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February 10, 2003

*Via Hand-Delivery*

Daisy Crockron, Chief of Docketing Division  
Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, Ohio 43215

RECEIVED-DOCKETING DIV  
2003 FEB 10 AM 10:50  
PUCO

Re: In the Matter of the Commission Ordered Investigation of the Existing Local Exchange Competition Guidelines, PUCO Case No. 99-998-TP-COI In the Matter of the Commission Review of The Regulatory Framework for Competitive Telecommunication Services under Chapter 4927, Revised Code, Case No. 99-563-TP-COI

Dear Ms. Crockron:

Enclosed for filing are an original and fifteen (15) copies of an Application of the Ohio Telecom Association for Further Clarification or Further Rehearing, to be filed in connection with the above-referenced matter.

Thank you for your assistance. If you have any questions, please call.

Respectfully submitted,

Thomas E. Lodge

cc: Mary Ellen Stallings, Telecommunications Division  
Jeffrey R. Jones, Attorney Examiner  
All Parties of Record

Enclosures

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**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Commission Ordered     )  
Investigation of the Existing Local Exchange     )     Case No. 99-998-TP-COI  
Competition Guidelines.     )

In the Matter of the Commission Review of     )  
The Regulatory Framework for Competitive     )     Case No. 99-563-TP-COI  
Telecommunication Services under Chapter     )  
4927, Revised Code.     )

**APPLICATION OF  
THE OHIO TELECOM ASSOCIATION  
FOR FURTHER CLARIFICATION OR FURTHER REHEARING**

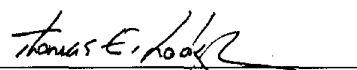
THE OHIO TELECOM ASSOCIATION ("OTA"), on behalf of its membership, hereby seeks clarification or rehearing of the Commission's Second Entry on Rehearing of January 16, 2003 in this proceeding (the "January 16 Order"), and submits that the January 16 Order should be clarified or, alternatively, reheard in the following particulars:

1. Rule 4901:1-6-21(C), as adopted by the January 16 Order, continues unreasonably and unlawfully to regulate the tariffs and disconnection rights associated with service packages involving regulated and unregulated services.

A Memorandum in Support of this Application is supplied herewith.

Respectfully submitted,

THE OHIO TELECOM ASSOCIATION

By:   
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(614) 469-3200

Its Attorney

**BEFORE  
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**MEMORANDUM IN SUPPORT OF  
APPLICATION OF  
THE OHIO TELECOM ASSOCIATION  
FOR FURTHER CLARIFICATION OR FURTHER REHEARING**

On January 16, 2003, the Commission issued its Second Entry on Rehearing in this docket to address a variety of issues raised in Applications for Rehearing filed in December, 2002 by the OTA and others. While the Second Entry on Rehearing successfully resolved OTA's concerns in most respects, it erred with respect to one specific rule. With this Application for Further Clarification or Further Rehearing, the OTA seeks clarification of that rule to address apparent error, or, alternatively, rehearing that will permit its review.

Argument

1. Rule 4901:1-6-21(C), as adopted by the January 16 Order, continues unreasonably and unlawfully to regulate the tariffs and disconnection rights associated with service packages involving regulated and unregulated services.

Rule 4901:1-6-21(C) addresses service packages. In the January 16 Order, the Commission attempted to resolve issues associated with tariffing of such packages, together with the options available to carriers in the event of nonpayment, but the OTA submits that the rule as written has unintended consequences for both customers and the companies. Specifically, the disconnection procedures associated with regulated local services should operate the same

way, whether the customer selects a package that contains only regulated services, or a package that contains both regulated services and other services..

The OTA continues to believe that the Commission should not compel tariffing of unregulated services, whether packaged with regulated services or not. Consequently, OTA suggests that the rule should grant LECs the option to tariff only the regulated components of a service package, or the service package in its entirety.

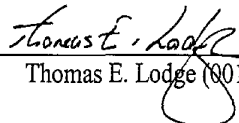
The OTA also recognizes the Commission's policy prohibiting disconnection of regulated service for nonpayment of nonregulated services. In the context of service packages, this policy can become difficult to implement and difficult to explain to customers. The January 16 Order adopts a revised rule to address these difficulties, but the OTA submits further clarity is appropriate. In conjunction with the tariffing options described above, the OTA agrees the Commission should plainly delineate conditions under which service can be discontinued, and what services are subject to such discontinuation.

#### Conclusion

For the foregoing reasons, the Ohio Telecom Association prays that its Application for Further Clarification or Further Rehearing be granted as hereinabove described.

Respectfully submitted,

THE OHIO TELECOM ASSOCIATION

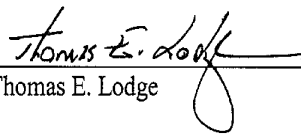
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Its Attorney

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing has been served upon all parties listed on the attached list, by ordinary U.S. Mail, postage prepaid, this 10th day of February, 2003.

  
\_\_\_\_\_  
Thomas E. Lodge

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