

In the Matter of the Application of AT&T Ohio	)	
For Approval of an Alternative Form of	)	Case No. 06-1013-TP-BLS
Regulation of Basic Local Exchange	)	
and Other Tier 1 Services Pursuant to	)	Case No. 07-259-TP-BLS
Chapter 4901:1-4, Ohio Administrative Code.	)	

AT&T Ohio<sup>1</sup>, by its attorneys and pursuant to Ohio Admin. Code § 4901-1-12(A) and 4901-1-24(A), seeks an order that discovery requested by the Ohio Consumers' Counsel on September 16, 2008 "not be had" under the applicable rule. The Commission has not taken steps to commence a show cause "proceeding" in which discovery is appropriate. Thus, discovery would serve no legitimate purpose at this time. Under these circumstances, requiring AT&T Ohio to respond to OCC's untimely discovery request would result in an undue burden and expense to the Company. A memorandum in support of this motion is attached.

AT&amp;T Ohio

<sup>1</sup> The Ohio Bell Telephone Company uses the name AT&T Ohio. For ease of reference, AT&T Ohio uses the term "BLES alternative regulation" to describe alternative regulation for basic local exchange service and other tier one services authorized in Ohio Admin. Code Chapter 4901:1-4.

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MEMORANDUM IN SUPPORT OF  
AT&T OHIO'S MOTION FOR A PROTECTIVE ORDER

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AT&T Ohio seeks a protective order providing that it need not respond to a discovery request e-mailed to it by OCC on September 16, 2008 in the captioned cases. The Commission has not taken steps to commence a show cause "proceeding" in which discovery is appropriate. Discovery may only be had "after a proceeding is commenced," and the Commission has not commenced one here. Ohio Admin. Code § 4901-1-17(A). The Attorney Examiner issued an Entry on August 15, 2008 calling on AT&T Ohio to file a "show cause pleading" and permitting OCC to file a reply. The parties filed their respective pleadings. The applicable rule provides that, after the Company files its response, the Commission " . . . will take whatever action it deems necessary, *if any*, including initiating an investigation or scheduling a hearing, to consider revocation . . . ." Ohio Admin. Code §4901:1-4-12(B) (emphasis added). The Commission has not taken any further steps since the filing of the parties' pleadings. Therefore, it has not commenced a proceeding in which discovery would be appropriate. It would be wasteful to require the Company to respond to OCC's discovery requests, since there is no indication that the fruits of that discovery could be used by OCC in any manner. No further pleading cycle has been established, nor has the Commission initiated an investigation or scheduled a hearing. The Commission has taken none of these steps. Thus, discovery serves no legitimate purpose at this time. Under these circumstances, requiring AT&T Ohio to respond to OCC's untimely discovery request would result in an undue burden and expense to the Company.

In accordance with Ohio Admin. Code § 4901-1-24(B), AT&T Ohio has exhausted all other reasonable means of resolving any differences with OCC. The affidavit of the undersigned counsel is attached, setting forth the efforts which have been made to resolve any differences with OCC. Attached to the affidavit are the OCC's discovery request and the e-mail exchange between the parties.

OCC's discovery request is not appropriate at this time. In 06-1013, discovery was closed on October 5, 2006 in the Attorney Examiner's September 26, 2006 Entry. Similarly, in 07-259, discovery ended before OCC's objections to AT&T Ohio's application were filed. The Attorney Examiner's August 15, 2008 Entry did not establish or reopen a discovery window in either case. It called on the Company to file a responsive pleading (which it did) and gave OCC the opportunity to file a reply (which it did).

Absent a further order from the Commission, the parties do not know the procedural posture of the case. The Commission could decide to take no further action, in which event discovery would be wasteful and pointless. The Commission could decide to schedule further proceedings, at which time discovery might be appropriate (although the Company does not necessarily agree that it would be appropriate). If the Commission chooses the latter course, the Commission might, however, provide some opportunity for additional discovery. We are not at that juncture yet, however. The Commission should order that OCC's discovery request be held in abeyance until the procedural posture is clarified by the Commission and that discovery "not be had" at this time.

