

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of the Ohio                    )  
Telecom Association, on Behalf of its Members,            )           09-586-TP-WVR  
for an Order Granting Waiver of Ohio                        )  
Administrative Code Section 4901:1-7-27                    )

APPLICATION OF THE OHIO TELECOM ASSOCIATION FOR AN ORDER GRANTING  
WAIVER OF OHIO ADMINISTRATIVE CODE SECTION 4901:1-7-27

The OHIO TELECOM ASSOCIATION, for and on behalf of its members (“OTA”), seeks an Order from the Commission granting permanent waiver to all of its affected member local exchange companies from the obligations of Ohio Administrative Code §4901:1-7-27, which would require the semi-annual submission of FCC form 477 to the Commission Staff (the “477 Rule”). Following discussions with Staff and for the reasons described hereafter, OTA submits that the continued implementation of the 477 Rule is no longer necessary and has become unduly burdensome due to the electronic filing process implemented by the FCC.

1. Ohio Administrative Code §4901:1-7-27 applies to all local exchange carriers (“LECs”) reporting market information to the FCC utilizing form 477, and requires them to provide Commission Staff with the Ohio data as reported. Since institution of the 477 Rule, the FCC changed the reporting technology of form 477 to an electronic format that is not electronically downloadable to the Commission Staff by the LECs. As a result, for the last reporting period (March, 2009), LECs were required to implement workarounds to meet the obligations of this rule.

2. The Commission Staff is authorized to receive, and does receive, form 477 data directly from the FCC. As a result, submission of the same data by the LECs is redundant.

3. If waiver of the 477 Rule is granted, the Commission will nonetheless retain its authority to request submission of copies of FCC reports from each telephone company pursuant to Ohio Administrative Code §4901:1-6-23.

4. If waiver of the 477 Rule is granted, no specific customer issue, nor any general consumer issue, will be affected.

#### Conclusion

For all the foregoing reasons, the OTA respectfully requests that the Commission grant a permanent waiver to all member OTA member local exchange companies, and to their affected affiliates, from the obligations of Ohio Administrative Code §4901:1-7-27.

Respectfully Submitted,

OHIO TELECOM ASSOCIATION

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Summary: Application - Application of The Ohio Telecom Association for an Order Granting Waiver of Ohio Administrative Code Section 4901:1-7-27 electronically filed by Mr. Thomas E Lodge on behalf of Ohio Telecom Association