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JUN 2 2014

PUBLIC SERVICE
COMMISSION



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

May 30, 2014

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. 2014-_____

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

RECEIVED

JUN 02 2014

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 an Application for)
Numbering Resources in the 859 Area)
Code)

Case No. 2014-_____

**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 application for numbering resources. On May 2, 2014, CBT filed an application with the PA for a thousands-block of numbers to meet a specific customer request that it was unable to satisfy with its existing numbering resources. The PA denied CBT’s application on the grounds that CBT has not satisfied the utilization and months-to-exhaust (“MTE”) criteria established by the Federal Communications Commission (“FCC”) and contained in the Thousands-Block Number (NXX-X) Pooling Administration Guidelines.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, 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)(3) and (h). Also see, *Thousands-Block Number (NXX-X) Pooling Administration Guidelines* (ATIS-0300066, August 3, 2012) Section 8.3.4.

² 47 CFR §52.15(g)(4)

In its Third Report and Order in the Numbering Resource Optimization proceeding, the FCC 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.”³ 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.⁴ 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 UC Health seeking 500 contiguous numbers to be used for a new facility opening July 31, 2014 within the Boone rate center. As explained in the attached letter (see Attachment A), this new medical facility will house a variety of physicians’ offices, labs and specialty departments. The customer indicates that it can use any blocks except the 8 and 9 thousands-blocks which would conflict with its dialing plan.


CBT has reviewed its numbering resources in the Boone rate center and verified that it does not have 500 contiguous numbers available to fulfill this customer’s request. When CBT submitted its application to the PA for a thousands-block to meet the customer’s needs, the request was denied because CBT’s utilization of 71.9% is below the 75% utilization threshold and the MTE in this rate center exceeds the 6-month or less MTE criteria. As a result, CBT will be unable to serve this customer without a directive from this Commission for the PA to release the numbering resources required to meet the customer’s needs. To assist in the Commission’s review of this petition, a copy of CBT’s application to the PA, which includes the MTE and Utilization Certification Worksheet with the Pooling Administration System’s response, is attached (see Attachment B).

³ 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.

⁴ *Id.*

In sum, CBT has demonstrated a verifiable need for additional numbering resources based on its inability to satisfy a specific customer's needs and the absence of other available remedies. For this reason, CBT requests that the Commission overturn the PA's decision and direct the PA to grant CBT's application for numbering resources for UC Health. Because the new UC Health facility is scheduled to open on July 31, 2014, CBT requests that the Commission expedite consideration of this request so that the numbers can be activated in time for the opening.⁴

Respectfully submitted,



Douglas E. Hart (KY Bar #93980)
441 Vine Street, Suite 4192
Cincinnati, OH 45202
(513) 621-6709
(513) 621 6981 fax
dhart@douglasshart.com

Attorney for Cincinnati Bell
Telephone Company LLC

⁴ The *Thousands-Block Number (NXX-X) Pooling Administration Guidelines* require a 33-day interval for activation of a new thousands-block. Therefore, Cincinnati Bell would need approval of this request no later than June 27, 2014 in order to activate the telephone numbers by July 31, 2014.

ATTACHMENT A



UC Health
Information Systems & Technology

UC Health Business Center
3200 Burnet Avenue, Suite 4610
Cincinnati, OH 45229-3019

Gregory S. Pownall
Architect, IT Network

t (513) 585-7147 f (513) 585-7159

www.UCHealth.com

May 14, 2014

UC Health is in the process of completing a new 40,000 square foot medical facility at 58 Cavalier Blvd., Florence, KY 41042. The Facility will provide Primary Care Physicians, Orthopaedics, Dermatology, Neurology, Women's Care Center, Lab Draw site and Internal Medicine Sub Specialty departments. UC Health has requested a contiguous 500 number DID Range. Cincinnati Bell has advised that the only the following blocks are available:

Florence Exchanges:
859-282-3040 - 3079 (40);
859-282-4420 - 4439 (20);
859-372-4740 - 4769 (30),
859-372-5000 - 5039 (40),
859-372-5060 - 5099 (40),
859-372-7780 - 7799 (20)
859-647-4960 - 4999 (40)
859-817-3370 - 3399 (30)
859-817-5780 - 5799 (20)
859-962-5800 - 5899 (100)

None of the above ranges meet the 500 contiguous number criteria we require for this new facility.

