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BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

DOCKETING DIVISION  
PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application )  
of Ameritech Ohio for Approval of ) **Case No. ~~93-487-TP-ALT~~**  
an Alternative Form of Regulation. ) **93-487-TP-ALT**

In the Matter of the Application )  
of Ameritech Ohio for an Order )  
Approving a Reasonable Arrangement )  
Between The Toledo Edison Company ) **Case No. 88-1549-TP-AEC**  
and Ameritech Ohio, Pursuant to )  
Section 4905.31 of the Revised Code )  
of Ohio. )

In the Matter of the Application )  
of Ameritech Ohio to Revise its )  
Exchange and Network Services )  
Tariff, PUCO No. 1, to Reflect the )  
Current End User Common Line (EUCL) ) **Case No. 89-1147-TP-ATA**  
Multiline Business Rate as it )  
Relates to the Parity Provision )  
Adjustment for Centrex CO 100 )  
Service and Centrex CO Zone - Type )  
I and II Service. )

In the Matter of the Application )  
of Ameritech Ohio to Revise its )  
Exchange and Network Services )  
Tariff, PUCO No. 1, to Establish a ) **Case No. 94-1132-TP-ATA**  
New Service Called Ameritech )  
Integrated Services Digital Network )  
(ISDN) Local Calling Value Plan )  
(AILCVP). )

In the Matter of the Application )  
of Ameritech Ohio to Revise its )  
Private Line Service Tariff, PUCO ) **Case No. 94-1472-TP-ATA**  
No. 2, to Establish Rates and )  
Regulations for Power Fault )  
Protection. )

In the Matter of the Application )  
of Ameritech Ohio to Revise its )  
Exchange and Network Services )  
Tariff, PUCO No. 1, to Establish ) **Case No. 94-1615-TP-ATA**  
Regulation and Rates for Two-Way )  
Direct Inward Dialing (DID) With )  
Call Transfer. )

In the Matter of the Application )  
of Ameritech Ohio to Revise its )  
Exchange and Network Tariff, PUCO )  
No. 1, to Establish Regulation and ) **Case No. 94-1706-TP-ATA**  
Rates for Ameritech Customer )  
Location Alternative Routing and )  
Ameritech Network Switch )  
Alternative Routing. )

In the Matter of the Application )  
of Ameritech Ohio to Revise its )  
Exchange and Network Tariff, PUCO ) **Case No. 94-1925-TP-ATA**  
No. 1, to Revise the Regulations )  
for Call Blocking. )

In the Matter of the Application )  
of Ameritech Ohio to Revise its )  
Exchange and Network Services ) **Case No. 94-1939-TP-ATA**  
Tariff, PUCO No. 1, to Modify )  
Advanced Custom Calling Rates and )  
Change Multiple Feature Discounts. )

In the Matter of the Application )  
of Ameritech Ohio to Revise its )  
Exchange and Network Services ) **Case No. 94-2004-TP-ATA**  
Tariff, PUCO No. 1, to Extend the )  
Trial Period for Toll Restriction. )

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**JOINT MEMORANDUM CONTRA APPLICATION FOR REHEARING**

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On January 5, 1995 the Public Utilities Commission of Ohio (PUCO or Commission) issued an Entry in these matters that approved all but one of the tariffs proposed by Ameritech Ohio (Ameritech or Company) to carry out its stipulated alternative regulation plan (Plan). Specifically, the Commission found that

the maximum rates shown for the three operator service rates increased pursuant to the stipulation, as depicted on Sheet No. 6.3 of Section 2 in Ameritech Ohio's Message Toll Telephone Service Tariff, should be those rates specified in the stipulation and not twice the stipulated rates.

Entry at 3. On February 6, 1995 Ameritech asked for rehearing solely on the issue of these operator service rates, arguing that its proposed rates are consistent with the stipulation. The Office of the Ohio Consumers' Counsel (OCC), American Association of Retired Persons (AARP), City of Toledo, Greater Cleveland Welfare Rights Organization, Consumers' League of Ohio, Western Reserve Alliance, and Edgemont Neighborhood Coalition disagree, and therefore file this memorandum in opposition to rehearing.

Ameritech has constructed a complex argument to support its proposed rates, drawing on the provisions of the Plan for Cell 2 flexible pricing, the rulings of the Commission in various competitive dockets and the language of the stipulation as it applies to other services. Ameritech does not, however, cite the specific language of the stipulation, which provides that on the effective date of the Plan,

[t]he rate for Automated Calling Card - Toll shall be increased from \$0.20 per call to \$0.35 per call, the rate for Customer Dialed-Operated Assisted Calling Card shall be increased from \$0.80 per call to \$1.00 per call, and the rate for Operator Handled - Third Number Billed shall be increased from \$1.10 per call to \$1.25 per call.

Stipulation at 12. Similar paragraphs deal with increases to be implemented on the first and second anniversary dates of the Plan.

This language is clear and unambiguous, and requires no interpretation. It is irrelevant how other Cell 2 services are handled. It is equally irrelevant how the Commission has ruled in other cases or with regard to other providers. These operator services are uniquely priced as part of the package that accomplishes the overall revenue reductions to residential services. If the drafters' intent were that these operator services be treated like other Cell 2 services, the operator services would not have been dealt with separately.

Ameritech cites the drafters' intent in arguing that because there allegedly is no bar to further increases in these three operator service rates, none was intended. Ameritech points to the provisions for Advanced Custom Calling - Call Screening and pay phones as evidence that "[t]he parties to the Stipulation clearly knew how to craft language intended to limit future increases for services." Application for Rehearing at 6. Those provisions are not like the operator services provision, however. The stipulation explicitly provides for operator services increases during the first three years of the Plan. It is silent as to pricing thereafter. The drafters did not speak to increases after the initial three years had passed. They did, however, intend to limit the increases during the first three years to the amounts identified in the stipulation. Otherwise they need not have identified them.

Ameritech has constructed a strained and largely irrelevant argument to justify increasing these rates to a level that was not contemplated by the drafters of the stipulation. The Company has interpreted language that requires no interpretation. The Commission should not permit this. The application for rehearing should be denied.

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I hereby certify that copies of this Memorandum Contra Application for Rehearing have been served by first class mail, postage prepaid, or hand delivered to the following parties of record this 15th day of February, 1995.

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