



## LEGAL AID SOCIETY OF DAYTON, INC.

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GARY J. WESTON  
Executive Director

October 17, 1997

Ms. Daisy Crockron  
Docketing Division Chief  
The Public Utility Commission of Ohio  
180 East Broad St., 10th Floor  
Columbus, OH 43215-3793

RE: Case No. 93-487-TP-ALT

Dear Ms. Crockron:

Enclosed please find an original and 24 copies of the Consumer Coalition's Motion for Continuance of Hearing Date to be filed in the above captioned case.

Please return the extra copies, file-stamped, to my office in the enclosed envelope.

Yours,

Ellis Jacobs  
Counsel for the Edgemont  
Neighborhood Coalition

EJ:bt  
Enc.

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BEFORE THE  
PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the Application  
of the Ohio Bell Telephone Company  
for Approval of an Alternative  
form of Regulation

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Case No. 93-487-TP-ALT

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**CONSUMER COALITION'S  
MOTION FOR CONTINUANCE  
OF HEARING DATE**

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The Edgemont Neighborhood Coalition, the Empowerment Center of Greater Cleveland, the Ohio Consumers' Counsel, the American Association of Retired Persons, the City of Toledo, and the Appalachian People's Action Coalition (Consumers' Coalition or Coalition), pursuant to Ohio Administrative Code 4901-1-12, hereby submit this Motion for Continuance of Hearing Date. Ameritech does not object to a continuance. Because the deadlines for discovery and submission of testimony established in this case are approaching rapidly, the Consumers' Coalition also seeks an expedited ruling on this Motion. A statement of good cause is attached to this Motion.

Respectfully submitted,



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### MEMORANDUM IN SUPPORT

On October 6, 1997 the Attorney Examiner issued an Entry establishing a hearing schedule in this proceeding. The Entry schedules mediation to commence on October 21, 1997, discovery to be completed by November 3, 1997, Ameritech's expert testimony to be filed November 4, 1997, joint movants testimony to be filed by November 6, 1997 with the hearing to commence on November 12, 1997.

The Consumer Coalition requests that the Hearing date in this matter and the associated discovery and testimony filing dates be continued for 60 days.

This matter has been set for hearing on the Motion of the Consumer Coalition, there will be no prejudice to Ameritech from the granting of this continuance, and Ameritech does not object to a continuance.

The Consumer Coalition requests this continuance for several reasons.

First, Ameritech's response to the Edgemont Neighborhood Coalition and the American Association of Retired Person's first set of discovery, which was served on Ameritech by fax on September 25, 1997, was due, pursuant to the Commission's Entry of October 6, 1997, no later than October 9, 1997. It was not until October 14, 1997 that counsel for Edgemont received a "partial response" to that discovery. The other coalition members did not receive any of the discovery response materials until October 16, 1997. This delay has held up further discovery.

Second, the Consumer Coalition is in the process of arranging an expert witness for this case, Nancy Brockway of the National Consumer Law Center. We have not yet been able to finalize arrangements with Ms. Brockway and there are questions about her ability to prepare

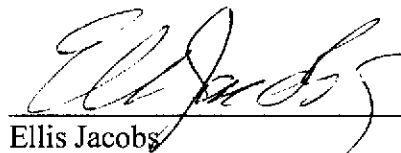
testimony by the November 6, 1997 cut-off date.

Third, this matter has been set for Mediation to commence October 21, 1997. The mediation should proceed as scheduled. A continuance of the hearing date will allow time to insure that the possibilities for a negotiated resolution of this case are fully explored.

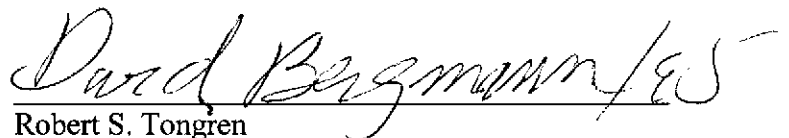
Finally, Counsel for the movants in this case are involved in a number of other telecommunications cases which are set for hearing before the Commission this fall. The cases include Case No. 97-539-TP-ACE, Case No. 97-397-TP-ACE, Case No. 96-926-TP-ACE, and Case No. 97-597-TP-UNC. A continuance is needed in order to allow time to properly prepare this case.

In summary, the Consumer Coalition filed the Motion which lead to this hearing. We have every interest and desire to see this case proceed expeditiously, however, we want to make sure there is sufficient time to properly prepare this case for hearing as well as to fully explore possibilities for settlement. For those reasons, and because Ameritech does not object to a continuance, the Coalition asks that a 60 day continuance of the hearing date be granted.

Finally, because important cut-off dates are quickly approaching. The Coalition asks for an expedited ruling on this Motion.



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**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing Motion for Continuance of Hearing Date was served by facsimile on Ameritech Ohio, Attention Michael Mulcahy at (216) 822-0240 and mailed by ordinary U.S. Mail this 17 day of October, 1997 to the following.

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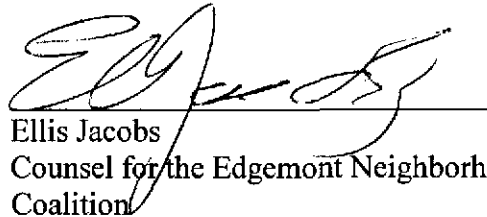
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