For all of the foregoing reasons, AT&T Ohio's motion for a protective order should be granted.<sup>2</sup>

Respectfully submitted,

AT&T Ohio

By: /s/ Jon F. Kelly  
Jon F. Kelly (Counsel of Record)  
Mary Ryan Fenlon  
AT&T Services, Inc.  
150 E. Gay St., Rm. 4-A  
Columbus, Ohio 43215  
  
(614) 223-7928  
  
Its Attorneys

06-1013.show cause.motion for protective order.doc

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<sup>2</sup> In the event it is denied, AT&T Ohio requests that the due date for its discovery responses be extended to 20 days after the Attorney Examiner's Entry denying the Company's motion.

State of Ohio                     )  
  )  
  )   ss.  
  )  
County of Franklin             )

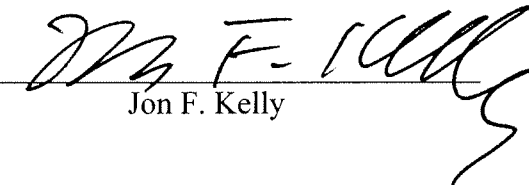
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AFFIDAVIT OF JON F. KELLY

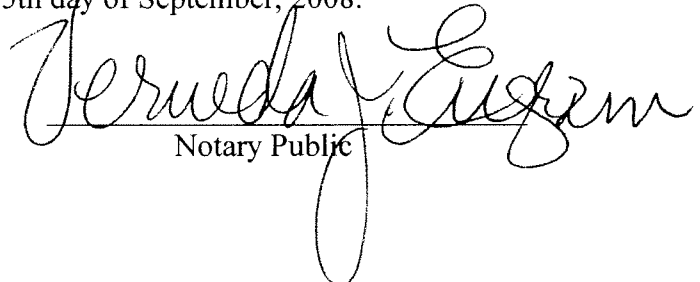
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Jon F. Kelly, being first duly cautioned and sworn, deposes and says as follows:

1. I am a General Attorney employed by AT&T Services, Inc., in which capacity I represent AT&T Ohio, among other entities. My office address is 150 E. Gay St. Room 4-A, Columbus, Ohio 43215.
2. This affidavit is provided to support AT&T Ohio's motion for a protective order filed on September 25, 2008. It describes, as required by the applicable rule, the efforts which have been made to resolve any differences with the Office of the Ohio Consumers' Counsel ("OCC") in connection with OCC's discovery request served on September 16, 2008 in PUCO Case Nos. 06-1013-TP-BLS and 07-259-TP-BLS.
3. When we received OCC's discovery request by e-mail on the afternoon of September 16, 2008, I immediately questioned its propriety, discussed the matter with the clients, and responded to counsel for OCC with an e-mail objecting to the discovery and suggesting a discovery moratorium until the Commission issued a further procedural order.
4. OCC responded over one week later, on September 24, 2008, with its e-mail arguing that discovery is appropriate at this time.
5. This concludes my affidavit.

  
Jon F. Kelly

Sworn to and subscribed before me this 25th day of September, 2008.

  
Notary Public

My Commission expires:

*Verneda J. Engram*  
*Public Notary*  
*Commission Expires 12-23-2011*

**KELLY, JON (Legal)**

**From:** TERRY ETTER [ETTER@occ.state.oh.us]  
**Sent:** Tuesday, September 16, 2008 12:24 PM  
**To:** KELLY, JON (Legal); FENLON, MARYKAY R (Legal)  
**Cc:** DAVID BERGMANN  
**Subject:** OCC's first set of discovery regarding the show causeproceeding (06-1013; 07-259)  
**Attachments:** Show Cause Discovery 1st set.doc

OCC's first set of discovery regarding the show cause proceeding in 06-1013 and 07-259 is attached. If you have questions, please e-mail or call (466-7964) me.

