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BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
McLeodUSA Telecommunications Services,) Case No. 06-655-TP-ATA
Inc. for Authority to Replace in its Entirety)
the Intrastate Access Tariff.)

ENTRY

The Commission finds:

- (1) On May 4, 2006, McLeodUSA Telecommunications Services, Inc. (McLeodUSA), a facilities based competitive local exchange carrier (CLEC) operating in Ohio, filed an application seeking approval to replace, in its entirety, the company's intrastate access tariff.
- (2) In the application, McLeodUSA proposed to increase its intrastate switched access rates beyond the switched access rate cap in effect at that time, which is the intrastate switched access rates of the competing incumbent local exchange carrier (ILEC) as of June 30, 2000. Under the Commission's prior policy regarding CLEC access rates, before recently enacted Rule 4901:1-7-14 Ohio Administrative Code (O.A.C.), a CLEC could justify a higher intrastate switched access rate than the Commission-established cap only through a cost submission.
- (3) On June 2, 2006, the Commission fully suspended this application from the automatic approval process. Additional information and investigation was necessary in order to complete a review of this application.
- (4) On August 2, 2006, AT&T Ohio, the ILEC in whose territory McLeodUSA operates, filed a motion to intervene stating that if the intrastate access charges billed to AT&T Ohio by McLeodUSA are changed, AT&T Ohio's economic interests would be impacted since McLeodUSA's proposed intrastate access rate charges would exceed those charged by AT&T Ohio.
- (5) The Commission's carrier rules, established in Chapter 4901:1-7 O.A.C., Case No. of 06-1344-TP-ORD, *In the Matter of the Establishment of Carrier-to-Carrier Rules*, became effective on November 30, 2007. On February 11, 2008, McLeodUSA filed a request to withdraw this application citing Rule 4901:1-7-14(D) O.A.C. This Commission rule renders McLeodUSA's application

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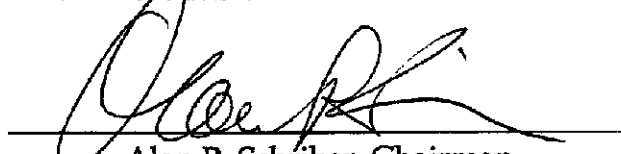
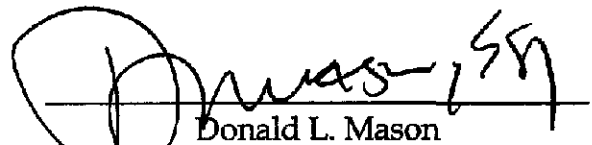
moot in that McLeodUSA must cap its intrastate switched access rate at the current rates of the ILEC providing service in McLeodUSA's service area.

It is, therefore,

ORDERED, That the request for withdrawal be granted. It is, further,

ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


Alan R. Schriber, Chairman
Paul A. Centolella
Ronda Hartman Fergus
Valerie A. Lemmie
Donald L. Mason

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Entered in the Journal

MAR 5 2008



Renee J. Jenkins
Secretary