

FILE

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Attorney at Law

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October 24, 2008

Ms. Renee Jenkins  
Chief, Docketing Division  
The Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, OH 43215-3793

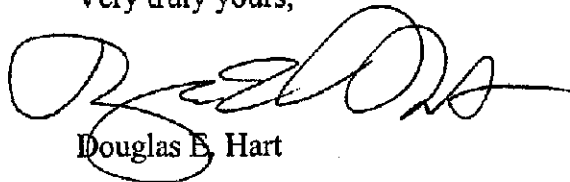
Re: Case No. 08-1124-TP-WVR

Dear Ms. Jenkins:

Enclosed please find an original and 21 copies of the Supplemental Documentation In Support of Application of Cincinnati Bell Telephone Company LLC for Waiver of Minimum Telephone Service Standard 4901:1-5-08. Also enclosed are the original and 21 copies of the Motion of Cincinnati Bell Telephone Company LLC For a Protective Order. Finally, enclosed is a sealed envelope containing three copies of the confidential information that is the subject of the motion.

Please file the original and 20 copies of the above motions in this proceeding, as well as the sealed envelope, and please date stamp and return the additional copy of each motion to me in the enclosed self-addressed stamped envelope.

Very truly yours,



Douglas E. Hart

DEH  
Enclosures  
cc: All counsel of record

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**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

|                                       |   |                          |
|---------------------------------------|---|--------------------------|
| In the Matter of the Application of   | ) |                          |
| Cincinnati Bell Telephone Company LLC | ) |                          |
| For Waiver of Certain Minimum         | ) |                          |
| Telephone Service Standards           | ) | Case No. 08- 1124-TP-WVR |
| Pursuant to Chapter 4901:1-5, Ohio    | ) |                          |
| Administrative Code.                  | ) |                          |

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**SUPPLEMENTAL DOCUMENTATION IN SUPPORT OF APPLICATION OF  
CINCINNATI BELL TELEPHONE COMPANY LLC FOR WAIVER OF MINIMUM  
TELEPHONE SERVICE STANDARD 4901:1-5-08**

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On September 26, 2008, Cincinnati Bell Telephone Company LLC ("CBT") requested, pursuant to Rule 4901:1-5-08(D), that the Commission grant it an additional forty-eight hour grace period to clear trouble reports as a result of the severe damage caused by a massive windstorm on September 14, 2008. The request sought such relief for all trouble reports filed between September 14 and 19, 2008 in any of CBT's Ohio exchanges.<sup>1</sup> MTSS Rule 4901:1-5-08(D)(3) requires the LEC to submit supplemental documentation sufficient to justify the request for a grace period within thirty days of the initial request for grace period. This filing is to provide such documentation.

MTSS Rule 4901:1-5-08(D) is satisfied when either: (a) there is at least a 300% increase in the number of out-of-service reports as compared to the three year average for the affected month; or (b) there is a declaration of a state of emergency by the governor or a duly authorized county official for the county in which the exchange is located. The rule also requires a minimum of ten out of service reports per day in a given exchange.

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<sup>1</sup> Bethany, Bethel, Cincinnati, Clermont, Harrison, Hamilton, Little Miami, Newtonsville, Reily, Seven Mile, Shandon, and Williamsburg.

CBT supplied the Commission with a declaration of emergency by Governor Strickland for the entire State of Ohio dated September 15, 2008. However, the declaration did not specifically identify the time period over which it was to be in effect. As a result, CBT is filing its out-of-service report data for the period over which it seeks relief to demonstrate the days that it met the 300% increase in out-of-service reports branch of the rule.

CBT has calculated the average number of out-of-service reports for the month of September over the three previous years and compared that to the number of reports received the week of the storm.<sup>2</sup> CBT's calculation of the number of out-of-service reports necessary to achieve a 300% increase over the same month for the previous three years is shown in the attached chart.<sup>3</sup> The second page of the attachment contains the raw data from which these averages were calculated, as well as the daily out-of-service report data for the period following the September 14 windstorm, demonstrating which exchanges satisfied the waiver rule on which days.

Because CBT did not receive at least ten out-of-service reports on any individual day in the Bethel or Seven Mile exchanges, CBT withdraws its waiver request as to those exchanges. For the same reason, it withdraws the request for September 14 in the Harrison, Newtonsville, Reily, Shandon and Williamsburg exchanges, for September 15 in the Newtonsville exchange, for September 17 in the Cincinnati and Reily exchanges, and for September 18 in all exchanges except for Hamilton and Little Miami, which both had more than ten out-of-service reports and in excess of a 300% increase over the historical average number of reports. Finally, CBT withdraws its waiver request as to September 19 for all exchanges because it either did not

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<sup>2</sup> CBT has attached the raw data showing the number of out-of-service reports for each of its twelve Ohio exchanges on a daily basis during the month of September 2005, 2006 and 2007, from which these averages were calculated, as well as daily out-of-service data for the affected period in September 2008.

