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**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of)
The Ohio Bell Telephone Company)
for Approval of an Alternative)
Form of Regulation.)

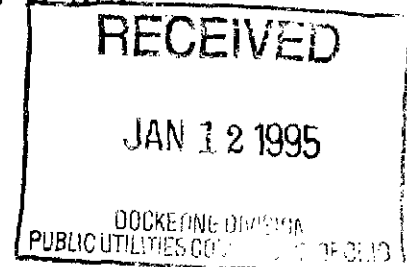
Case No. 93-487-TP-ALT

In the Matter of the Complaint of)
the Office of the Consumers' Counsel,)
Complainant)

v.)

Ohio Bell Telephone Company,)
Respondent.)

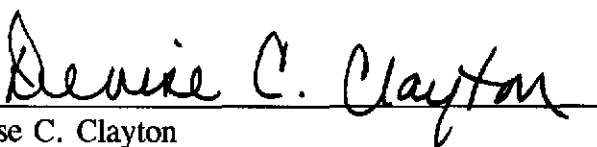
Case No. 93-576-TP-CSS



MOTION TO ENFORCE PROVISION OF STIPULATION

Now comes Time Warner AxS and respectfully requests that, if the Commission intended to enforce the rates resulting from the Stipulation approved by its Opinion and Order of November 23, 1994, pursuant to the Entry it issued on January 5, 1995, then the Commission should forthwith enforce another provision of the Stipulation. The reasons for this Motion are fully explained in the attached Memorandum in Support.

Respectfully submitted,



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**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of	)	
The Ohio Bell Telephone Company	)	Case No. 93-487-TP-ALT
for Approval of an Alternative	)	
Form of Regulation.	)	
	)	
In the Matter of the Complaint of	)	
the Office of the Consumers' Counsel,	)	
Complainant	)	
	)	
v.	)	Case No. 93-576-TP-CSS
	)	
Ohio Bell Telephone Company,	)	
Respondent.	)	

MEMORANDUM IN SUPPORT

Now comes Time Warner AxS ("Time Warner") an intervenor in these proceedings, and respectfully requests that the Commission enforce certain provisions of the Stipulation submitted in these proceedings on September 20, 1994. The Commission issued its Opinion and Order in this matter on November 23, 1994. On January 5, 1995, the Commission ruled on various accounting applications (Case Nos. 88-1549-TP-AEC, 89-1147-TP-ATA, 94-1132-TP-ATA, 94-1472-TP-ATA, 94-1615-TP-ATA, 94-1076-TP-ATA, 94-1925-TP-ATA, 94-1939-TP-ATA and 94-2004-TP-ATA) and approved Ameritech Ohio's tariff to implement the rates set forth in its alternative regulation plan (93-487-TP-ALT). Without speaking to the specifics of the actions that were taken in the various accounting applications, Time Warner notes that in the Commission's Entry of January 5, 1994, the Commission found that the Stipulation approved in its November 23, 1994 Order established certain revenue reductions to be phased-in, rate

changes, caps on certain rates and limited price cap regulation on certain non-core services. Applicant submitted for Commission review and approval copies of its tariffs to be effective on January 9, 1995. Pursuant to Finding No. 4 of the Commission's January 5th Entry, the Applicant's proposed tariffs were found to be consistent with the Commission's Opinion and Order in Case No. 93-487-TP-ALT. Thus, the Commission approved the tariff with the exception of revisions to the operator service rates in accordance with directives contained in the Entry.

From the January 5th Entry, it appears that the Commission has, without regard to the various issues set forth in the Applications for Rehearing still pending in Case No. 93-487-TP-ALT, proceeded to put into effect Ameritech Ohio's rates, revenue reductions and price cap plan as set forth in the September 20, 1994 Stipulation and Recommendation. Thus, despite the arguments on rehearing that are set forth by numerous parties addressing issues that are reflected in the rates and charges of the now-approved tariffs, the rates, terms and conditions of Ameritech Ohio's Plan are now in effect. It is not clear, therefore, what status the still pending applications for rehearing have since they address some of the issues reflected in the approved tariff.¹

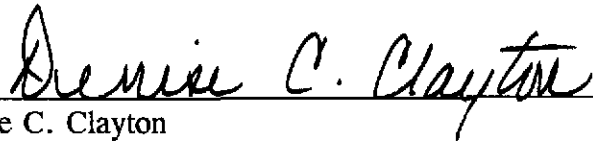
¹ Time Warner is in no way, through this pleading, waiving any portions of its Application for Rehearing.

