

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's)
Investigation into Intrastate Carrier) Case No. 10-2387-TP-COI
Access Reform Pursuant to Sub. S.B. 162.)

ENTRY

The Commission finds:

- (1) On June 13, 2010, the governor of the state of Ohio signed into law Substitute Senate Bill 162 (Sub. S.B. 162), which revises state law as it pertains to the provision of telecommunications services. Among other things, Sub. S.B. 162 authorizes the Commission to create and administer mechanisms for carrier access reform, including, but not limited to, high-cost support. Further Sub. S.B. 162 provides that the Commission may order changes in a telephone company's rates for carrier access within Ohio. The effective date of Sub. S.B. 162 was September 13, 2010.
- (2) Pursuant to Appendices A and B of the Commission's Entry of November 3, 2010, the Commission staff proposed an access restructuring plan (Appendix A) and drafted a series of questions pertaining to the proposed plan (Appendix B) that would reduce certain incumbent local exchange carrier (ILEC)¹ access charges and allow those ILECs to recoup the revenues lost from the access reductions through an intrastate Access Recovery Fund. Additionally, the Commission staff also drafted two data requests (attached as Appendices C and D, Entry of November 3, 2010), that the Commission staff proposed be issued. The Commission invited all stakeholders and other interested parties to provide responses to the questions posed in Appendix B and to provide any additional comments that they may wish regarding the proposed plan and proposed data requests. Initial comments were to be filed by December 20, 2010, with reply comments filed on January 19, 2011.
- (3) The following entities filed initial comments in response to the Commission's Entry of November 3, 2010:

¹ Specifically, this proposed access restructuring plan would apply to all small ILECs as well as Windstream Ohio, Inc., Windstream Western Reserve, Inc., and CenturyTel of Ohio, Inc. dba CenturyLink.

- (a) AT&T Communications of Inc., The Ohio Bell Telephone Company dba AT&T Ohio, TCG Ohio, SBC Long Distance dba AT&T Long Distance, SNET America Inc. dba AT&T Long Distance East, AT&T Corp. dba ST&T Advanced Solutions, Cincinnati SMSA L.P., and New Cingular Wireless PCS LLC dba AT&T Mobility (jointly, AT&T);
- (b) Cincinnati Bell Telephone Company LLC, Cincinnati Bell Extended Territories LLC, Cincinnati Bell Wireless LLC, and Cincinnati Bell Any Distance Inc. (jointly, Cincinnati Bell);
- (c) Frontier North Inc., and Frontier Communications of Michigan Inc. (jointly, Frontier);
- (d) The Midwest Association of Competitive Communications, Inc. (MACC Coalition);
- (e) Office of the Ohio Consumers' Counsel (OCC);
- (f) Ohio Cable Telecommunications Association (OCTA);
- (g) The Small Local Exchange Carriers Group²;
- (h) Sprint Communications Company L.P., Sprint Spectrum L.P., SprintCom Inc. dba Sprint PCS, Nextel West Corp., Inc., and NPCR, Inc. dba Nextel Partners (jointly, Sprint Nextel);
- (i) T-Mobile Central LLC and VoiceStream Pittsburgh LP (jointly, T-Mobile);

² The participating entities include: Arcadia Telephone Company, Arthur Mutual Telephone Company, Ayersville Telephone Company, Bascom Mutual Telephone Company, Benton Ridge Telephone Company, Buckland Telephone Company, Champaign Telephone Company, Chillicothe Telephone, Columbus Grove Telephone Company, Conneaut Telephone Company, Continental Telephone Company, Doylestown Telephone Company, Farmers Mutual Telephone Company, Fort Jennings Telephone Company, Germantown Independent Telephone Company, Glandorf Telephone Company, Kalida Telephone Company Inc., Little Miami Communications Corporation, McClure Telephone Company, Middle Point Home Telephone Company, Minford Telephone Company, New Knoxville Telephone Company, Nova Telephone Company, Oakwood Telephone Company, Orwell Telephone Company, Ottoville Mutual Telephone Company, Pattersonville Telephone Company, Ridgeville Telephone Company, Sherwood Mutual Telephone Association, Sycamore Telephone Company, Telephone Service Company, Vanlue Telephone Company, Vaughnsville Company, and Wabash Mutual Telephone Company.

