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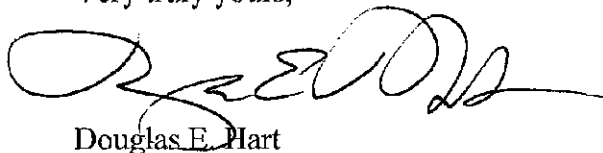
Ms. Renee Jenkins
Chief, Docketing Division
The Public Utilities Commission of Ohio
180 East Broad Street
13th Floor
Columbus, OH 43215-3793

Re: **In the Matter of the Application of Intrado Communications Inc. for
Authority to Provide 9-1-1 Emergency Services throughout the State of Ohio,
Case No. 07-941-TP-UNC**

Dear Ms. Jenkins:

Enclosed please find the original and 8 copies of the Reply Memorandum in Support of Motino to Intervene of Cincinnati Bell Telephone Company LLC. Please file the original and 7 copies in the above referenced proceeding and please date stamp and return one copy of each document to me in the enclosed self-addressed stamped envelope.

Very truly yours,



Douglas E. Hart

DEH

Enclosures

cc: Sally W. Bloomfield, Esq.

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**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Intrado)	
Communications Inc. to Provide CLEC Services)	Case No. 07-1199-TP-ACE
In the State of Ohio)	

**REPLY MEMORANDUM IN SUPPORT OF MOTION TO INTERVENE OF
CINCINNATI BELL TELEPHONE COMPANY LLC**

On December 4, 2007, Cincinnati Bell Telephone Company LLC ("CBT") moved to intervene in the above-captioned proceeding pursuant to R.C. § 4903.221 and Ohio Admin. Code § 4901-1-11 and also filed its objections to the Application of Intrado Communications Inc. ("Intrado") to Provide CLEC Services in the State of Ohio. On December 11, 2007, Intrado opposed CBT's and others' motions to intervene. CBT hereby replies in support of its intervention.

Intrado contends that CBT's motion to intervene does not satisfy Commission Rule 4901-1-11(A)(2), which generally requires an intervenor to demonstrate that it has a real and substantial interest in the proceeding. Intrado's opposition asserts that the motion to intervene fails the criteria in the rule because it raises issues that are without merit or irrelevant. The vehemence with which Intrado responds belies this claim. The issues raised in CBT's motion clearly raise sore points with Intrado which are central to its pending application.

Despite paying lip service to the criteria to be considered in determining a motion to intervene, Intrado does not present any legitimate basis for why CBT's or the other intervenors' motions to intervene should not be granted under the statute and the rule. CBT has a direct interest in this proceeding as an ILEC and the current 9-1-1 service provider in its service territory. Intrado clearly wishes to use CLEC status as a basis for making demands on CBT for

interconnection, access to UNEs and collocation. CBT has raised reasons why the application is without basis in Ohio law and should not be granted. While AT&T and the OTA have now also sought to intervene, CBT's interests are not represented by them. CBT's participation in this case will not unduly prolong or delay the proceeding – indeed, CBT has already filed its objections to the application and they should be considered by the Commission before taking action on Intrado's application. CBT's objections will significantly contribute to the development and resolution of the issues.

It is inappropriate to determine whether to allow intervention based on the merits of Intrado's application. The Commission's rules require that a party move to intervene in order for its objections to be considered. Rule 4901:1-6-10(H)(1). Where the intervenor has shown a sufficient interest in the proceeding, it should be allowed to intervene and have its objections considered. It does not matter whether the objections are meritorious to allow intervention.

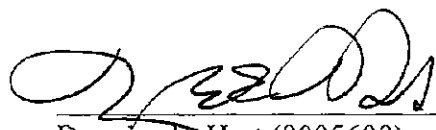
Whether Intrado has the capability to provide 9-1-1 services is not the only issue raised by Intrado's application. CBT's intervention and objections raise the fundamental question of whether what Intrado proposes to do really makes it a CLEC. Being a CLEC entails doing much more than just providing 9-1-1 services to public agencies. CLECs are supposed to provide basic local exchange service ("BLES") to the public, complete with dial tone, something Intrado will clearly not be doing. Intrado's application did not address its abilities to provide any other aspect of BLES. At the heart of Intrado's application is the question of whether what it proposes to do would qualify it as a CLEC or a telephone company under Ohio law.¹

¹ Intrado notes that CBT did not dispute whether Intrado is a "telecommunications carrier" under federal law. That does not mean CBT concedes that point. CBT disputes whether Intrado is a telecommunications carrier and the scope of interconnection rights to which it would be entitled if it will not offer local exchange service. It was not necessary to assert those federal law issues in determining whether Intrado qualifies to be certified as a CLEC under Ohio law.

Intrado objects to CBT's intervention on the grounds that CBT and other intervenors are allegedly attempting to create barriers for Intrado to compete in Ohio with respect to 9-1-1 services and to protect "monopoly turf." This claim is baseless and irreconcilable with Intrado's response to CBT's position on the merits. As CBT stated in its opposition, Intrado can provide its proposed 9-1-1 services to PSAPs without being certified as a CLEC. Intrado finds it incredulous that CBT would contend that Intrado does not need a CLEC certificate. It is Intrado that inappropriately seeks certification as a CLEC in order to obtain additional rights, rights that are not necessary to be a 9-1-1 service provider. Thus, CBT is not imposing barriers to Intrado providing 9-1-1 services – CBT is simply pointing out that CLEC certification is not appropriate for Intrado. CBT's objections succinctly state its position, and CBT should be allowed intervention in order for those objections to be considered.

For the foregoing reasons, CBT's motion to intervene in this proceeding should be granted.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Intervene was served by regular U.S. Mail, postage prepaid, this 17th day of December, 2007, upon Sally W. Bloomfield, Bricker & Eckler, LLP, 100 South Third Street, Columbus, Ohio 43215-4291.



Douglas E. Hart