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**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of	)	
AT&T Ohio for Approval of an	)	Case No. 06-1013-TP-BLS
Alternative Form of Regulation of Basic	)	
Local Exchange Service and Other Tier 1	)	Case No. 07-259-TP-BLS
Services Pursuant to Chapter 4901:1-4,	)	
Ohio Administrative Code.	)	

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**THE OFFICE OF THE OHIO CONSUMERS' COUNSEL  
INTERROGATORIES AND  
REQUESTS FOR PRODUCTION OF DOCUMENTS  
PROPOUNDED UPON AT&T OHIO  
SHOW CAUSE - FIRST SET  
(DATED SEPTEMBER 16, 2008)**

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The Office of The Ohio Consumers' Counsel ("OCC"), an intervenor in the above-captioned proceedings before the Public Utilities Commission of Ohio, submits the following Interrogatories and Requests for Production of Documents pursuant to Ohio Adm. Code 4901-1-19, 4901-1-20 and 4901-1-22 for response from AT&T Ohio within the time provided for in Ohio Adm. Code 4901:1-1-19(A). An electronic response should be provided to the extent possible to OCC at the following email addresses:

etter@occ.state.oh.us  
bergmann@occ.state.oh.us

Non-electronic materials should be hand-delivered to:

Terry L. Etter  
David C. Bergmann  
Assistant Consumers' Counsel  
10 West Broad Street, Suite 1800  
Columbus, Ohio 43215-3485  
(614) 466-8574 (T)

Additionally, AT&T Ohio must follow the instructions provided herein in responding to the inquiries.

## **DEFINITIONS**

As used herein the following definitions apply:

1. “Document” or “Documentation” when used herein, is used in its customary broad sense, and means all originals of any nature whatsoever, identical copies, and all non-identical copies thereof, pertaining to any medium upon which intelligence or information is recorded in your possession, custody, or control regardless of where located; including any kind of printed, recorded, written, graphic, or photographic matter and things similar to any of the foregoing, regardless of their author or origin. The term specifically includes, without limiting the generality of the following: punchcards, printout sheets, movie film, slides, PowerPoint slides, phonograph records, photographs, memoranda, ledgers, work sheets, books, magazines, notebooks, diaries, calendars, appointment books, registers, charts, tables, papers, agreements, contracts, purchase orders, checks and drafts, acknowledgments, invoices, authorizations, budgets, analyses, projections, transcripts, minutes of meetings of any kind, telegrams, drafts, instructions, announcements, schedules, price lists, electronic copies, reports, studies, statistics, forecasts, decisions, and orders, intra-office and inter-office communications, correspondence, financial data, summaries or records of conversations or interviews, statements, returns, diaries, workpapers, maps, graphs, sketches, summaries or reports of investigations or negotiations, opinions or reports of consultants, brochures, bulletins, pamphlets, articles, advertisements, circulars, press releases, graphic records or representations or publications of any kind (including microfilm, videotape and records, however produced or reproduced), electronic (including e-mail), mechanical and electrical



records of any kind and computer produced interpretations thereof (including, without limitation, tapes, tape cassettes, disks and records), other data compilations (including, source codes, object codes, program documentation, computer programs, computer printouts, cards, tapes, disks and recordings used in automated data processing together with the programming instructions and other material necessary to translate, understand or use the same), all drafts, prints, issues, alterations, modifications, changes, amendments, and mechanical or electric sound recordings and transcripts to the foregoing. A request for discovery concerning documents addressing, relating or referring to, or discussing a specified matter encompasses documents having a factual, contextual, or logical nexus to the matter, as well as documents making explicit or implicit reference thereto in the body of the documents. Originals and duplicates of the same document need not be separately identified or produced; however, drafts of a document or documents differing from one another by initials, interlineations, notations, erasures, file stamps, and the like shall be deemed to be distinct documents requiring separate identification or production. Copies of documents shall be legible.