From Time Warner's perspective, the Commission has approved the Plan and the associated tariff without regard to most of the arguments set forth in the Applications for Rehearing. If that is in fact the case, (and without addressing the merits of those actions), Time Warner hereby respectfully requests that the Commission enforce another element of the Stipulation² - one that should be enforced despite the Commission's recent actions reflected in the January 5th Entry. More specifically, Time Warner hereby requests that the Commission direct Ameritech Ohio to dismiss the appeals STILL pending at the Supreme Court of Ohio in Case Nos. 94-1246 and 94-988, appeals that challenge two Time Warner AxS certificates. While the terms of the Stipulation signed on September 20, 1994, plainly state that these appeals are to be dismissed upon approval of the Stipulation by the Commission in Case No. 93-487-TP-ALT, to the best of Time Warner's knowledge, these appeals are still pending. Accordingly, if the Commission believes it is appropriate to grant Ameritech Ohio the benefit of its new rates and reduced regulatory oversight, pricing flexibility, and other privileges associated with approval of Ameritech Ohio's alternative regulation plan and associated tariff, it is only appropriate that the Commission direct Ameritech Ohio to hold up its end of the bargain and dismiss its appeals at the Supreme Court of Ohio forthwith - something Ameritech Ohio has already promised to do.

² Time Warner also notes that it still has two Motions pending before the Commission that have not yet been ruled upon. One is Western Reserve Competitive Access Providers' *Motion to Reopen Proceedings and to Abrogate Order or to Find Western Reserve Telephone Company in Violation of Order and Commitments* filed in the Western Reserve Telephone Company Proceeding, Case No. 93-230-TP-ALT & 93-1525-TP-CSS filed on August 12, 1994. Another pending matter is Time Warner's *Motion to Establish Streamlined Proceeding, Defer Ruling on Motions to Intervene and For Other Relief* filed on December 18, 1994 in Case No. 94-1695-TP-ACE. Time Warner requests that the Commission take action on these items as well.

For the foregoing reasons, Time Warner hereby respectfully requests that the Commission grant its Motion and direct Ameritech Ohio to withdraw its appeals in the Supreme Court of Ohio Case Nos. 94-1246 and 94-988 forthwith.

Respectfully submitted,

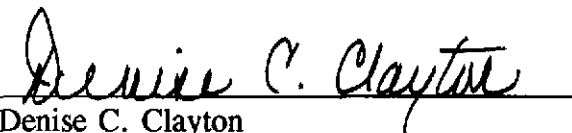


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warner/obt/enforce.mtn
84619.001

CERTIFICATE OF SERVICE

I, Denise C. Clayton, hereby certify that a copy of the foregoing Motion to Enforce Provision of Stipulation was served upon the following parties of record this 12th day of January, 1995, via electronic transmission, hand-delivery or ordinary U.S. mail, postage prepaid.


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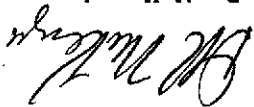
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The Exchange and Network Services Tariff Sheet had some information lost when it was changed from the 2nd Revised Sheet No. 96, effective December 23, 1994, in Order No. 94-1693-TP-ATA to the 3rd Revised Sheet No. 96, effective January 9, 1995, pursuant to Order No. 93-487-TP-ALT, dated January 5, 1995. The change is to put the lost information back.

Also attached are three copies of the Pricing Lists which were inadvertently omitted from the attachments to the letter dated January 6, 1995, regarding Order Nos. 93-487-TP-ALT and 94-1822-TP-ATA.

Acknowledgment and date of receipt of this filing are requested. A duplicate transmittal letter is attached for this purpose.

Very truly yours,



D. R. McKenzie
Director - Tariff Management

EXCHANGE AND NETWORK SERVICES TARIFF
P.U.C.O. No. 1
EXCHANGE SERVICES

2. EXCHANGE SERVICE OFFERINGS (Cont'd)

2.6 Ameritech ISDN Prime (Cont'd)

F. Rates and Charges

1. General

(a) The rate structure for each Ameritech ISDN Prime shall include charges for an Ameritech ISDN Prime including optional features (see 2. following), an Ameritech DSL Service Local Distribution Channel and End User Common Line Charges (EULC). These charges represent the physical components of the customer's service.

