

THE PUBLIC UTILITIES COMMISSION OF OHIO

Case No. 96-966-TP-PEX

The Attorney Examiner, pursuant to the authority granted by Rule 4901-1-14, Ohio Administrative Code, finds:

- In the petition, the petitioners note that this matter was the subject of a case docketed under Case No. 91-1118-TP-PEX. Reiterating the Commission's findings, the petitioners point out that by Opinion and Order issued on September 21, 1994, the Commission concluded that the evidence did not support the institution of two-way, flat-rate EAS between the Blanchester Exchange of GTE and the Cincinnati, Clermont, Little Miami, and Newtonsville exchanges of Cincinnati Bell. Furthermore, because of the Consent Decree and rulings made by the United States District Court for the District of Columbia, the Commission found that no other relief was available. With the enactment of the Telecommunications Act of 1996, GTE states that it is no longer subject to the prohibitions of the Consent Decree.

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According to the petitioners, Blanchester subscribers have indicated that they would file a complaint for measured-rate service absent the filing of a company-initiated petition for EAS between the Blanchester Exchange and the Cincinnati and Little Miami exchanges. To settle this matter without the filing of a complaint by Blanchester Exchange subscribers, GTE and Cincinnati Bell have entered into a Stipulation, Agreement and Recommendation (stipulation) with Tom Penquite, the spokesperson in Case No. 91-1118-TP-PEX. In the petition and the attached stipulation, the parties recommend that the Commission issue an order directing GTE and Cincinnati Bell to institute two-way, nonoptional, measured-rate EAS between GTE's Blanchester Exchange and Cincinnati Bell's Cincinnati and Little Miami exchanges.

- (2) In order to update the calling statistics in this case, AT&T, MCI Telecommunications Corporation (MCI), LCI International Telecom Corp. (LCI), U.S. Sprint Communications Company L.P. (Sprint), ALLNET Communication Services, Inc. (ALLNET), and Cincinnati Bell Long Distance (CBLD) should provide the following information to GTE by January 13, 1997:
  - a) The number of their subscribers in the Blanchester Exchange.
  - b) The applicable toll calling rates and distributions of calling, if such distributions of calling are available, from the Blanchester Exchange to the Cincinnati and Little Miami exchanges, along with a statement as to the types of services included in the companies' calculations of these calling statistics. The toll calling rates and distributions of calling shall be for one entire calendar month and based upon 100 percent of the company's customer base in the involved exchanges. If the distributions of calling are alleged to be unavailable, the company must provide a written statement to GTE and docket such in this case by January 13, 1997, explaining why such information is unavailable.
- (3) Each IXC should also file an affidavit with the Commission by January 13, 1997, attesting to the fact that it has submitted the

above information, including the calling statistics, to GTE in compliance with this directive.

- (4) GTE should coordinate all the calling information to ensure that all the IXCs have supplied calling data from the same time frame and to ensure that all calling information is submitted to the Commission within the time frames set forth below.
- (5) GTE shall provide the following information to the Commission and to the spokesperson on or before February 12, 1997:
  - (a) The number of subscribers in the Blanchester Exchange.
  - (b) The applicable toll calling rates and the distributions of calling for calls made from the Blanchester Exchange to the Cincinnati and Little Miami exchanges, along with a statement as to the types of services included in the companies' calculations of these calling statistics. If the distributions of calling are alleged to be unavailable, the company must file a written statement which explains why the information is unavailable.

It is, therefore,

ORDERED, That AT&T, MCI, LCI, Sprint, ALLNET, and CBLD provide information required by Finding (2) to GTE and file an affidavit in accordance with Finding (3) with the Commission on or before January 13, 1997. It is, further,

ORDERED, That GTE comply with Findings (4) and (5). It is, further,

ORDERED, That a copy of this Entry be served upon GTE, Cincinnati Bell, their respective counsel, Mr. Tom Penquite, and all interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

By: L. Douglas Jennings  
Attorney Examiner

LDJ/vrh

AKR

Entered in the Journ

OCT 11 1996

A True Copy

Gary E. Vigorito  
Gary E. Vigorito  
Secretary