2. “Communication” shall mean any transmission of information by oral, graphic, written, pictorial, or otherwise perceptible means, including, but not limited to, telephone conversations, letters, telegrams, and personal conversations. A request seeking the identity of a communication addressing, relating or referring to, or discussing a specified matter encompasses documents having factual, contextual, or logical nexus to the matter, as well as communications in which explicit or implicit reference is made to the matter in the course of the communication.

3. The “substance” of a communication or act includes the essence, purport or meaning of the same, as well as the exact words or actions involved.
4. “And” or “Or” shall be construed conjunctively or disjunctively as necessary to make any request inclusive rather than exclusive.
5. “You,” and “Your,” or “Yourself” refer to the party requested to produce documents and any present or former director, officer, agent, contractor, consultant, advisor, employee, partner, or joint venturer of such party.
6. Each singular shall be construed to include its plural, and vice versa, so as to make the request inclusive rather than exclusive.
7. Words expressing the masculine gender shall be deemed to express the feminine and neuter genders; those expressing the past tense shall be deemed to express the present tense; and vice versa.
8. “Person” includes any firm, corporation, joint venture, association, entity or group of persons, unless the context clearly indicates that only an individual person is referred to.
9. “Identify,” or “the identity of,” or “identified” means as follows:
  - A. When used in reference to an individual, to state his full name and present or last known position and business affiliation, and his position and business affiliation at the time in question;
  - B. When used in reference to a commercial or governmental entity, to state its full name, type of entity (e.g., corporation, partnership, single proprietorship), and its present or last known address;

- C. When used in reference to a document, to state the date, author, title, type of document (e.g., letter, memorandum, photograph, tape recording, etc.), general subject matter of the document, and its present or last known location and custodian;
  - D. When used in reference to a communication, to state the type of communication (i.e., letter, personal conversation, etc.), the date thereof, and the parties thereto and the parties thereto and, in the case of a conversation, to state the substance, place, and approximate time thereof, and identity of other persons in the presence of each party thereto;
  - E. When used in reference to an act, to state the substance of the act, the date, time, and place of performance, and the identity of the actor and all other persons present.
- 10. The terms “PUCO” and “Commission” refer to the Public Utilities Commission of Ohio, including its Commissioners, personnel (including Persons working in the Public Utilities Section of the Ohio Attorney General’s Office), and offices.
  - 11. The term “e.g.” connotes illustration by example, not limitation.
  - 12. The term “CLEC” refers to a competitive local exchange company.
  - 13. The terms “AT&T Ohio” and “Company” refer to all predecessors or “doing business as” designations.
  - 14. The term “Showing” refers to AT&T Ohio’s filing titled “AT&T Ohio’s Showing Why Basic Local Exchange Service Alternative Regulation Should Not Be Revoked” made on August 29, 2008 in the instant cases.

## **INSTRUCTIONS FOR ANSWERING**

1. All information is to be divulged which is in your possession or control, or within the possession or control of your attorney, agents, or other representatives of yours or your attorney.
2. Where an interrogatory calls for an answer in more than one part, each part should be separate in the answer so that the answer is clearly understandable.
3. Each interrogatory shall be answered separately and fully in writing under oath, unless it is objected to, in which event the reasons for objection shall be stated in lieu of an answer. The answers are to be signed by the person making them, and the objections are to be signed by the attorney making them.
4. If any answer requires more space than provided, continue the answer on the reverse side of the page or on an added page.
5. Your organization(s) is requested to produce responsive materials and information within its physical control or custody, as well as that physically controlled or possessed by any other person acting or purporting to act on your behalf, whether as an officer, director, employee, agent, independent contractor, attorney, consultant, witness, or otherwise.
6. Where these requests seek quantitative or computational information (e.g., models, analyses, databases, and formulas) stored by your organization(s) or its consultants in computer-readable form, in addition to providing hard copy (if an electronic response is not otherwise provided as requested), you are requested to produce such computer-readable information, in order of preference:
  - A. Microsoft Excel worksheet files on compact disk;