(b) WATS Service and Custom 800 Service are available over the Ameritech ISDN Prime at their current tariff charges. Any available CO features (Custom Calling) are also available at additional charges.

(c) Calls will be subject to the usage charges for the services provisioned on the channels. Measured Local Message Charges for usage will apply to Local Service Area voice and circuit switched data calls provisioned on the channel. Message Toll charges will apply to calls outside the Local Service Area. Custom 800 and WATS usage charges apply. Packet Switched Network Service call usage charges apply.

(d) Standard features and capabilities for "B" channel Packet Switched Data are provided as shown for Packet Switched Network using X.25 protocol. Optional features and capability charges apply for Packet Switched Network Service using X.25 protocol.

(e) References:

Service

Ameritech DSL, DS3, OC-3, or

OC-12 Service.....

Private Line Service Tariff,
Paragraph 3.2.10 or Ameritech

Operating Companies Access
Service Tariff, No. 2, Section 7
Ameritech Operating Companies
Ameritech Operating Companies
Access Service Tariff,
F.C.C. No. 2, Section 4.1.7 (C)

Circuit Switched Voice/Data:

Exchange Service, Measured Rate..

Paragraph 2.1.C.
Digital Switched Network Services
Catalog, Paragraph 3

Wide Area Telecommunications Service

Wide Area Telecommunications

Service Catalog
This Tariff, Section 8, Paragraph 3

Message Toll Service.....

Message Toll Telephone Service
Tariff

Issued: January 19, 1995
Effective: January 9, 1995

In accordance with Order No. 93-487-TP-ALT, dated November 23, 1994 and
Commission Entry in Case No. 93-487-TP-ALT, dated January 5, 1995.

By J. E. Woods, President, Cleveland, Ohio

3. CHANNELS (Cont'd)

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3.5 Determination of Rate Mileages

Issued: January 19, 1995
Effective: January 9, 1995

In accordance with Order No. 94-1822-TP-ATA, dated January 5, 1995, and Order No. 93-487-TP-ALT, dated November 23, 1994 and Commission Entry in Case No. 93-487-TP-ALT, dated January 5, 1995, and by virtue of Order No. 84-944-TP-COI, issued by The Public Utilities Commission of Ohio, April 9, 1985.

By J. F. Woods, President, Cleveland, Ohio

PRICING LIST

The Ohio Bell
Telephone Company

Original Sheet No. 101.28

PRIVATE LINE SERVICE TARIFF

3. CHANNELS (Cont'd)

3.2 Classification and Rates (Cont'd)

3.2.11 Ameritech OC-3 and Ameritech OC-12 Services (Cont'd)

D. Rates and Charges, Ameritech OC-3 Service

Recurring Charges
Variable Term Payment Plan
USOC Monthly 12 Mo. 36 Mo. 60 Mo.

(1) Local Distribution
Channel
- Per Point of
Termination
- Per Point of
Termination
Rate 155.52 Mbps
Channel Mileage
Termination
155.52 Mbps
CM6 469.00 469.00 399.00 375.00
1LSXX 250.00 250.00 213.00 200.00
(4) Optional Features
and Functions
(a) OC-3 Add/Drop
Multiplexing
- Per
Arrangement MPECX 1,107.00 1,107.00 939.00 775.00
USOC Monthly Nonrecurring Charge

(b) Add/Drop
Function
Per DS3 Add or
Drop MXJBX 120.00 None
Per DS1 Add or
Drop MXJAX 50.00 None
Issued: January 19, 1995
Effective: January 9, 1995

In accordance with Order No. 94-1822-TP-ATA, dated January 5, 1995, and
Order No. 93-487-TP-ALT, dated November 23, 1994 and Commission Entry in
Case No. 93-487-TP-ALT, dated January 5, 1995, and by virtue of Order No.
84-944-TP-COI, issued by The Public Utilities Commission of Ohio, April 9, 1985.
By J. F. Woods, President, Cleveland, Ohio

