com (SP)

• Sign Out

Time : 04/01/2011 12:39:09 PM EDT

- [-] Individual Block Requests
 - [+] New Block Request
 - [+] New Block Reservation
 - [+] Assign/Cancel/Extend Reservation
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 - [+] Multiple Block Modification
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- [-] Confirm Resources In Service
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- [-] Search Forms
- [-] Reports
- [-] User Profile

Months to Exhaust and Utilization Certification Worksheet - TN Level(Continued)¹

Your Utilization calculates to 53.600%. The FCC required the utilization of 75.000%.
You have requested more blocks than you will exhaust in six months.

Select One Option and Submit

- Return to the Months To Exhaust Form
- Need to request a State Waiver
- Received a State Waiver

Submit

Cancel