

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Review of the)	
Commission's Minimum Telephone Service)	Case No. 00-1265-TP-ORD
Standards Found in Chapter 4901:1-5 of the)	Case No. 05-1102-TP-ORD
Ohio Administrative Code.)	

**ADDITIONAL INITIAL COMMENTS OF THE
OHIO CABLE TELECOMMUNICATIONS ASSOCIATION**

Pursuant to the July 31, 2008 Entry in these matters, the Ohio Cable Telecommunications Association ("the OCTA") submits these additional initial comments to the Staff's proposed revision of Rule 4901:1-5-10 "Service Termination" as set forth in the Appendix to the July 31, 2008 Entry. The OCTA filed initial and reply comments in Case No. 05-1102-TP-ORD on September 8 and 22, 2006.

In light of the issues raised by AT&T Ohio in its filings of May 28, June 23, and July 17, 2008, the Commission reopened Rule 4901:1-5-10 for the limited purpose of revisiting provision (B). AT&T Ohio has noted that Rule 10(B) applies only to the ILECs since they are the only telecommunications providers required to provide "stand-alone" basic local exchange service. The Commission found it appropriate to reopen Rule 10(B) for the limited purpose of calling for comment on whether there are alternative means that would better balance the competing state policies found in Section 4907.02, Revised Code. The Staff proposed that ILECs be treated the same as CLECs for purposes of disconnection and that customers could be disconnected from a telecommunications provider's service(s) for the nonpayment of past due charges. Insufficient payment of a package price, which includes basic local exchange service, may result in disconnection of all services included in the package. Specifically, the Staff

proposal included changes to Rule 10(A)(B) and (C) as set forth in the Appendix to the July 31, 2008 Entry.

The OCTA supports the Staff's proposed change to the rule. The Staff's proposed change means that where a telecommunications provider (whether an ILEC or a CLEC) provides basic local exchange service both on a stand-alone basis and as part of a "bundled service", it can terminate the entire bundle, including regulated services, if payment for the entire bundled service is not made. This change is fair and equitable because customers who choose bundled services, whether they are unlimited local and long distance or integrated with other services, typically receive a discounted price by purchasing the entire bundle of services when compared to purchasing the same services on a stand-alone basis. These customers should have no expectation of protection from disconnection for basic local services for non-payment. If they choose a bundle and gain the benefit of discounted prices, they should recognize that if they do not pay the entire bundled service price, they will be disconnected. Consumer demand for services under the bundled framework has helped competition gain a foothold in the telecommunications market.

In addition, customers who have received discounted pricing for a bundle and are delinquent should not be permitted to retain portions of the bundle such as basic local exchange service. Other customers who purchase basic local exchange services on a stand-alone basis at higher rates are not afforded the same privilege. Customers who purchase bundles should recognize that on the basis of applicable contract and/or tariff language, nonpayment for a bundle in whole or in part will result in the disconnection of the bundle. The Staff's proposed change to the rule takes the next logical step. If customers recognize that purchasing a bundle of services provides benefits and responsibilities, then the price of "stand-alone" basic local exchange

service is irrelevant in determining whether or not service to a bundled service customer can be discontinued for non-payment. The fact that a local telecommunications provider may also offer a stand-alone basic local exchange service should not affect the procedure for discontinuing services to a bundled service customer.

In conclusion, the Ohio Cable Telecommunications Association supports the Staff's proposed revision to Rule 4901:1-5-10 of the Ohio Administrative Code as set forth in the Appendix to the July 31, 2008 Entry and urges its adoption as proposed.

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By: /s/

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Additional Initial Comments of the Ohio Cable Telecommunications Association were served on the following persons via e-mail where indicated or, by First Class U.S. Mail, postage prepaid, this 22nd day of August, 2008. In addition, I further certify that within two business days of August 22, 2008, I will review the Docket Card in Case Nos. 00-1265 and 05-1102 and will ensure that a copy of these Additional Initial Comments will be served via electronic mail or via first class U.S. mail on all other persons who filed Initial Comments on August 22, 2008 and are not listed below.

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Summary: Comments Additional Initial Comments of the Ohio Cable Telecommunications Association electronically filed by Stephen M Howard on behalf of Ohio Cable Telecommunications Association