PRICING LIST

The Ohio Bell
Telephone Company

Original Sheet No. 101.29

PRIVATE LINE SERVICE TARIFF

3. CHANNELS (Cont'd)

3.2 Classification and Rates (Cont'd)

3.2.11 Ameritech OC-3 and Ameritech OC-12 Services (Cont'd)

D. Rates and Charges, Ameritech OC-3 Service (Cont'd)

(4) Optional Features and Functions (Cont'd)

Nonrecurring Charge	Monthly Rate	USOC	
			(c) Cross-Connection of Services OC-3 to OC-3 Cross-Connect Per Circuit
None	\$104.00	OCCX	(d) 1+1 Protection - Per OC-3 Local Distribution Channel P8T
None	57.00	P8T	(e) 1+1 Protection with Cable Survivability - Per OC-3 Local Distribution Channel P3S
\$500.00	57.00	P3S	(f) 1+1 Protection with Route Survivability (1) Per OC-3 Local Distribution Channel P8T
Apply Rates and Charges as P8T above plus (2) below	50.00	S2DXY	(2) Per Quarter Route Mile
None			

Issued: January 19, 1995
Effective: January 9, 1995

In accordance with Order No. 94-1822-TP-ATA, dated January 5, 1995, and Order No. 93-487-TP-ALT, dated November 23, 1994 and Commission Entry in Case No. 93-487-TP-ALT, dated January 5, 1995, and by virtue of Order No. 84-944-TP-COI, issued by The Public Utilities Commission of Ohio, April 9, 1985.

By J. F. Woods, President, Cleveland, Ohio

PRICING LIST

The Ohio Bell
Telephone Company

Original Sheet No. 101.30

PRIVATE LINE SERVICE TARIFF

3. CHANNELS (Cont'd)

3.2 Classification and Rates (Cont'd)

3.2.11 Ameritech OC-3 and Ameritech OC-12 Services (Cont'd)

D. Rates and Charges, Ameritech OC-12 Service

Recurring Charges
Variable Term Payment Plan
USOC Monthly 12 Mo. 36 Mo. 60 Mo.

(1) Local Distribution							
(2) Channel Mileage							
Termination	- Per Point of	Termination	- Per Point of	Termination	- Per Point of	Termination	- Per Point of
Mileage	622.08 Mbps	CM6	700.00	700.00	595.00	560.00	
(3) Channel Mileage							
- Per Mile	622.08 Mbps	1LSXX	500.00	500.00	425.00	400.00	
(4) Optional Features							
and Functions	(a) OC-12 Add/Drop	Arrangement	MPEDX	2,750.00	2,750.00	2,340.00	1,925.00
- Per	Multiplexing						
(b) Add/Drop							
Function	Per OC-3 Add or	Drop	MXJCX	150.00	None		
Per DS3 Add or							
Drop	MXJBX	120.00	None				

Issued: January 19, 1995
Effective: January 9, 1995

In accordance with Order No. 94-1822-TP-ATA, dated January 5, 1995, and Order No. 93-487-TP-ALT, dated November 23, 1994 and Commission Entry in Case No. 93-487-TP-ALT, dated January 5, 1995, and by virtue of Order No. 84-944-TP-COI, issued by The Public Utilities Commission of Ohio, April 9, 1985.

By J. F. Woods, President, Cleveland, Ohio

PRICING LIST

The Ohio Bell
Telephone Company

Original Sheet No. 101.31

PRIVATE LINE SERVICE TARIFF

3. CHANNELS (Cont'd)

3.2 Classification and Rates (Cont'd)

3.2.11 Ameritech OC-3 and Ameritech OC-12 Services (Cont'd)

D. Rates and Charges, Ameritech OC-12 Service (Cont'd)

(4) Optional Features and Functions (Cont'd)

USOC	Monthly Rate	Nonrecurring Charge
(c) Cross-Connection of Services OC-12 to OC-12 Cross-Connect Per Circuit	\$550.00	None
(d) 1+1 Protection - Per OC-12 Local Distribution Channel	250.00	None
(e) 1+1 Protection with Cable Survivability - Per OC-12 Local Distribution Channel	250.00	\$600.00
(f) 1+1 Protection with Route Survivability		
(1) Per OC-12 Local Distribution Channel	P8T	Apply Rates and Charges as P8T above plus (2) below
(2) Per Quarter Route Mile	S2DX	75.00
		None

Issued: January 19, 1995
Effective: January 9, 1995

In accordance with Order No. 94-1822-TP-ATA, dated January 5, 1995, and Order No. 93-487-TP-ALT, dated November 23, 1994 and Commission Entry in Case No. 93-487-TP-ALT, dated January 5, 1995, and by virtue of Order No. 84-944-TP-COI, issued by The Public Utilities Commission of Ohio, April 9, 1985.

