

file

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the Joint Application of
Cincinnati Bell Telephone Company and
Cincinnati Bell Long Distance For a Waiver
of Certain of the Commission's Local Service
Guidelines.

PUCO

Case No. 99-1496-TP-UNC

JOINT REPLY COMMENTS
OF
AT&T COMMUNICATIONS OF OHIO, INC.
AND
MCI WORLDCOM, INC.

The attorney examiner's entry in this docket of January 11, 2000 invited interested persons to file comments regarding the above-entitled joint waiver application of Cincinnati Bell Telephone Company ("CBT") and Cincinnati Bell Long Distance ("CBLD") (collectively, the "joint applicants") on or before January 27, 2000 and reply comments on or before February 7, 2000. Because the joint applicants did not file initial comments in this case,¹ AT&T Communications of Ohio, Inc. ("AT&T") and MCI WorldCom, Inc. ("MCI WorldCom"), whose objections to the application are spelled out in their respective motions to intervene² and in their joint comments filed on January 27, 2000, have no additional comments relative to the joint applicants' position at this time. For those reasons set forth in these earlier filings, AT&T and

¹ By letter dated January 25, 2000, the joint applicants advised the Commission that they would not be filing initial comments in this case, contending that the application, itself, adequately articulates their position.

² AT&T filed its Motion to Intervene and Partial Objection to CBT's Waiver Request on December 23, 1999. MCI WorldCom filed its Motion to Intervene on December 27, 1999. The joint applicants did not oppose either motion, both of which are still pending before the Commission.

MCI WorldCom submit that, the joint application is deficient on its face and must be denied.

However, in the event the joint applicants attempt to cure the deficiencies in their joint application through the vehicle of their reply comments, AT&T and MCI WorldCom renew their request that they, as well as other parties to the case, be given an opportunity to respond to any such comments, either through a surreply or in the context of the hearing which should be ordered if the Commission finds that the joint application should not be denied out of hand.

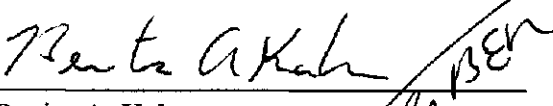
Although AT&T and MCI WorldCom have no additional response to the joint applicants' position at this time, we would offer the following reply to the initial comments filed herein by Ameritech Ohio ("Ameritech") on January 27, 2000. In those comments, Ameritech, in urging the Commission to find that the requested waivers are justified,³ merely repeats the arguments it has previously advanced in support of repeal of the Local Service Guidelines in question in its comments filed in *In the Matter of the Commission Ordered Investigation of the Existing Local Service Guidelines*, Case No. 99-998-TP-COI. AT&T and MCI WorldCom, whose position on these matters is fully set out in their own comments in Case No. 99-998-TP-COI (*see* February 1, 2000 Joint Reply Comments Submitted By The Competitive Carriers Group, Case No. 99-998-TR-COI, 12-15 and 17), reasserts those comments as if fully set out herein. However, the real point, for purposes at hand, is that Ameritech's comments are not relevant in this context. The issue here is not whether the identified Local Service Guidelines should be repealed or amended, but whether, as required by LSG II.A.2.a, the joint applicants have provided "detailed justification" supporting excusing CBT and CBLD from complying with the Local Service

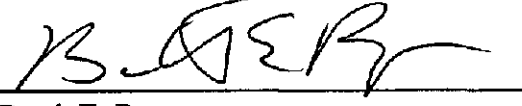
³ Although asserting that "each of the applicants has provided ample justification for the waivers they seek" (Ameritech Ohio's Comments, 3), Ameritech does not cite one word from any of the applications in question in support of this proposition.


Guidelines as they currently exist. Like the joint application, nothing in Ameritech's comments addresses, let alone justifies, according CBT and CBLD a different treatment than that applicable to other similarly situated providers.


Consistent with the foregoing discussion, AT&T and MCI WorldCom respectfully submit that the joint application, as filed, must be denied. To the extent that the joint applicants attempt to cure the deficiencies in their application through reply comments, AT&T and MCI WorldCom should be accorded that opportunity to respond through a surreply or by participating in the hearing which must be held if the application is not denied out of hand.

Respectfully submitted,


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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing motion and memorandum has been served upon the persons and parties listed below by first class mail, postage prepaid, this 7th day of February 2000.


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