

Confidential Release

Case Number:

93-487-TP-ALT

93-576-TP-CSS

Date of Confidential Document:

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Today's Date:

July 31, 2009

Motion

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DOCKETING DIVISION
PUBLIC UTILITIES COMMISSION OF OHIO

ORIGINAL

NON-PUBLIC VERSION

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application
of The Ohio Bell Telephone Company
for Approval of an Alternative
Form of Regulation.

)
) Case No. 93-487-TP-ALT
)
)

In the Matter of the Complaint of the
Office of the Consumers' Counsel,

Complainant,

v.

)
) Case No. 93-576-TP-CSS
)
)

The Ohio Bell Telephone Company,

Respondent.

**AMERITECH OHIO'S MOTION FOR PROTECTIVE ORDER
REGARDING INFORMATION CONTAINED IN ITS
PROPOSED INTERACTIVE VIDEO SERVICE TARIFF**

Now comes Ameritech Ohio¹, pursuant to the Entry of the Attorney Examiner dated March 30, 1994 and Ohio Admin. Code §4901-1-24, and respectfully moves this Honorable Commission for a protective order keeping confidential the designated proprietary information contained in its proposed Interactive Video Service Tariff. Specifically, Ameritech Ohio requests that the rates displayed in the Proposed Video Tariff be treated as "highly competitively sensitive."

Consistent with the Attorney Examiner's Entry, excerpts from the proposed Interactive Video Service Tariff with


¹ Ameritech Ohio refers to The Ohio Bell Telephone Company, the Applicant herein.

confidential portions marked by underlining which are the subject of this motion are being provided with this motion. A public version of this motion is being filed in the public docket with the confidential portions redacted. It is the Company's understanding that counsel are bound to treat the excerpts being provided to them in the same manner as other confidential, highly sensitive materials that have been provided to them.

Respectfully submitted,

AMERITECH OHIO

By:


Michael T. Mulcahy (Trial Attorney)
William H. Hunt
Jon F. Kelly
Charles S. Rawlings

Its Attorneys

45 Erieview Plaza, Suite 1400
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MEMORANDUM IN SUPPORT

Consistent with the testimony of Company Witness Daniel R. McKenzie, Ameritech Ohio is providing to the Commission and the parties a copy of its proposed Interactive Video Service Tariff, which will be filed following the Commission's approval of the Company's Advantage Ohio plan. (Company Exhibit Nos. 24 and 24S).

In order to comply with the Staff's request and the desire of the Hearing Examiners and parties to review the video service tariff Ameritech Ohio is being placed in the position of disclosing rates for a competitive service long before it will actually offer the service. Such a disclosure places the Company at an extreme competitive disadvantage since its competitors will know the exact rates they must beat in marketing to customers. Therefore, Ameritech Ohio respectfully requests that the proposed rates and the specific terms of the proposed rate structure (i.e., the minimum terms and the amount of usage included in the fixed monthly rate) be treated as "highly competitively sensitive" in accordance with the Examiner's Entry of March 30, 1994 (affirming the preliminary ruling announced at the record conference of March 10, 1994).

A copy of the proposed Interactive Video Service Tariff with the highly competitively sensitive portions noted is attached.

Respectfully submitted,

AMERITECH OHIO

By: Michael T. Mulcahy
Michael T. Mulcahy (Trial Attorney)

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion for Protective Order and Memorandum in Support was served upon counsel for the parties as shown on the attached service list, by prepaid first class U. S. mail, this 10th day of August, 1994.

Michael T. Mulcahy
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CASE NO. 93-487-TP-ALT

CASE NO. 93-576-TP-CSS

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P.U.C.O. No. 1
DIGITAL SWITCHED NETWORK SERVICES

4. INTERACTIVE VIDEO SERVICE

(N)

4.1 Description of Service

A. General Description

This service provides for the intrastate, intralATA digital transmission of a NTSC (National Television System Committee-USA) color video and stereo audio signal from a customer location to a video switch port where it can be connected to other customer specified locations.

It is capable of operating in the following modes:

- Point to point broadcast (1 way)
- Point to point interactive (2 way)
- Point to multipoint broadcast (1 to many)
- Point to multipoint interactive (many to many - up to 4 participants)

This service gives a customer designated system administrator remote access ability to initiate and terminate switched transmission via a Company provided scheduling and reservation system. The point to multipoint interactive mode allows up to 4 participating locations to be on the same call with the following modes of operation:

- Rotating Conference Control
- Conference leader determines who everyone will see.
- Continuous presence of all locations at conference leader site
- Lecture control (Lecturer selects dominant site)
- Conference leader is seen by all and can choose which participants others will view.

Technical specifications for this service may be found in "Ameritech Video Service Interface Specifications".

B. Terms and Conditions

1. General

- a. The monthly charge to customers consists of two elements; a monthly fixed rate and a variable rate for usage above 80 hours. The monthly usage bill will be computed by adding all usage occurrences over 80 hours and rounding the total usage to the next highest hour. The minimum service period is 12 months.
- b. Termination liability will apply to a service disconnected prior to the expiration of the contracted service period.

Termination charges apply to interactive video ports that have been in service for less than twelve months. The charge is 50% of the remaining fixed monthly recurring charges that would have been incurred by the customer if the service had been in service for twelve months. If a video port has been in service for more than twelve months, no termination charges apply.

(N)

P.U.C.O. No. 1
DIGITAL SWITCHED NETWORK SERVICES

4. INTERACTIVE VIDEO SERVICE (Cont'd)

(N)

4.1 Description of Service (Cont'd)

B. Terms and Conditions (Cont'd)

1. General (Cont'd)

c. Interactive Video Service is offered only from central offices where facilities permit.