By J. F. Woods, President, Cleveland, Ohio

PRICING LIST

The Ohio Bell
Telephone Company

Original Sheet No. 101.32

PRIVATE LINE SERVICE TARIFF

3. CHANNELS (Cont'd)

3.2 Classification and Rates (Cont'd)

3.2.11 Ameritech OC-3 and Ameritech OC-12 Services (Cont'd)

E. Rates and Charges, Installation and Rearrangement Charges

Design and Central Office Administrative Charge per order	USOC	ORCMX	NRBCL	NRBBL
Ameritech OC-3 Service - 155.52 Mbps		\$50.00	\$500.00	\$600.00
Ameritech OC-12 Service - 622.08 Mbps		50.00	500.00	600.00

Issued: January 19, 1995
Effective: January 9, 1995

In accordance with Order No. 94-1822-TP-ATA, dated January 5, 1995, and Order No. 93-487-TP-ALT, dated November 23, 1994 and Commission Entry in Case No. 93-487-TP-ALT, dated January 5, 1995, and by virtue of Order No. 84-944-TP-COI, issued by The Public Utilities Commission of Ohio, April 9, 1985.
By J. F. Woods, President, Cleveland, Ohio

PRICING LIST

Original Sheet No. 101.41

The Ohio Bell
Telephone Company

PRIVATE LINE SERVICE TARIFF

3. CHANNELS (Cont'd)

3.2 Classification and Rates (Cont'd)

3.2.12 Ameritech OC-3 and Ameritech OC-12 Dedicated Ring (Cont'd)

D. Rates and Charges

(A) Node		USOC		Nonrecurring Charge		Monthly Rate	
Per Node type						36 Mo. 60 Mo.	
OC-3							
Customer Premises		FP5CX		-		\$1,770.00	
Central Office		FC5CX		-		1,000.00	
OC-12							
Customer Premises		FP5DX		-		3,850.00	
Central Office		FC5DX		-		2,620.00	
Nonrecurring charges							
for subsequent							
Installation							
- Per Node		NRBS7		\$ 400.00		-	
Customer Premises							
Central Office		NRBSV		325.00		-	
(B) Ports							
Per Node							
DS1 at OC-3 Node		SPRAX		-		50.00	
DS3 at OC-3 Node		SPRBX		-		120.00	
DS3 at OC-12 Node		SPRCX		-		120.00	
OC-3 at OC-12 Node		SPREX		-		150.00	
DS1 at OC-12 Node *		SPRGX		-		50.00	
Nonrecurring Charges							
for subsequent							
Installation							
Per port type							
OC-3		NRBSW		400.00		-	
DS3		NRBSX		385.00		-	
DS1		NRBSY		350.00		-	

*Optical to Electrical DS1 add/drop capability as shown in B.7. preceding is needed along with an OC-3 port.

Issued: January 19, 1995
Effective: January 9, 1995

In accordance with Order No. 94-1822-TP-ATA, dated January 5, 1995, and Order No. 93-487-TP-ALT, dated November 23, 1994 and Commission Entry in Case No. 93-487-TP-ALT, dated January 5, 1995, and by virtue of Order No. 84-944-TP-COI, issued by The Public Utilities Commission of Ohio, April 9, 1985.

By J. F. Woods, President, Cleveland, Ohio

PRIVATE LINE SERVICE TARIFF

3. CHANNELS (Cont'd)

3.2 Classification and Rates (Cont'd)

3.2.12 Ameritech OC-3 and Ameritech OC-12 Dedicated Ring (Cont'd)

D. Rates and Charges

(C) Mileage		USOC		Nonrecurring Charge		Monthly Rate	

By J. F. Woods, President, Cleveland, Ohio