

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Adoption of Rules to Implement Substitute Senate Bill 162.))	Case No. 10-1010-TP-ORD
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Reply Comments of tw telecom of ohio llc

Introduction

The Public Utilities Commission of Ohio (“Commission”) issued for comment its Staff’s proposed revisions to its retail rules, Ohio Administrative Code (“O.A.C.”) Chapter 4901:1-6, in its Entry of July 29, 2010. **tw telecom of ohio llc** (“TWTC”) filed initial comments on August 30, 2010 providing further improvements to Staff’s proposed rules.

Initial comments were also filed by: Ohio Cable Telecommunications Association (“OCTA”); Ohio Telecom Association (“OTA”); The AT&T Entities (“AT&T”); Cincinnati Bell Telephone Company (“CBT”); Verizon; and Members of Ohioans Protecting Telephone Consumers¹ (“OPTC”).

As TWTC observed in its Initial Comments, the draft rules, as proposed by the Staff are reasonably faithful to the directives of SB 162. The fact that the comments provided by the parties collectively were fairly limited bears this out. TWTC nevertheless would join the comments of AT&T that the Commission must limit the reach of its rules on matters concerning the quality of service, rates, terms and conditions to the specific authorizations provided by SB 162. (AT&T at pp. 2-4). TWTC also concurs generally with the recommended revisions

¹ Includes the Office of the Ohio Consumers’ Counsel; AARP Ohio; Citizens Coalition; Communities United for Action; Edgemont Neighborhood Coalition; Ohio Poverty Law Center and Pro Seniors Inc.

proposed by the OCTA. Beyond this, TWTC has the following comments in reply to certain points that it strongly supports.

Reply Comments

4901:1-6-07 Content of customer notice

CBT argues that this rule should be revised to specifically state that notice should be provided 15 days in advance of any rate increase (CBT at p. 2). Telecommunications carriers should not have to provide advance notice for rate decreases as this would require carriers to provide notice that is not required by the existing rules. The OTA made a similar observation (OTA at p. 4). TWTC agrees with CBT's and OTA's recommendations, and requests that the Commission revise this rule to eliminate the unintended consequence of having to submit advanced notices for rate decreases.

4901:1-6-30 Company records and complaint procedures

TWTC agrees with the OTA's recommended revision to this rule (OTA at p. 7). As drafted the rule could have the unintended consequence of applying to all records. Therefore, TWTC also requests that the Commission revise this rule as suggested by the OTA.

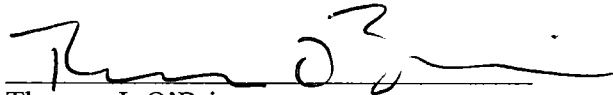
4901:1-6-31 Emergency and outage operations

The OTA, AT&T and Verizon each argue that this reporting requirement is duplicative of the FCC reporting requirements and therefore adds the burden of additional reporting requirements. The OTA, AT&T and Verizon suggest that Commission utilize the FCC form for reporting outages so that it would not create additional and inconsistent reporting requirements (OTA at p. 7; AT&T at p. 24; and Verizon at p. 4). TWTC agrees that this rule should be revised to allow telecommunications carriers to use the FCC form when reporting outages.

Conclusion

TWTC requests that the Commission adopt the changes to the Staff's recommendations to Chapter 4901:1-6 consistent with the reply comments set forth above, as well as with the comments contained in TWTC's initial comments.

Respectfully submitted on behalf of
tw telecom of ohio llc

A handwritten signature in black ink, appearing to read 'Tom O'Brien', is written over a horizontal line.

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CERTIFICATE OF SERVICE

The undersigned hereby acknowledges that a copy of the foregoing was served by either electronic mail or by regular U.S. Mail this 30th day of September 2010.


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Summary: Reply Comments electronically filed by Teresa Orahood on behalf of tw telecom of ohio llc