<sup>3</sup> Because CBT considers this data confidential, it is filing herewith a Motion for Protective Order and has filed the data under seal.

experience ten or more out-of-service reports or the number of reports received was not at least a 300% increase over the average for the three previous years on that day.

For clarity, the daily out-of-service report data attached hereto is highlighted to show the dates for each exchange that exceeded the necessary minimums to represent at least a 300% increase over the historical average. In addition, any exchanges that experienced at least ten out-of-service reports on September 14, the date of the storm, are highlighted because they were covered by the Governor's declaration of a state of emergency.

Most of the initial outage reports resulted directly from damage caused by the windstorm, e.g., downed lines due to fallen trees and poles. Many of these lines shared poles with electric power lines and could not be restored until trees were removed and the electric utility made repairs to its lines and/or poles. Beginning the day after the storm, September 15, back-up power supplies became exhausted at numerous remote SLC locations due to the extended loss of commercial power. This loss of power extended many of the service outages beyond the time necessary to make physical repairs to lines and, in some cases, affected customers whose phone lines were intact. However, restoration of commercial power to these locations was out of CBT's control. CBT swapped batteries and used portable generators to maintain or restore service at many SLC locations. Nonetheless, because commercial power was unavailable for up to one week in some locations, outages occurred at 112 SLCs spread over all of CBT's Ohio exchanges. The number of SLCs that lost power ranged from a low of three in smaller exchanges such as Newtonsville and Shandon to a high of 38 in Cincinnati, the largest exchange. While most central offices used back-up power as a result of the storm, no central office lost power, and no outages occurred at the central office level.

For these reasons, CBT requests that the Commission grant it the requested additional forty-eight hour grace period in which to clear trouble reports made between September 14 and 18, 2008 in its Ohio exchanges as shown on the highlighted attachment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Douglas E. Hart', written over a horizontal line.

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**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing was served by first class U.S. Mail, postage prepaid,  
this 24<sup>th</sup> day of October 2008, upon the following:

A handwritten signature in black ink, appearing to read "Terry L. Etter", is written over a horizontal line.

Terry L. Etter  
Assistant Consumers' Counsel  
Office of the Ohio Consumers' Counsel  
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**CALCULATION OF 300% INCREASE OVER HISTORICAL AVERAGE**  
**NUMBER OF OUT-OF-SERVICE REPORTS FOR SEPTEMBER**

| Exchange      | 2005 | 2006 | 2007 | Monthly<br>Average | Daily<br>Average | 400% of<br>Average |
|---------------|------|------|------|--------------------|------------------|--------------------|
| Bethany       |      |      |      |                    |                  |                    |
| Cincinnati    |      |      |      |                    |                  |                    |
| Clermont      |      |      |      |                    |                  |                    |
| Hamilton      |      |      |      |                    |                  |                    |
| Harrison      |      |      |      |                    |                  |                    |
| Little Miami  |      |      |      |                    |                  |                    |
| Newtownsville |      |      |      |                    |                  |                    |
| Reily         |      |      |      |                    |                  |                    |
| Shandon       |      |      |      |                    |                  |                    |
| Williamsburg  |      |      |      |                    |                  |                    |

**DATA REDACTED  
FILED UNDER SEAL  
WITH MOTION FOR PROTECTIVE ORDER**

[illegible]

