

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Petition of)
Communications Options, Inc. for)
Arbitration of Interconnection Rates, Terms,)
and Conditions and Related Arrangements) Case No. 08-45-TP-ARB
with United Telephone Company of Ohio)
dba Embarq Pursuant to Section 252(b) of the)
Telecommunications Act of 1996.)

ENTRY

The attorney examiner finds:

- (1) On January 16, 2008, Communication Options, Inc. (COI) filed a petition for arbitration (the petition) of numerous issues to establish an interconnection agreement (ICA) with United Telephone Company of Ohio dba Embarq (Embarq). COI filed the petition pursuant to Section 252(b) of the Telecommunications Act of 1996 (1996 Act).
- (2) By entry filed January 31, 2008, the attorney examiner scheduled a prehearing conference for February 21, 2008. The conference was held as scheduled, at which counsel for Intrado and Embarq agreed to continue to negotiate for the purpose of reducing the number of issues in dispute.
- (3) Following discussions with the attorney examiner, counsel for COI and Embarq agreed to a July 1-3, 2008, arbitration hearing, for the purpose of addressing unresolved issues previously identified by the parties. The hearing will commence on July 1, 2008, at 9:00 A.M. at the Commission offices, 180 East Broad Street, Columbus, Ohio 43215-3793 in Hearing Room 11-F. For each subsequent day, the hearing shall commence at 9:00 A.M. The arbitration panel will conduct the hearing with prefiled testimony, transcription of the hearing, and cross-examination of witnesses.
- (4) As agreed upon, the parties shall file arbitration packages no later than noon on June 24, 2008. The arbitration packages shall include the list of issues to be arbitrated, the party's position on each issue, a list of issues which have been resolved by the parties and a description of the resolution, the party's prefiled

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testimony specifically identifying the issues to be addressed by each witness, a proposed schedule of witnesses, the exhibits which the party intends to introduce at the hearing, and a list of factual stipulations upon which the parties have agreed. The prefiled testimony of each witness shall be numbered by line and include specific contract references, as well as an identification of the specific arbitration issues addressed in the testimony.

- (5) The following schedule is established for the purpose of moving forward in this proceeding:

Arbitration Package	June 24, 2008, at noon
Hearing	July 1-3, 2008
Initial Briefs	July 29, 2008
Reply Briefs	August 12, 2008
Arbitration Award	October 1, 2008

- (6) For convenience and because of the short time frames and delays that often accompany mail service, briefs, reply briefs, and other papers shall be provided to the arbitration panel and to opposing counsel electronically, within the specified time frames.
- (7) A status conference call is scheduled for June 27, 2008, at 10:00 A.M. for the purpose of addressing any remaining procedural issues prior to the arbitration hearing. The parties are to participate by calling (614) 644-1080.

It is, therefore,

ORDERED, That the parties' arbitration packages be filed and a copy served upon the other party by noon on June 24, 2008 in accordance with Finding (5). It is, further,

ORDERED, That the arbitration hearing is scheduled in accordance with Finding (5). It is, further,

ORDERED, That initial and reply briefs be filed in accordance with Finding (5). It is, further,

ORDERED, That a status conference call is scheduled for June 27, 2008, in accordance with Finding (7). It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

By:

James M. Lynn
James M. Lynn
Attorney Examiner

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/ct

Entered in the Journal

JUN 16 2008

Renee J. Jenkins

Renee J. Jenkins
Secretary