The Federal Communications Commission ("FCC"), in its Third Report and Order in the Numbering Resource Optimization proceeding, found that 1. "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 number".

The Facility is due to go live on July 31 2014. We wish to expedite the facilitation of this process and the issuance of a new DID-range. Any Prefix will suffice with the exception of prefixes which contain an 8 or 9 in the first digit of the prefix. We request a new range be assigned to UC Health in the Florence KY area to effectively and efficiently serve our patients in Northern Kentucky.

Regards,

Gregory S. Pownall
Architect, IT Network

1. Numbering Resource Optimization, *Third Report and Order and Second Order on Reconsideration in CC Rocket No 96-98 and CC Docket No 99-200*, FCC 01 -362, (rel. Dec. 28.2001) (Third Report and Order) at 764.

2. *Id.*




























ATTACHMENT B

Pooling Administration System

 donise.cozad@cinbell.com (SP)

[• Sign Out](#)

Time : 05/02/2014 07:16:43 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

Your request has been successfully submitted.
The Tracking Number for the request is: **859-BOONE-KY-726823**

[Return to Inbox](#)

[View Forms](#)

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Pooling Administration System

deniso.cozad@cinbell.com (SP)

• Sign Out

Time : 05/02/2014 07:00:57 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* | BOONE |
| OCN * | 9348-CINCINNATI BELL, INC. |
| Quantity of Blocks Requested * | 1 |
| If requesting more than one block, do you want multiple effective dates? * | |
| <input type="radio"/> Yes <input checked="" type="radio"/> No | |
| If requesting more than one block, do you want multiple switches? * | |
| <input type="radio"/> Yes <input checked="" type="radio"/> No | |

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Pooling Administration System

donise.cozad@cinbell.com (SP)

• Sign Out

Time : 05/02/2014 07:01:43 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

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 Bottiga**
 Contact Address **1800 Sutter St**
 City **Concord**
 Zip **94520**

State CA

Telephone **925-363-7652**

Fax **925-363-7683**

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

1.2 General Information

NPA 859

LATA * 922

OCN ^{iv} 9348-CINCINNATI BELL, INC.

Parent Company OCN 9348

Number of Thousands-Blocks Requested **1**

City or Wire Center Name

Switch Identification (Switching Identity/POI) ^{viii} **FLRNKYFLDS1**

Rate Center ^{vi} **BOONE**

Rate Center Sub Zone

1.3 Dates

Date of

Application ^{vii} Friday, May 2, 2014

Request Expedited Treatment Yes No

Requested Effective Date ^{viii} 06/02/2014 (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-Block

a) Type of Service Provider: Incumbent Local Exchange Carrier (ILEC)

b) Primary Type of Service Blocks to be used for*: Wireline

c) Thousands-Block(s) (NPA-NXX-X) assignment preference: 859-594-0000
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: Customers equipment will not work with thousands blocks starting with 9

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: Customers equipment will not work with thousands blocks starting with 9

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/lnc>) 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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Pooling Administration System

donlso.cozad@cinbell.com (SP)

Sign Out

Time : 05/02/2014 07:15:12 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
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- Reports
- User Profile

Months to Exhaust and Utilization Certification Worksheet - TN Level¹

Date Friday, May 2, 2014

OCN 9348

Company Name CINCINNATI BELL, INC.

