

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF CINCINNATI BELL TELEPHONE)	
COMPANY LLC FOR COMMISSION REVIEW)	
OF A DECISION OF THE POOLING)	CASE NO.
ADMINISTRATOR RELATIVE TO AN)	2014-00183
APPLICATION FOR NUMBERING RESOURCES)	
IN THE 859 AREA CODE)	

ORDER

On June 2, 2014, Cincinnati Bell Telephone Company LLC (“Cincinnati Bell”) filed a petition requesting this Commission review and overturn a determination by the Pooling Administrator.¹ The petition was filed pursuant to 47 C.F.R. § 52.15(g)(4) wherein the Commission is granted the authority to “overturn the NANPA’s [and the Pooling Administrator’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.”

Cincinnati Bell explains that the assignment of one block of 1,000 numbers is needed to meet the numbering demand for 500 contiguous numbers for UC Health, a customer of Cincinnati Bell, located in Florence, Kentucky. Specifically, the request is for 500 contiguous numbers that will not conflict with UC Health’s existing internal telephone system’s dialing plan and will be used to accommodate UC Health’s

¹ The North American Numbering Plan Administrator (“NANPA”) and the Pooling Administrator are independent non-governmental entities selected by the Federal Communications Commission (“FCC”) and are individually responsible for administering and managing the North American Numbering Plan and national thousands-block number pools, respectively. Neustar, Inc. is currently contracted by the FCC as both the NANPA and the Pooling Administrator.

expanded services associated with a new medical facility opening July 31, 2014. UC Health states that it cannot use numbers from the eight and nine thousands blocks from any central office code ("NXX") (859-NXX-8XXX or 9XXX).² Cincinnati Bell does not have sufficient number resources available within its inventory in the available pool for the specified wire center in the Boone rate center and is unable to meet UC Health's specific need for numbering resources. Hence, on May 2, 2014, Cincinnati Bell electronically submitted to the Pooling Administrator an application requesting assignment of one block of 1,000 numbers in the Boone rate center in order to address the business needs of UC Health.³ The application process with the Pooling Administrator requires the submission of information used for a Months-To-Exhaust ("MTE") and Utilization Certification Worksheet ("Worksheet") pertaining to the affected rate center.⁴ Based on the submitted information and resulting calculations, the Pooling Administrator concluded that Cincinnati Bell did not meet the FCC's required guideline for MTE of six months or less, or the utilization threshold requirement of 75 percent.⁵ Therefore, the Pooling Administrator determined that Cincinnati Bell's request for additional numbering resources should be denied.

² See Petition. It should be noted by Cincinnati Bell that both its petition and the letter from UC Health provided as Attachment A indicate that neither the eight or nine thousands blocks are acceptable while the application to the Pooling Administrator notes that only the nine thousands block "will not work."

³ Specifically, the thousands block request submitted by Cincinnati Bell was for its Florence switch, but current FCC rules require the evaluation of number utilization for the entire rate center before assignment of new numbering resources.

⁴ In accordance with 47 C.F.R. § 52.15(g)(3), the MTE and utilization level are calculated by the Worksheet based on various inputs supplied by the applying carrier.

⁵ According to the Worksheet, the MTE for the Boone rate center was calculated to be 113.30 months with a utilization rate of 71.857 percent.

The Pooling Administrator is not a policy-making entity. In making assignment decisions, the Pooling Administrator follows regulatory directives and industry-developed guidelines. The Pooling Administrator's responsibilities are defined in FCC rules and in comprehensive technical requirements drafted by the telecommunications industry and approved by the FCC.⁶

Pursuant to 47 C.F.R. § 52.15(g)(4), this Commission may overturn the determination of the Pooling Administrator if the requesting carrier has demonstrated a verifiable need for numbering resources and that all other available remedies have been exhausted. The Commission finds that Cincinnati Bell has demonstrated a verifiable need for additional numbering resources by presenting the request of a specific customer, UC Health, for 500 contiguous numbers. Cincinnati Bell 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 Cincinnati Bell 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 one block of 1,000 numbers in order to obtain 500 contiguous numbers. According to Cincinnati Bell, its Florence switch serving the Boone rate center does not have large enough blocks of sequential numbers to meet the customer's need.

This Commission finds that the Pooling Administrator's determination to deny Cincinnati Bell the additional numbering resources described herein should be overturned and the Pooling Administrator be directed to assign to Cincinnati Bell an available block of 1,000 numbers in the Boone rate center. The assigned block shall be

⁶ See generally, 47 C.F.R. § 52.

any thousands block with the exception of the eight and nine thousands blocks (859-NXX-8XXX and 9XXX) in order to avoid conflict with UC Health's current dialing plan.

The Commission notes that the numbering resources considered in this Order are to be assigned for the sole use of serving Cincinnati Bell's customer, UC Health, in the Boone rate center. If the service requested by UC Health is withdrawn, declined, or terminated, the associated numbering resources approved in this Order should be returned to the Pooling Administrator and may not be utilized to serve other customers without first meeting the Pooling Administrator's numbering resource guidelines.

IT IS THEREFORE ORDERED that:

1. Cincinnati Bell's Petition regarding the Pooling Administrator's denial of its application for assignment of additional numbering resources in the 859 Numbering Plan Area is granted.

2. The decision of the Pooling Administrator denying Cincinnati Bell's request for assignment of one block of 1,000 sequential numbers in the Boone rate center is hereby overturned.

3. The Pooling Administrator shall assign Cincinnati Bell an available thousands block with the exception of the eight and nine thousands blocks (859-NXX-8XXX and 9XXX) in order to avoid conflict with UC Health's current dialing plan for the Florence switch in the Boone rate center.

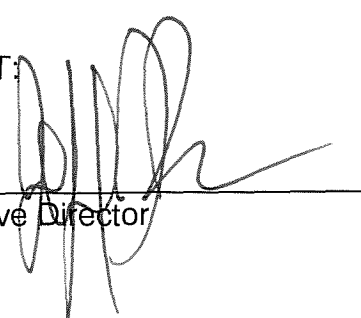
4. The numbering resources considered in this Order are to be assigned for the sole use of serving Cincinnati Bell's customer, UC Health, in the Boone rate center. If the service requested by UC Health is withdrawn, declined, or terminated, the

associated numbering resources approved in this Order shall be returned to the Pooling Administrator.

By the Commission

ENTERED ¹¹⁴
JUN 27 2014
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



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