BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Neutral)
Tandem-Michigan, LLC to File Revised)   Case No. 11-5859-TP-ATA
Pages to its Access Tariff.)

ENTRY

The Commission finds:

(1)   On December 2, 2011, Neutral Tandem-Michigan, LLC (Neutral Tandem) filed an application to increase its intrastate access rates in its access services tariff, P.U.C.O. Tariff No. 4.

(2)   Pursuant to the attorney examiner Entry of December 28, 2011, the application was suspended for 60 days in accordance with Rule 4901:1-6-06, Ohio Administrative Code (O.A.C.), in order to allow for the completion of the review of the application.

(3)   Upon further review, the Commission notes that pursuant to its November 18, 2011, Report and Order and Further Notice of Proposed Rulemaking (FCC Report and Order) in WC Docket No. 07135 et al., the Federal Communications Commission established a freeze on intrastate switched access rates for competitive local exchange companies that benchmark access rates to price cap carriers. Specifically, intrastate switched access rates were capped at current levels effective as of December 29, 2011.

The Commission notes that Neutral Tandem did not file its application until December 2, 2011. The Commission also highlights that pursuant to Rule 4901:1-7-14, O.A.C., changes to carrier-to-carrier tariffs are subject to a thirty-day automatic approval process. In light of the fact that the application was not approved prior to December 29, 2011, the date that the rate freeze mandate became effective, the application is now moot and should be dismissed.
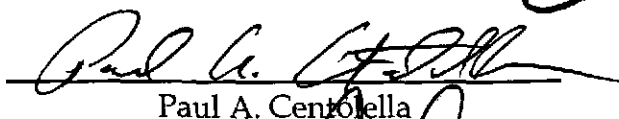
It is, therefore,

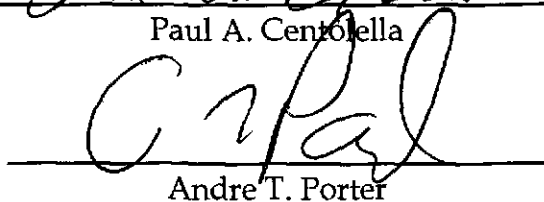ORDERED, That the application is moot and should be dismissed. It is, further,

ORDERED, That a copy of this Entry be served upon all parties of record.
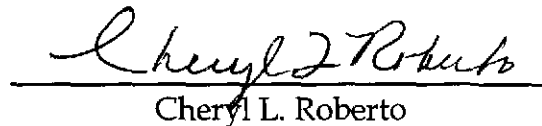
THE PUBLIC UTILITIES COMMISSION OF OHIO

Todd A. Snitchler, Chairman
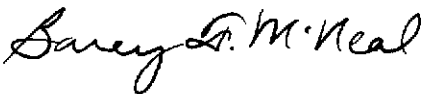
Paul A. Centolella

Steven D. Lesser

Andre T. Porter

Cheryl L. Roberto

JSA/dah

Entered in the Journal

FEB 1 4 2012

Barcy F. McNeal
Secretary