

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Further Investigation )  
into SBC Ohio's Entry into In-Region Inter- ) Case No. 00-942-TP-COI  
LATA Service under Section 271 of the )  
Telecommunications Act of 1996. )

ENTRY

The Commission finds:

- (1) On November 16, 2007, as amended on December 26, 2007, AT&T Ohio and the competitive local exchange company (CLEC) participants<sup>1</sup> filed a joint motion requesting Commission approval of amended performance measurements and benchmarks agreed to by the parties resulting from the 2006-2007 six-month performance measurements review collaborative. AT&T Ohio and the CLEC participants represent that as a result of the most recent six-month review, certain modifications, additions, and deletions of performance measurements previously approved by the Commission are now necessary.

Similarly, corresponding amendments to the existing AT&T Midwest Performance Remedy Plan are also necessary. Therefore, AT&T Ohio and the CLEC participants submitted a replacement remedy plan. The proposed modifications include the elimination of assessments payable to the state of Ohio (Tier 2 payments) for reported performance to all CLECs in the aggregate that does not meet or exceed the specified standards for three consecutive months. Another modification is the termination of the AT&T Midwest Performance Remedy Plan as of December 31, 2010. Movants request that the replacement remedy plan become effective with the results reported for December 2007.

- (2) As reflected in the joint filing, depending on the terms and conditions of the individual interconnection agreements, the approved amendments will either be automatically incorporated into the existing interconnection agreements or will require the filing of amended interconnection agreements with the Commission.
- (3) The Commission determines that the proposed amended performance measurements as identified in the joint motion of November 16, 2007,

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<sup>1</sup> The CLEC participants include the following: LDMI Telecommunications, Inc.; Talk America Inc.; Covad Communications Group; McLeodUSA Telecommunications Services, Inc.; Choice One Communications of Ohio Inc.; FiberNet of Ohio LLC, and Time Warner Telecom of Ohio, L.P.

should be adopted and implemented consistent with the joint motion. In adopting the revised measurements, the Commission is not opining as to the validity or appropriateness of any associated protocol related to the amended performance measurements. Additionally, the Commission approves the revised remedy plan filed on November 16, 2007. This remedy plan replaces the one currently utilized by AT&T Ohio.

It is, therefore,

ORDERED, That the joint motion for the approval of the amended performance measurements is granted as set forth above. It is, further,

ORDERED, That the revised remedy plan is approved in accordance with Finding (3). It is, further,

ORDERED, That a copy of this entry be served upon all parties and interested persons of record.

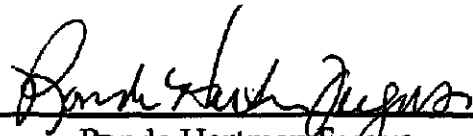

THE PUBLIC UTILITIES COMMISSION OF OHIO



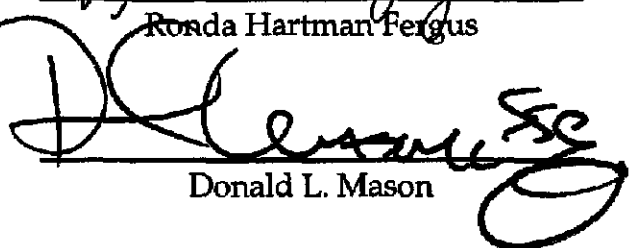
Alan R. Schriber, Chairman



Paul A. Centolella

  
Ronda Hartman Fergus

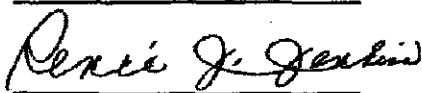
Valerie A. Lemmie

  
Donald L. Mason

JSA,geb

Entered in the Journal

JAN. - 8 2008



Renee J. Jenkins  
Secretary