- B. other Microsoft Windows or Excel compatible worksheet or database diskette files;
  - C. ASCII text diskette files; and
  - D. such other magnetic media files as your organization(s) may use.
7. Responses must be complete when made, and must be supplemented with subsequently acquired information at the time such information is available.
8. In the event that a claim of privilege is invoked as the reason for not responding to discovery, the nature of the information with respect to which privilege is claimed shall be set forth in responses together with the type of privilege claimed and a statement of all circumstances upon which the respondent to discovery will rely to support such a claim of privilege. Respondent to the discovery must a) identify (see definition) the individual, entity, act, communication, and/or document that is the subject of the withheld information based upon the privilege claim, b) identify all persons to whom the information has already been revealed, and c) provide the basis upon which the information is being withheld and the reason that the information is not provided in discovery.

## **INTERROGATORIES**

1. Referring to AT&T Ohio's Showing at Attachment 1, Mr. McKenzie's affidavit, under Show Cause #1, what do the figures in each column of the table represent?

**RESPONSE:**

2. As of what date are these figures meant to be accurate?

**RESPONSE:**

3. Referring to AT&T Ohio's Showing at Attachment 1, Mr. McKenzie's affidavit, in the table under Show Cause #1 for each exchange:

- a. What is the identity of each specific company used to calculate the number found in the column headed "CLECs Reselling or Leasing"?
- b. How many residential access lines does each carrier named in response to Interrogatory 1.a. resell or lease in each exchange?
- c. How many ported residential numbers does each carrier named in response to Interrogatory 3.a. have in each exchange?

**RESPONSE:**

4. Referring to AT&T Ohio's Showing at Attachment 1, Mr. McKenzie's affidavit, in the table under Show Cause #1 for each exchange:
- a. What is the identity of each specific company used to calculate the number found in the column headed "CLECs w/WP Listings"?
  - b. How many residential white page listings does each carrier named in response to Interrogatory 2.a. have in each exchange?
  - c. How many ported residential numbers does each carrier named in response to Interrogatory 2.a. have in each exchange?

**RESPONSE:**

5. Referring to AT&T Ohio's Showing at Attachment 1, Mr. McKenzie's affidavit, in the table under Show Cause #1 for each exchange:
- a. What is the identity of each specific company used to calculate the number found in the column headed "Unaffiliated Wireless Cos."?
  - b. How many ported residential numbers does each carrier named in response to Interrogatory 3.a. have in each exchange?

**RESPONSE:**

6. Referring to AT&T Ohio's Showing at Attachment 1, Mr. McKenzie's affidavit, in the table under Show Cause #1 for each exchange:
- a. What is the identity of each specific company used to calculate the number found in the column headed "Cable w/Broadband & Digital Phone"?
  - b. How many residential access lines does each carrier named in response to Interrogatory 4.a. serve in each exchange?
  - c. How many ported residential numbers does each carrier named in response to Interrogatory 4.a. have in each exchange?

**RESPONSE:**

7. Referring to AT&T Ohio's Showing at Attachment 1, Mr. McKenzie's affidavit, in the table under SHOW CAUSE #2:
- a. What do the figures under the column headed "2002 EOP LINES" represent?
  - b. What do the figures under the column headed "12/31/2007 LINES" represent?
  - c. What do the figures under the column headed "3/31/2008 LINES" represent?
  - d. What do the figures under the column headed "6/30/2008 LINES" represent?

**RESPONSE:**



8. Referring to AT&T Ohio's Showing at Attachment 1, Mr. McKenzie's affidavit, in the table under Show Cause #2 and the column headed 3/31/2008 LINES, how were the number of lines for each exchange determined or calculated?

**RESPONSE:**

9. Was the method described in response to Interrogatory No. 8 different from the method used to calculate the number of residential access lines in the Company's annual report filed with the PUCO for 2002? If yes, please explain how it was different.

