

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of )  
MCImetro Access Transmission Services, )  
LLC, d/b/a Verizon Access Transmission )  
Services to Make Revisions to its Tariff. )

Case No. 08-474-TP-ATA

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THE AT&T ENTITIES' MOTION TO SUSPEND AND  
INVESTIGATE TARIFF APPLICATION

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Introduction

The Ohio Bell Telephone Company d/b/a AT&T Ohio, AT&T Communications of Ohio, Inc., and SBC Long Distance, LLC d/b/a AT&T Long Distance (collectively, "the AT&T Entities"), by their attorneys and pursuant to Section 4901-1-12 of the Commission's rules, move for an order suspending the automatic approval of, and commencing an investigation of, the captioned tariff application filed by MCImetro Access Transmission Services, LLC, d/b/a Verizon Access Transmission Services ("Verizon") to introduce 8YY Toll Free Transit Traffic Service.

The proposed tariff for this service is vague and ambiguous in that it inadequately describes the service and how the rates will be applied. For example, as written, the AT&T Entities believe the tariff would permit Verizon to charge for access service components it may not actually be providing. The tariff also does not require complete compliance with the MECAB guidelines to ensure that all carriers handling this traffic have the necessary records to bill for the services provided to complete these calls.

While the AT&T Entities have initiated discussions with Verizon and hope to be able to resolve these concerns on a business-to-business basis, the Commission should not permit

the tariff to go into effect in its current form. The tariff's current ambiguity and lack of clarity prohibit the determination as to whether the proposed new service and rates are just and reasonable. Accordingly, the Commission should issue an order suspending the automatic approval of the proposed tariff and commencing an investigation of it.

#### The AT&T Entities' Interests

The AT&T Entities are telephone companies and public utilities subject to the Commission's jurisdiction. Each of them would be impacted by the proposed tariff at issue here.

AT&T Communications of Ohio, Inc. and AT&T Long Distance pay Verizon both originating and terminating intrastate switched access rates on intrastate interexchange calls placed by their customers. AT&T Ohio pays Verizon intrastate terminating switched access rates to terminate intrastate interexchange calls placed by AT&T Ohio's customers and may be required to pay originating intrastate switched access under the proposed tariffs. The AT&T Entities therefore have a significant financial interest in ensuring that Verizon's intrastate switched access rates are just and reasonable.

#### Verizon's Proposed Tariff Presents Many Issues That Call For The Suspension Of The Automatic Approval And For An Investigation Of The Proposal

Verizon filed the proposed tariff on April 7, 2008 and amended its filing on April 21, 2008. The proposed tariff sheets carry an effective date of May 8, 2008. They are on a 30-day automatic approval track under the Commission's rules. Ohio Admin. Code §§ 4901:1-7-14 and 4901:1-6-08.

The following issues need to be investigated and addressed before the proposed tariff can be permitted to take effect:

1. Compliance with MECAB. In its proposed tariff, Verizon states that "records exchange, rating, and billing for Toll Free 8YY Transit Traffic Service is subject to the provisions of the Multiple Exchange Carrier Access Billing (MECAB)."<sup>1</sup> However, the proposed tariff fails to make clear that the third party providers with whom it interconnects must comply with MECAB. According to the MECAB guidelines, all providers on the route must agree to comply with MECAB prior to implementation. Lack of agreement with the third parties will likely result in inaccurate billing and allow such third parties to send traffic originating outside the LATA and/or state to AT&T Ohio for hand-off to an IXC, which would violate AT&T Ohio's switched access tariff. When Verizon is jointly providing this Service with more than one LEC, it is important that all involved LECs agree on a billing arrangement which is consistent with MECAB guidelines. Moreover, the proposed tariff must make clear that there should be coordination and record exchange requirements among the involved LECs in jointly provisioning toll free inter-exchange delivery service under the proposed tariff.

2. Potential Over-Recovery. Verizon's proposed Toll Free 8YY Transit Traffic Service offers both a Direct and an Indirect Transit option. Under the Direct Transit option, the connection to the IXC is made "via a Direct End Office Trunk (DEOT) from the Company's switch to the IXC."<sup>2</sup> Under this option, a proposed \$0.001229 per minute of use rate is to be assessed.<sup>3</sup> The AT&T Entities question whether it is appropriate to bill an IXC both for the full DEOT facility (provided as either a DS1 or a DS3 pursuant to Section 5.2.3.1.1) and still bill for per minute usage on calls traversing that facility.

As a result of these and other potential issues, it is not possible to determine whether the new service and the proposed rates are just and reasonable.

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<sup>1</sup> Verizon proposed tariff, Section 5.2.3.1.4.

<sup>2</sup> Verizon proposed tariff, Section 5.2.3.1.4.

<sup>3</sup> Verizon proposed price list, 3rd Revised Sheet No. 4.

For all of the foregoing reasons, the AT&T Entities request the Commission to suspend the automatic approval of Verizon's proposed tariff filing and to initiate an investigation in this case.

Respectfully submitted,

The AT&T Entities

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## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served on May 2, 2008, by first class mail, postage prepaid, on the following party:

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Summary: Motion to Suspend and Investigate Tariff Application electronically filed by Jon F Kelly on behalf of The AT&T Entities