

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Review of Chapter)
4901:1-6, Ohio Administrative Code.) Case No. 06-1345-TP-ORD

ENTRY

The Commission finds:

- (1) Rule 4901:1-6-05(G)(1), Ohio Administrative Code (O.A.C.), states that "[A]ll regulated nonresidential Tier 2 services and all regulated toll services shall not be included in tariffs or contracts filed with the Commission, but shall still be subject to Commission oversight and regulation."
- (2) On June 2, 2008, National Directory Assistance LLC (NDA or company) filed a request for a waiver of Rule 4901:1-6-05(G)(1), O.A.C. Specifically, NDA requests that it be permitted to continue to tariff its directory assistance call completion service to customers of local exchange carriers (LECs) where the completion of the call will incur a toll charge.

In support of its request, NDA submits that all services offered by the company are offered only on a call-by-call basis to callers who choose to hold for call completion. NDA explains that the company retains its customers for the duration of the call completion session only and that these customers do not establish an account with NDA but rather are billed by their LEC. NDA does announce the per-minute charge to customers prior to completing the directory assistance call; however, NDA does not have the ability to advise these customers of all of the other applicable terms and conditions.

NDA also notes that the Federal Communications Commission previously determined that casual calling should not be subject to mandatory detariffing because it understood the difficulties inherent in establishing a contract with these types of customers.

- (3) On September 11, 2008, NDA filed a letter analogizing the company's offering to alternative operator services (AOS), a service that has continued to be tarified under the rules

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adopted in Chapter 4901:1-6, O.A.C. Based on the similarities to AOS, the company seeks to withdraw its request for waiver.


- (4) Under the specific facts presented regarding NDA's provisioning of directory assistance call completion, NDA's request to withdraw its waiver is granted. We agree that, as presented, this directory assistance call completion service is more analogous to AOS than to dial-around, casual calling service for which we have granted waivers of the applicable rule in the past. Accordingly, NDA is permitted to continue to tariff its directory assistance call completion service.

It is, therefore,

ORDERED, That NDA's request to withdraw its waiver be granted in accordance with finding 4. It is, further,

ORDERED, That a copy of this entry be served on the company.

THE PUBLIC UTILITIES COMMISSION OF OHIO



Alan R. Schriber, Chairman



Paul A. Centolella



Ronda Hartman Fergus



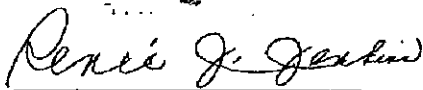
Cheryl L. Roberto

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JRJ/vrm

Entered in the Journal

APR 01 2009



Renee J. Jenkins
Secretary