**RESPONSE:**

10. Was the method described in response to Interrogatory No. 8 different from the method used to calculate the number of residential access lines in the Company's annual report filed with the PUCO for 2007? If yes, please explain how it was different.

**RESPONSE:**

11. Referring to AT&T Ohio's Showing at Attachment 1, Mr. McKenzie's affidavit, in the table under Show Cause #2 and the column headed 6/30/2008 LINES, how were the number of lines for each exchange determined or calculated?

**RESPONSE:**

12. Was the method described in response to Interrogatory No. 11 different from the method used to calculate the number of residential access lines in the Company's annual report filed with the PUCO for 2002? If yes, please explain how it was different.

**RESPONSE:**

13. Was the method described in response to Interrogatory No. 11 different from the method used to calculate the number of residential access lines in the Company's annual report filed with the PUCO for 2007? If yes, please explain how it was different.

**RESPONSE:**

### **REQUESTS FOR PRODUCTION OF DOCUMENTS**

1. Please provide a copy of all data requests received by the Company from the Staff of the Public Utilities Commission of Ohio regarding OCC's March 13, 2008 and June 13, 2008 motions for a show-cause order in Case Nos. 06-1013-TP-BLS and 07-259-TP-BLS and the Company's responses to all such data requests.
2. Please provide a copy of any and all documents supporting the Company's response to OCC Interrogatory No. 1.
3. Please provide a copy of any and all documents supporting the Company's response to OCC Interrogatory No. 2.
4. Please provide a copy of any and all documents supporting the Company's response to OCC Interrogatory No. 3.
5. Please provide a copy of any and all documents supporting the Company's response to OCC Interrogatory No. 4.
6. Please provide a copy of any and all documents supporting the Company's response to OCC Interrogatory No. 5.
7. Please provide a copy of any and all documents supporting the Company's response to OCC Interrogatory No. 6.
8. Please provide a copy of any and all documents supporting the Company's response to OCC Interrogatory No. 7.

9. Please provide a copy of the documents the Company used in calculating the number of lines as of March 31, 2008 as shown in AT&T Ohio's Showing at Attachment 1, Mr. McKenzie's affidavit, in the table under Show Cause #2 and the column headed 3/31/2008 LINES.
10. Please provide a copy of the documents the Company used in calculating the number of residential access lines as of June 30, 2008 as shown in AT&T Ohio's Showing at Attachment 1, Mr. McKenzie's affidavit, in the table under Show Cause #2 and the column headed 6/30/2008 LINES.

### **CERTIFICATE OF SERVICE**

It is hereby certified that a true copy of the foregoing Ohio Consumers' Counsel's Interrogatories and Requests for Production of Documents Propounded Upon AT&T Ohio, Show Cause - First Set, was served electronically, this 16<sup>th</sup> day of September 2008 to the persons listed below.

/s/ Terry L. Etter  
Terry L. Etter  
Assistant Consumers' Counsel

### **SERVICE LIST**

**DUANE W. LUCKEY**  
Chief, Public Utilities Section  
180 East Broad Street, 9<sup>th</sup> Floor  
Columbus, Ohio 43215-3793  
duane.luckey@puc.state.oh.us

**JON F. KELLY**  
**MARY RYAN FENLON**  
AT&T Ohio  
150 East Gay Street  
Columbus, Ohio 43215  
jk2961@att.com  
mf1842@att.com

**KELLY, JON (Legal)**

**From:** TERRY ETTER [ETTER@occ.state.oh.us]  
**Sent:** Wednesday, September 24, 2008 10:41 AM  
**To:** KELLY, JON (Legal)  
**Subject:** Re: FW: OCC's first set of discovery regarding the showcauseproceeding (06-1013; 07-259)

Sorry. I thought I'd already responded.