| Fri   | Sat   | Sun   | Mon   | Tue   | Wed   | Thu   | Fri   | Sat   |
|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| 09:01 | 09:02 | 09:03 | 09:04 | 09:05 | 09:06 | 09:07 | 09:08 | 09:09 |
| 09:10 | 09:11 | 09:12 | 09:13 | 09:14 | 09:15 | 09:16 | 09:17 | 09:18 |
| 09:19 | 09:20 | 09:21 | 09:22 | 09:23 | 09:24 | 09:25 | 09:26 | 09:27 |
| 09:28 | 09:29 | 09:30 | 09:31 | 09:32 | 09:33 | 09:34 | 09:35 | 09:36 |
| 09:37 | 09:38 | 09:39 | 09:40 | 09:41 | 09:42 | 09:43 | 09:44 | 09:45 |
| 09:46 | 09:47 | 09:48 | 09:49 | 09:50 | 09:51 | 09:52 | 09:53 | 09:54 |
| 09:55 | 09:56 | 09:57 | 09:58 | 09:59 | 10:00 | 10:01 | 10:02 | 10:03 |
| 10:04 | 10:05 | 10:06 | 10:07 | 10:08 | 10:09 | 10:10 | 10:11 | 10:12 |
| 10:13 | 10:14 | 10:15 | 10:16 | 10:17 | 10:18 | 10:19 | 10:20 | 10:21 |
| 10:22 | 10:23 | 10:24 | 10:25 | 10:26 | 10:27 | 10:28 | 10:29 | 10:30 |
| 10:31 | 10:32 | 10:33 | 10:34 | 10:35 | 10:36 | 10:37 | 10:38 | 10:39 |
| 10:40 | 10:41 | 10:42 | 10:43 | 10:44 | 10:45 | 10:46 | 10:47 | 10:48 |
| 10:49 | 10:50 | 10:51 | 10:52 | 10:53 | 10:54 | 10:55 | 10:56 | 10:57 |
| 10:58 | 10:59 | 11:00 | 11:01 | 11:02 | 11:03 | 11:04 | 11:05 | 11:06 |
| 11:07 | 11:08 | 11:09 | 11:10 | 11:11 | 11:12 | 11:13 | 11:14 | 11:15 |
| 11:16 | 11:17 | 11:18 | 11:19 | 11:20 | 11:21 | 11:22 | 11:23 | 11:24 |
| 11:25 | 11:26 | 11:27 | 11:28 | 11:29 | 11:30 | 11:31 | 11:32 | 11:33 |
| 11:34 | 11:35 | 11:36 | 11:37 | 11:38 | 11:39 | 11:40 | 11:41 | 11:42 |
| 11:43 | 11:44 | 11:45 | 11:46 | 11:47 | 11:48 | 11:49 | 11:50 | 11:51 |
| 11:52 | 11:53 | 11:54 | 11:55 | 11:56 | 11:57 | 11:58 | 11:59 | 12:00 |
| 12:01 | 12:02 | 12:03 | 12:04 | 12:05 | 12:06 | 12:07 | 12:08 | 12:09 |
| 12:10 | 12:11 | 12:12 | 12:13 | 12:14 | 12:15 | 12:16 | 12:17 | 12:18 |
| 12:19 | 12:20 | 12:21 | 12:22 | 12:23 | 12:24 | 12:25 | 12:26 | 12:27 |
| 12:28 | 12:29 | 12:30 | 12:31 | 12:32 | 12:33 | 12:34 | 12:35 | 12:36 |
| 12:37 | 12:38 | 12:39 | 12:40 | 12:41 | 12:42 | 12:43 | 12:44 | 12:45 |
| 12:46 | 12:47 | 12:48 | 12:49 | 12:50 | 12:51 | 12:52 | 12:53 | 12:54 |
| 12:55 | 12:56 | 12:57 | 12:58 | 12:59 | 13:00 | 13:01 | 13:02 | 13:03 |
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| 13:31 | 13:32 | 13:33 | 13:34 | 13:35 | 13:36 | 13:37 | 13:38 | 13:39 |
| 13:40 | 13:41 | 13:42 | 13:43 | 13:44 | 13:45 | 13:46 | 13:47 | 13:48 |
| 13:49 | 13:50 | 13:51 | 13:52 | 13:53 | 13:54 | 13:55 | 13:56 | 13:57 |
| 13:58 | 13:59 | 14:00 | 14:01 | 14:02 | 14:03 | 14:04 | 14:05 | 14:06 |
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| 14:43 | 14:44 | 14:45 | 14:46 | 14:47 | 14:48 | 14:49 | 14:50 | 14:51 |
| 14:52 | 14:53 | 14:54 | 14:55 | 14:56 | 14:57 | 14:58 | 14:59 | 15:00 |
| 15:01 | 15:02 | 15:03 | 15:04 | 15:05 | 15:06 | 15:07 | 15:08 | 15:09 |

| Thu   | Fri   | Sat   | Sun   | Mon   | Tue   | Wed   | Thu   | Fri   | Sat   | Sun   | Mon   | Tue   | Wed   | Thu   | Fri   |
|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| 02/01 | 02/05 | 02/06 | 02/04 | 02/03 | 02/02 | 02/07 | 02/08 | 02/09 | 02/10 | 02/11 | 02/12 | 02/13 | 02/14 | 02/15 | 02/16 |
| 02/17 | 02/18 | 02/19 | 02/20 | 02/21 | 02/22 | 02/23 | 02/24 | 02/25 | 02/26 | 02/27 | 02/28 | 02/29 | 02/28 | 02/29 | 02/30 |