

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission )  
Investigation Relative to the Establish- ) Case No. 07-464-TP-COI  
ment of Intrastate Access Charges. )

FINDING AND ORDER

The Commission finds:

- (1) On January 5, 2007, United Telephone Company of Ohio d/b/a Embarq (Embarq or Applicant) filed an application seeking to add an exception for Premier Term Discount Plan contained in its P.U.C.O. No. 1 Access Service Tariff, Section 7.4.16(C).
- (2) The exception will exclude Ohio's intrastate jurisdiction from the shortfall penalty associated with circuits included in the Premier Term Discount Plan as defined in Embarq Local Operating Companies' Interstate Access Service Tariff F.C.C. No. 1. Embarq maintains that currently, pursuant to mirroring of the interstate terms and conditions on the state side, the shortfall penalty for Premier Term Discount Plan is applied if circuit quantities fall below 95 percent of the state-specific commitment level for two consecutive months. Embarq explains that, due to the low volume of circuits in the intrastate jurisdiction, a customer could fall below this level with the discontinuance of a single circuit. Embarq proposes this exception only for the Ohio intrastate jurisdiction while shortfall penalties will continue to be applicable for circuits under the interstate jurisdiction.
- (3) On February 23, 2007, Embarq filed a revision to its January 5, 2007 filing. In that revised filing, Embarq proposed to include additional exceptions for special access OptiPoint configuration card and SONET OC Ring interfaces used with the Ethernet Transport services contained in P.U.C.O. No. 1, Access Service Tariff. These special access services are defined in Embarq Local Operating Companies' Interstate Access Service Tariff F.C.C. No. 1. The Ethernet Transport services will be used for the purpose of transporting internet service provider services which have been deemed to be interstate in nature.

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- (4) After a thorough review of Embargo's application, we find that the application as revised on February 23, 2007, does not appear to be unreasonable and should be granted.

It is, therefore,

ORDERED, That Embargo's application as revised on February 23, 2007, is granted as discussed in finding 4. It is, further,

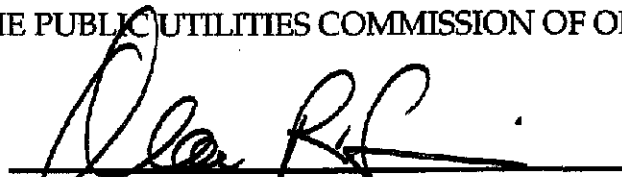
ORDERED, That Embargo is authorized to file complete copies of tariffs in final form consistent with this finding and order. Applicant shall file one copy in its TRF docket (or may make such filing electronically as described in Case No. 06-900-AU-WVR), and one copy in this case docket. It is, further,

ORDERED, That the effective date of the new tariffs shall be a date not earlier than both the date of this finding and order and the date upon which complete copies of final tariffs are filed with the Commission. The new tariffs shall be effective for services rendered on or after such effective date. It is, further,

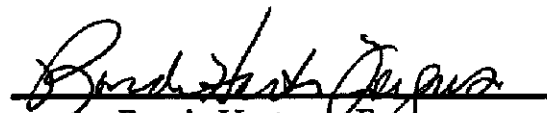
ORDERED, That nothing in this finding and order shall be binding upon this Commission in any subsequent investigation or proceeding involving the justness or reasonableness of any rate, charge, rule, or regulation. It is, further,

ORDERED, That a copy of this finding and order be served upon United Telephone Company of Ohio d/b/a Embarq.


THE PUBLIC UTILITIES COMMISSION OF OHIO

  
Alan R. Schriber, Chairman

  
Paul A. Centolella

  
Ronda Hartman Fergus

  
Valerie A. Lemmie

  
Donald L. Mason

NS/JRJ/vrm

Entered in the Journal

APR 25 2007



Renee J. Jenkins  
Secretary