We disagree that discovery regarding the show-cause proceeding is not appropriate. The entries you cite dealt with discovery concerning the applications in the two proceedings. The show-cause entry began a proceeding apart from the application process, and thus the entries do not govern discovery in the show-cause proceeding. PUCO procedural rule 17(A) allows discovery once a proceeding has commenced; thus OCC should be allowed to conduct discovery. Further, the rule calls for discovery to be completed as expeditiously as possible. That is why we served the discovery, which covers the basics of AT&T's showing, at this time.

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>>> "KELLY, JON (Legal)" <jk2961@att.com> 9/24/2008 10:22 AM >>>  
 Terry,

Just checking to see if you have a response to my e-mail of 9/16/08, pasted below. Thanks!

Jon F. Kelly  
 General Attorney  
 AT&T Services, Inc.  
 150 E. Gay Street, Rm. 4-A  
 Columbus, Ohio 43215  
 Telephone: 614 223 7928  
 Fax: 614 223 5955  
 jk2961@att.com

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---

**From:** KELLY, JON (Legal)  
**Sent:** Tuesday, September 16, 2008 4:03 PM  
**To:** 'TERRY ETTER'  
**Cc:** DAVID BERGMANN; FENLON, MARYKAY R (Legal)  
**Subject:** RE: OCC's first set of discovery regarding the show causeproceeding (06-1013; 07-259)

Terry,

9/24/2008

We do not believe that your discovery request is appropriate at this time. In BLES 1, discovery was closed on October 5, 2006 in the Attorney Examiner's September 26, 2006 Entry. Similarly, in BLES 2, discovery ended before OCC's objections to our application were filed. The Commission's August 15, 2008 Entry did not establish or reopen a discovery window in either case. It called on the Company to file a responsive pleading (which it did) and gave OCC the opportunity to file a reply (which it did).

Absent a further order from the Commission, we do not know the procedural posture of the case. The Commission could decide to take no further action, in which event discovery would be wasteful and pointless. The Commission could decide to schedule further proceedings, at which time discovery may be appropriate. If the Commission chooses the latter course, I expect it might provide some opportunity for additional discovery. We are not at that juncture yet, however. In the meantime, I would ask that you hold the discovery request in abeyance until the procedural posture is clarified by the Commission. If we cannot agree to that moratorium, I plan to seek a protective order under the applicable rule.

Thank you for your courtesy.

Jon F. Kelly  
General Attorney  
AT&T Services, Inc.  
150 E. Gay Street, Rm. 4-A  
Columbus, Ohio 43215  
Telephone: 614 223 7928  
Fax: 614 223 5955  
jk2961@att.com

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**From:** TERRY ETTER [mailto:ETTER@occ.state.oh.us]  
**Sent:** Tuesday, September 16, 2008 12:24 PM  
**To:** KELLY, JON (Legal); FENLON, MARYKAY R (Legal)  
**Cc:** DAVID BERGMANN  
**Subject:** OCC's first set of discovery regarding the show cause proceeding (06-1013; 07-259)

OCC's first set of discovery regarding the show cause proceeding in 06-1013 and 07-259 is attached. If you have questions, please e-mail or call (466-7964) me.

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Certificate of Service

I hereby certify that a copy of the foregoing has been served by e-mail this  
25th day of September, 2008 on:

Ohio Consumers' Counsel

Terry Etter  
David C. Bergmann  
Office of the Ohio Consumers' Counsel  
10 W. Broad St., Suite 1800  
Columbus, OH 43215

etter@occ.state.oh.us  
bergmann@occ.state.oh.us

The Staff of the Public Utilities Commission of Ohio

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stephen.reilly@puc.state.oh.us  
bill.wright@puc.state.oh.us

/s/ Jon F. Kelly

Jon F. Kelly



**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**9/25/2008 11:57:18 AM**

**in**

**Case No(s). 06-1013-TP-BLS, 07-0259-TP-BLS**

Summary: Motion for a Protective Order electronically filed by Jon F Kelly on behalf of AT&T Ohio