2. Educational Institutions

Educational Institutions may subscribe to Interactive Video Service upon the terms and conditions following. Educational Institutions as used herein is limited to those institutions which are chartered by the State Board of Education pursuant to Section 3301.16, Revised Code, as well as, two year and four year colleges and universities accredited by the State Board of Regents. Resale and Sharing of Interactive Video Service rated for Educational Institutions is not permitted.

Educational Institutions can choose either one of two optional rate plans as described below.

a. Option A:

- (1) The monthly charge to Educational Institution customers consists of two elements; a monthly fixed rate which includes 80 hours of usage and a variable rate for usage above 80 hours. The monthly usage bill will be computed by adding all usage occurrences over 80 hours and rounding the total usage to the next highest hour.
- (2) The minimum service period is 12 Months.
- (3) Termination liability will apply to a service disconnected prior to the expiration of the contracted service period.

Termination charges apply to interactive video ports that have been in service for less than twelve months. The charge is 50% of the remaining fixed monthly recurring charges that would have been incurred by the customer if the service had been in service for twelve months. If a video port has been in service for more than twelve months, no termination charges apply.

- (4) Interactive Video Service is offered only from central offices where the Telephone Company has arranged for such service.
- (5) Prepayment Option

The monthly recurring fixed rate per port may be prepaid for periods of 12, 36 or 60 months. The prepayment of charges in no way constitutes a purchase and the telephone company retains all ownership of all equipment covered by prepayment. The following conditions apply:

(N)

4. INTERACTIVE VIDEO SERVICE (Cont'd)

(N)

4.1 Description of Service (Cont'd)

2. Educational Institutions (Cont'd)

a. Option A (Cont'd)

(5) Prepayment Option (Cont'd)

- (a) Customers who prepay will have an allowance applied. The prepayment will be calculated using the loan amortization method at the annual percentage rate specified on the Price List for Sheet 33.14.1 of Section 2 of the Exchange and Network Services Tariff. The allowance will be based on the number of months of the prepayment period. The prepayment amount (principle) is the total outstanding recurring charges less the prepayment allowance.
- (b) Monthly recurring rates per hour of use after 80 hours will continue to apply.
- (c) Customers who change the length of a payment period will be credited any unused portion of the prepayment.
- (d) Customers who prematurely disconnect will have termination charges deducted from the prepaid amount and any balances credited to their bill.

b. Option B:

- (1) The monthly charge to Educational Institution customers consists of a monthly fixed rate and a variable rate for all hourly usage. The monthly usage bill will be computed by adding all usage occurrences and rounding the total usage to the next higher hour, then applying the total hours to the recurring rate per hour matrix.
- (2) Fixed rate and hourly use rate recurring revenue must total at least \$19,680.00 annually. Twelve months following the original in service date and annually thereafter, if the recurring billing for the preceding twelve month period is less than \$19,680.00, the differential amount will be billed.
- (3) If a port is in service for less than a full year, the minimum billing will be determined by multiplying the number of months since the in-service date or the last reconciliation date times \$1,640.00. If recurring billing for the same period is less, the differential amount will be billed.
- (4) The minimum service period is 36 Months.

(N)

THE OHIO BELL
TELEPHONE COMPANY

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DIGITAL SWITCHED NETWORK SERVICES

4. INTERACTIVE VIDEO SERVICE (Cont'd)

(N)

4.1 Description of Service (Cont'd)

2. Educational Institutions (Cont'd)

b. Option B (Cont'd)

- (5) Termination liability will apply to a service disconnected prior to the expiration of the contracted service period.

Termination charges apply to interactive video ports that have been in service for less than thirty-six months. The charge is 50% of the remaining fixed monthly recurring charges that would have been incurred by the customer if the service had been in service for thirty-six months. If a video port has been in service for more than thirty-six months, no termination charges apply.

- (6) Interactive Video Service is offered only from central offices where facilities permit.

(N)

THE OHIO BELL
TELEPHONE COMPANY

Original Sheet No. 33

P.U.C.O. No. 1
DIGITAL SWITCHED NETWORK SERVICES

4. INTERACTIVE VIDEO SERVICE (Cont'd)

(N)

4.2 Rates and Charges

A. General

	<u>Monthly Rate</u>	<u>Nonrecurring Charge</u>
Monthly recurring fixed rate including <u>80</u> hours of use		
- per port.....	<u>\$2,200.00</u>	<u>\$1,000.00</u>
Monthly recurring rate per hour of use after <u>80</u> hours		
- per port.....	\$ <u>15.00</u>	<u>-</u>

B. Educational Institutions

1. Option A: (Terms and Conditions for Option A apply)

	<u>Monthly Rate</u>	<u>Nonrecurring Charge</u>
Monthly recurring fixed rate including <u>80</u> hours of use		
- per port.....	<u>\$1,640.00</u>	<u>\$1,000.00</u>
Monthly recurring rate per hour of use after <u>80</u> hours		
- per port.....	\$ <u>10.00</u>	<u>-</u>

2. Option B: (Terms and Conditions for Option B apply)

	<u>Monthly Rate</u>	<u>Nonrecurring Charge</u>
Monthly recurring fixed rate		
- per port.....	\$ <u>440.00</u>	<u>-</u>
Monthly recurring rate per hour of use		
- per port		
First <u>20</u> hours.....	\$ <u>25.00</u>	<u>-</u>
Next <u>20</u> hours.....	\$ <u>15.00</u>	<u>-</u>
Additional hours over <u>40</u>	\$ <u>10.00</u>	<u>-</u>

(N)