

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

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

FINDING AND ORDER

The Commission finds:

- (1) On May 31, 2007, AT&T Ohio (AT&T) filed an application seeking to establish an exception for AT&T's DS1 and DS3 special access service offerings contained in its Tariff P.U.C.O. No. 20.
- (2) On March 29, 2007, AT&T made a filing with the Federal Communications Commission (FCC) in Transmittal No. 1605 revising its F.C.C. No. 2, Sections 21 and 24, to establish discounted rates for certain DS1, DS3, and Ethernet special access service for a period of 48 months in compliance with its Special Access Merger Commitment #6 made to the FCC in the AT&T/Bell South merger proceeding.<sup>1</sup> On May 18, 2007, AT&T made a filing with the FCC in Transmittal No. 1617 revising its F.C.C. No. 2 where, among other things, AT&T proposed that the rate reductions for OPT-E-MAN (an Ethernet special access service) in its F.C.C. No. 2, Section 24, made in compliance with AT&T/Bellsouth Special Access Merger Commitment #6, will become permanent.
- (3) Accordingly, the exception proposed by AT&T in the instant filing is to clarify that these temporary rate discounts for the DS1 and DS3 special access services reflected in F.C.C. No. 2, Section 21 are applicable to interstate services only and will not be available on an intrastate basis in Ohio.
- (4) On July 27, 2007, AT&T filed a revision to its application to make clear that the exception to its interstate tariff F.C.C. No. 2, is limited to the temporary rate reductions in the DS1 and DS3 special access service rates in Section 21, and does not apply to

<sup>1</sup> In the Matter of Review of AT&T Inc. and BellSouth Corp. Application For Consent to Transfer of Control, WC Docket No. 06-74.

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the OPT-E-MAN rate reduction in its F.C.C. No. 2, Sections 24, as it is a permanent rate reduction.

- (5) After a thorough review of AT&T's application, as amended on July 27, 2007, we find that the application is not unreasonable and should be granted.

It is, therefore,

ORDERED, That AT&T's application is granted as discussed herein. It is, further,

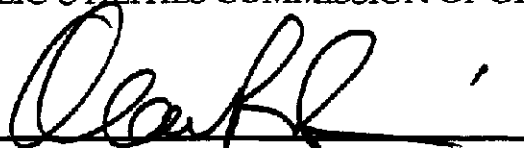
ORDERED, That AT&T is authorized to file complete copies of tariffs in final form consistent with this finding and order. AT&T shall file one copy in its TRF docket (or may make such filing electronically as described in Case No. 06-900-AU-WVR), and one copy in this case docket. It is, further,

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 AT&T Ohio.

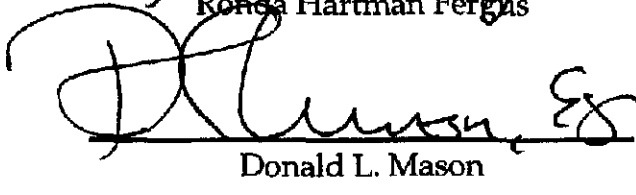
THE PUBLIC UTILITIES COMMISSION OF OHIO

  
Alan R. Schriber, Chairman

  
Paul A. Centolella

  
Ronda Hartman Fergus

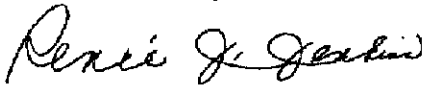
  
Valerie A. Lemmie

  
Donald L. Mason

NS/JRJ/vrm

Entered in the Journal

AUG 15 2007



Renee J. Jenkins  
Secretary