

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Joint Application of First )  
Communications, LLC and GCI Globalcom, Inc )  
dba First Communications For a Waiver of Certain )  
Minimum Telephone Service Standards as set )  
Forth in Chapter 4901:1-5, Ohio Administrative )  
Code. )

Case No. 09-284-TP-WVR

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**JOINT APPLICATION OF  
FIRST COMMUNICATIONS, LLC AND  
GCI GLOBALCOM, INC DBA FIRST COMMUNICATIONS FOR  
A WAIVER OF MINIMUM TELEPHONE SERVICE STANDARD 4901:1-5-03(B)**

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Pursuant Ohio Administrative Code ("O.A.C.") Rule 4901:5-03(B)(1), First Communications, LLC and GCI Globalcom, Inc dba First Communications (collectively, "First Communications") hereby requests that the Public Utilities Commission of Ohio ("Commission") grant a waiver of the Minimum Telephone Service Standard ("MTSS") Rule 4901:1-5-03(B)(1) concerning the distribution of printed directories. The reasons for the waiver are set forth in the attached Memorandum in Support.

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**MEMORANDUM IN SUPPORT**

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On January 29, 2009, AT&T Ohio filed an Application in Case No. 09-42-TP-WVR for a Waiver of Minimum Telephone Service Standard ("MTSS") 4901:1-5-03(B)(1) wherein AT&T Ohio requested authority to have the flexibility of providing access to electronic directories as an

acceptable option for delivering residential white pages directory listings, thereby eliminating the need for automatic delivery of printed white pages directories to all AT&T Ohio customers. By order dated February 11, 2009, the Commission granted AT&T Ohio's request subject to the conditions set forth in the order.

First Communications is authorized to provide local exchange telecommunication services in AT&T Ohio's territory. First Communications relies exclusively on AT&T Ohio for delivery of the white pages directories to its customers within the AT&T Ohio service territory. First Communications' interconnection agreements<sup>1</sup> with AT&T Ohio governs the terms and conditions of the directory services that AT&T provides to First Communications. Pursuant to the terms of its interconnection agreements with AT&T Ohio, First Communications received from AT&T Ohio Accessible Letter No. CLECAM09-038, dated February 25, 2009. The Accessible Letter notified First Communications that AT&T is no longer providing copies of its residential white pages directory in the Cleveland and Columbus directory markets, under terms consistent with the waiver that was granted to AT&T Ohio by the Commission in Case No. 09-42-TP-WVR. The Accessible Letter indicates that additional directory markets will be identified in future accessible letters. A copy of this Accessible Letter is attached hereto.

First Communications cannot comply with MTSS 4901:1-5-03(B)(1) without the delivery of AT&T Ohio's residential white pages directory. In order to remain in compliance with MTSS 4901:1-5-03(B), and as a direct consequence of the Commission's grant of AT&T Ohio's requested waiver, First Communications now seeks a similar waiver.

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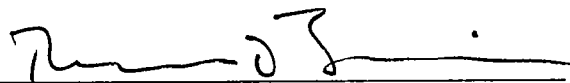
<sup>1</sup> The agreement between First Communications, LLC and AT&T Ohio is dated March 8, 2002 and filed in Case No. 02-627-TP-NAG; the agreement between GCI Globalcom, Inc dba First Communications (f/k/a Globalcom, Inc.) and AT&T Ohio (f/k/a Ameritech) is dated May 17, 2000 and filed in Case No. 00-866-TP-NAG.

The Commission has recognized “me too waivers” (such as this one). *See Amendment of Minimum Telephone Service Standards*, Case No. 00-1265-TP-ORD (*Entry* dated February 4, 2004). In this entry the Commission granted SBC Ohio’s (k/n/a AT&T Ohio) request for “a me too” waiver allowing AT&T Ohio to eliminate listing toll call detail from its bills for those customers who subscribe to unlimited flat rate toll calling plans. Furthermore, the Commission granted a limited waiver for all interexchange carriers and local exchange carriers whose customers subscribe to a flat rate unlimited calling plan.

The same considerations that form the basis of Commission's decision in Case No. 09-42-TP-WVR are fully applicable to First Communications as well. For this reason, the Commission should grant First Communications’ request.

WHEREFORE, First Communications, LLC and GCI Globalcom, Inc dba First Communications a waiver of MTSS Rule 5-03(B)(1), consistent with the waiver granted to AT&T Ohio in Case No. 09-42-TP-WVR.

Respectfully submitted on behalf of,  
**First Communications, LLC**  
**GCI Globalcom, Inc dba First Communications**



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Summary: Application of First Communications, LLC and GCI Globalcom, Inc. dba First Communications for a Waiver of Minimum Telephone Service Standard 4901:1-5-03(B) electronically filed by Teresa Orahod on behalf of First Communications, LLC