BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Amendment of the	)	
Minimum Telephone Service Standards	)	Case No. 00-1265-TP-ORD
As Set Forth in Chapter 4901:1-5 of the	)	Case No. 05-1102-TP-ORD
Ohio Administrative Code	)	

REPLY COMMENTS OF CINCINNATI BELL TELEPHONE COMPANY LLC

Cincinnati Bell Telephone Company LLC ("CBT") submits these reply comments in response to the comments filed on August 22, 2008 by the Office of the Ohio Consumers' Counsel ("OCC") and various other consumer groups. OCC went into great detail to review the history and evolution of the Commission's rules and policies regarding disconnection of service for nonpayment. However, OCC failed to recognize that the July 31, 2008 Entry in this proceeding is a continuation of that evolution and that Rule 10(B), which is proposed to be deleted in the July 31 Entry, has never gone into effect.

OCC notes on page 2 of its comments that the proposed changes do not differentiate between regulated and nonregulated services. However, eliminating this distinction is appropriate because it reflects the current market. Customers probably do not know whether a service is regulated or not, nor do they care. Rather, a customer's primary interest is to obtain the desired services for a good price. Customers may consider ILECs, CLECs, wireless providers, cable providers and VoIP providers, among others, when purchasing services. Any of these providers *except ILECs* can disconnect any or all of a customer's services if the bill is not paid in full. The Commission's Entry properly concluded that revisions to the disconnection policy were needed to create parity in the market. This is not a new policy with respect to disconnection. In fact, OCC quotes from the Commission's June 12, 1996 Finding and Order in

Case No. 95-790-TP-POI which addresses the need for "competitive equilibrium" in billing and collection activities for "all providers."

OCC's claim that the proposed revisions will eliminate 20 years of consumer protections similarly ignores market changes. Most of the nonregulated services in question, *e.g.*, wireless, internet service, and satellite television were virtually non-existent 20 years ago, and could not have been addressed by the rules of the time. As OCC notes with respect to local vs. toll services, the disconnection rules changed over time as the provision of toll services changed. The current proceeding is an extension of that process, and in some ways, returns to practices that were in place more than 20 years ago - customers must pay all of the charges on their telephone bill to retain service.[1]

OCC's proposed revisions to Rule 10(B) would add layers of complexity and further increase the costs to comply with the rule. A major justification for the Commission's proposed changes to the rule is that the expense to modify billing systems necessary to comply would outweigh the benefit of the rule. OCC's proposed modifications would make that worse, not better, as the billing systems would then also have to accommodate various package prices and their service components in addition to the prices of standalone services in the determination of whether disconnection is allowed (and which services could be disconnected). A LEC's lowest tariffed rate for a service package may have little or no relationship to the package of services that a customer purchases. For example, the lowest priced package may include a completely different set of features than the package to which the customer subscribes. Furthermore, many bundles feature discounts that are applied to the total purchase, but individual components are not explicitly discounted. Having to allocate the discount to particular components would be

[1] Any customer, including Lifeline customers, who cannot afford all of the services in a bundle always has the option to discontinue optional features and subscribe to only a basic access line. Rule 10(B) and the modifications proposed by OCC do nothing to help customers retain service that customers cannot do themselves.

arbitrary. Most importantly, these processes do not exist today. Thus, OCC's proposal would make an already excessively expensive rule even more costly and would impose even more requirements on LECs that are not borne by wireless, VoIP and other non-LEC providers.

Finally, the OCC's comment that this rule has been "upheld numerous times" (OCC Comments, at p. 13) disregards the fact that rule 10(B) has never been put into practice or enforced. Rather, Rule 10(B) has constantly been reviewed and delayed. Reconsideration is an important part of the regulatory process and the July 31, 2008 Entry is simply another step in this process. Contrary to OCC's assertions, review of the disconnection rules is both proper and warranted to best serve the public interest through promotion of a fully competitive telecommunications market.

For the reasons described herein, OCC's attempts to preserve the rule and its proposed alternative rule changes should both be rejected. CBT urges the Commission to move forward with the changes to the rule that CBT suggested in its Initial Comments.

Respectfully submitted,

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CERTIFICATE OF SERVICE

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Summary: Reply Comments electronically filed by Mr. Douglas E. Hart on behalf of CINCINNATI BELL TELEPHONE COMPANY