Rate Center BOONE

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

859-022-A 859-212-4,5,7,8 859-282-A 859-283-A 859-334-A,2,3,4,5,6,7,8,9
 859-371-A 859-372-A 859-384-A 859-525-A 859-534-A,4,5 859-586-A
 859-594-A,3,4 859-647-A 859-657-A,2,3,4,5,6 859-746-A 859-767-A
 859-817-A,2,3,4,5,6,7,8 859-962-A,4,5

Name of Block Applicant Donlso Cozad

Title Technical Clerk 3

Telephone Number 513-566-4130

Fax Number 513-651-9089

E-Mail donlso.cozad@cinbell.com

A. Available Numbers * 38976

B. Assigned Numbers * 99517

C. Total Numbering Resources * 138493

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 | -705 | Month 2 | -446 |
| Month 3 | -296 | Month 4 | -88 |
| Month 5 | -265 | Month 6 | -131 |

F. Forecast - Next 12 months⁴ *

| | | | |
|----------|------|----------|------|
| Month 1 | 1000 | Month 2 | 500 |
| Month 3 | 500 | Month 4 | 500 |
| Month 5 | -218 | Month 6 | -218 |
| Month 7 | -218 | Month 8 | -218 |
| Month 9 | -218 | Month 10 | -218 |
| Month 11 | -218 | Month 12 | -218 |

G. Average Monthly Forecast (Sum of months # 1-6 (Part F) 344.0

| | |
|--|---|
| <h2>Pooling Administration System</h2> | |
| denise.cozad@cinbell.com (SP) • Sign Out | |
| Time : 05/02/2014 07:15:40 PM EDT | |
| <ul style="list-style-type: none">[-] [-] Individual Block Requests<ul style="list-style-type: none">[-] 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 | <h3 style="text-align: center;">Months to Exhaust and Utilization Certification Worksheet - TN Level (Continued)¹</h3> <p style="text-align: center;">Your Utilization calculates to 71.857%. The FCC required the utilization of 75.000%. You have requested more blocks than you will exhaust in six months.</p> <p style="text-align: center;">Select One Option and Submit</p> <ul style="list-style-type: none">Return to the Months To Exhaust FormNeed to request a State WaiverReceived a State WaiverOver-Contaminated Block Exception <hr/> <p style="text-align: center;"><input type="button" value="Submit"/> <input type="button" value="Cancel"/></p> |
| <p>neustar Question? Email us © 1997-2012 Neustar, Inc. Legal Notice</p> | |

PAS - Pooling Administrator's Response/Confirmation for Tracking Number: 859-BOONE-KY-726823

genevieve.bettiga@neustar.biz

Sent: Friday, May 02, 2014 7:17 PM

To: Setser, Cathy; Cozad, Denise

Cc: PA_Part3@neustar.biz

Pooling Administration System

Dated 02-May-2014

November 21, 2003

Attachment 3

ATIS-0300066.at3

Pooling Administrator's Response/Confirmation
TBPAG Part 3

Tracking Number : 859-BOONE-KY-726823

| | | | |
|----------------------|------------|-------------------|------------|
| Date of Application: | 05/02/2014 | Effective Date: | |
| Date of Receipt: | 05/02/2014 | Date of Response: | 05/02/2014 |

Service Provider Name: CINCINNATI BELL, INC.

(Telcordia™ LERG™ Routing Guide) 9348

OCN:
Parent Company OCN: 9348

NPAC SOA SPID :

Pooling Administrator Contact Information:

Genevieve Bettiga Phone: 925-363-7652

Signature of Pooling Administrator

Genevieve Bettiga Fax: 925-363-7683

Name (print)

Email: genevieve.bettiga@neustar.biz

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 :

Switch Identification(Switch Entity/POI): ¹ FLRNKYFLDS1
Rate Center: BOONE
Rate Center Sub Zone:

X Form Complete, request denied.

Explanation:

DR-57: You do not meet the MTE and/or Utilization requirements, therefore this request for a new block 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 the administrator.

Explanation:

Remarks:

¹ This is an eleven-character descriptor provided by the owning entity for the purpose of routing calls.This must be the CLLI TM Location Identification code of the switching entity/POI shown on the Part 1A form (Telcordia,LERG ROUTING Guide and CLLI are trademarks of Telcordia Technologies,Inc.)

