

BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of AT&T Ohio,	)	
	)	
Complainant,	)	
	)	Case No. 08-690-TP-CSS
v.	)	
	)	
	)	
Global NAPs Ohio, Inc.,	)	
	)	
Respondent.	)	

**AT&T Ohio's Request for Leave to File a Motion to Issue Subpoenas and  
Memorandum in Support In the Alternative**

AT&T Ohio requests leave to file a motion to issue subpoenas and memorandum in support in the alternative to its motion to compel filed on July 9, 2009, in the event that the motion to compel is denied. AT&T Ohio filed a motion to compel Global NAPs Ohio, Inc. ("Global") to produce copies of all responses to the subpoenas previously issued by the Commission upon Global's application in this proceeding. The Commission had previously issued subpoenas to Sage Telecom, Global Crossing, NOS Communications, and Qwest. AT&T Ohio filed the motion to compel on July 9, 2009 because Global had refused to provide AT&T Ohio with copies of the responses to the subpoenas from those carriers. Global will be filing its response to AT&T Ohio's motion to compel this Friday, July 17, 2009.

If, for whatever reason, the attorney examiner would deny AT&T Ohio's motion to compel, AT&T Ohio requests the ability to file for the issuance of Commission subpoenas to those carriers so that AT&T can thoroughly prepare for the hearing that is scheduled to begin on August 4, 2009. AT&T Ohio seeks to file such motion as soon as

practicable after the examiner's ruling and will do so in accordance with Procedural Rule 25.

Again, as set forth in AT&T Ohio's motion to compel, the Commission should compel Global to produce all responses, including correspondence, documents, and other information it has received to the subpoenas issued by the Commission in this matter. However, if deemed appropriate otherwise, the Commission should allow AT&T to file a motion for subpoenas to the same four carriers for purposes of obtaining any and all information provided to Global. AT&T Ohio seeks expedited ruling on this request. It has not sought Global's response to such requested expedited timing. However, AT&T Ohio believes that it would be reasonable for Global to respond to this Motion on July 17, 2009 along with its response to the motion to compel.

Respectfully submitted,

AT&T OHIO

By: /s/ Mary Ryan Fenlon

Mary Ryan Fenlon

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**CERTIFICATE OF SERVICE**

I hereby certify that this Motion was served upon the following by electronic service the  
14<sup>th</sup> day of July 2009.

/s/ Mary Ryan Fenlon

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

**Commission of Ohio Docketing Information System on**

**7/14/2009 5:02:00 PM**

**in**

**Case No(s). 08-0690-TP-CSS**

Summary: Motion for Leave to File a Motion for Subpoenas in the Alternative electronically filed by Ms. Mary K. Fenlon on behalf of AT&T Ohio