

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Commission's	)	
Review of Chapter 4901:1-6 of the Ohio	)	
Administrative Code, Regarding	)	Case No. 14-1554-TP-ORD
Telephone Company Procedures and	)	
Standards.	)	

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**REPLY COMMENTS OF CINCINNATI BELL TELEPHONE COMPANY LLC**

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Cincinnati Bell Telephone Company LLC (“CBT”) filed its Initial Comments in this matter on October 26, 2015 in support of the detailed comments filed by the Ohio Telecom Association (“OTA”), of which it is a member. AT&T Ohio and the Ohio Cable Telecommunications Association also filed comments from the industry perspective and Verizon Business Services filed a supporting letter. CBT agrees with and supports these other comments from industry representatives, which explain how the proposed rules go beyond the intent and authority of the enabling statute, HB 64.

In contrast to those comments, the Ohio Consumers’ Counsel and several other consumer advocacy groups (collectively “Consumer Groups”) filed Initial Comments advocating the imposition of even more onerous rules upon an ILEC that withdraws basic local exchange service (“BLES”). The OTA is filing detailed comments in response to the Consumer Groups, which CBT fully supports. CBT will not duplicate the points made therein, but would again offer a few observations on the Consumer Groups’ positions.

As was explained in the initial industry comments, the proposed rules already exceeded the Commission’s statutory authority and the goals of HB 64. But the rules advocated by the consumer groups would stretch even further in the wrong direction. The consumer groups would

create an onerous notice mechanism that is unnecessary. Every carrier already routinely notifies its customer of servicing-affecting issues and there is no need for new processes or mass media advertising when every carrier has direct access to all of its own customers, the only persons who need to be notified.

The Consumer Groups would also build on the proposed “application” process (which itself is contrary to the statute which provides for only notice, not an application) and create an unnecessary pre-notice investigation. The ability to withdraw BLES under HB 64 is premised solely on whether the ILEC has obtained FCC approval to withdraw the interstate access portion of BLES, so any state investigatory phase is unnecessary and unauthorized. The Consumer Groups further propose to allow challenges to an ILEC’s withdrawal notice, establishing a “second-guessing” mechanism whereby the FCC’s § 214 approval might be relitigated at the state level. FCC permission to withdraw a service will be a matter of public record and is not subject to collateral attack at the state level. There is nothing to challenge. HB 64 provides that the FCC determination alone is all that is necessary for withdrawal of BLES.

For the reasons identified above and in the OTA and other industry comments, CBT urges the Commission to reject the changes proposed by the Consumer Groups and to adopt the recommendations made by the OTA.

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I certify that the foregoing *Reply Comments of Cincinnati Bell Telephone Company LLC* were sent to the parties listed below this 9<sup>th</sup> day of November, 2015, via electronic transmission.

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**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**11/9/2015 3:36:16 PM**

**in**

**Case No(s). 14-1554-TP-ORD**

Summary: Comments Reply Comments electronically filed by Mr. Douglas E. Hart on behalf of Cincinnati Bell Telephone Company LLC