- (j) United Telephone Company of Ohio dba CenturyLink and CenturyTel of Ohio Inc. dba CenturyLink (jointly CenturyLink);
 - (k) MCImetro Access Transmission Services LLC dba Verizon Access Transmission Services, MCI Communications Services Inc. dba Verizon Business Services, Cellco Partnership, and Verizon Wireless (jointly, Verizon); and
 - (l) Windstream Ohio Inc. and Windstream Western Reserve Inc. (jointly, Windstream).
- (4) The following entities filed reply comments in response to the Commission's Entry of November 3, 2010:
- (a) AT&T;
 - (b) Cincinnati Bell;
 - (c) CenturyLink;
 - (d) Frontier;
 - (e) MACC Coalition;
 - (f) OCC;
 - (g) OCTA;
 - (h) Small Local Exchange Carriers Group;
 - (i) T-Mobile;
 - (j) Verizon; and
 - (k) Windstream.
- (5) On December 8, 2010, the Commission issued an entry addressing motions filed by OCC, Cincinnati Bell, and Verizon seeking a hearing and requesting additional procedural changes in response to the Commission's Entry of November 3, 2010. The Commission now directs all eligible ILECs, as defined by the proposed plan, to file on or before March 18, 2011, their respective data for the 2009 and 2010 calendar years in response to Appendix C of the

Commission's Entry of November 3, 2010. The eligible ILECs should also file, on or before March 18, 2011, their responses to the questions set forth in the attachment to today's entry. Additionally, all contributing carriers, as defined by the proposed plan, are directed to file their respective data in response to Appendix D of the Entry of November 3, 2010, on or before March 18, 2011.

- (6) To the extent necessary, an ILEC may file a motion seeking a protective order relative to the filed information pursuant to Rule 4901-1-24, Ohio Administrative Code. Consistent with the Commission's Entry of December 8, 2010, beginning on March 18, 2011, interested entities will have the opportunity to seek discovery on the submitted data. The last discovery request shall be served no later than April 18, 2011. Entities shall utilize an expedited discovery process with an electronic response period of 10 days. Discovery responses should also be served upon the Commission staff. Following this discovery period, interested entities will be provided with an additional opportunity to present their positions to the Commission. Specifically, based on their review of the submitted data, interested entities shall file supplemental comments no later than May 20, 2011, and supplemental reply comments no later than June 3, 2011.

It is, therefore,

ORDERED, That all eligible ILECs and contributing carriers file the requested information consistent with Finding (5). It is, further,

ORDERED, That discovery occur consistent with Finding (6). It is, further

ORDERED, That supplemental comments and supplemental reply comments occur consistent with Finding (6). It is, further,

ORDERED, That a copy of this entry be served upon OCC, all ILECs, all competitive local exchange carriers, all providers of telephone toll service, all wireless service providers registered with the Commission, and all other interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


Steven D. Lesser, Chairman


Paul A. Centolella

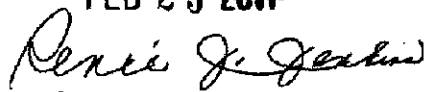

Valerie A. Lemmie


Cheryl L. Roberto

JSA/dah

Entered in the Journal

~~FEB 23 2011~~


Renee J. Jenkins
Secretary

Attachment

Attachment

All incumbent local exchange carriers shall provide the following information for both business and residential services:

- 1) The tariffed basic local exchange service (BLES) rate as BLES is defined in Section 4927.01 (A)(1), Revised Code;
- 2) The tariffed touchtone rate if not included in BLES rate;
- 3) The average mileage charges, if any, required to receive BLES;
- 4) The applicable Subscriber Line Charge (SLC);
- 5) The intrastate access recovery fees (applicable only to Frontier North and United Telephone Company of Ohio dba CenturyLink);
- 6) If the BLES rates vary by exchange access area/zones/bands, the ILEC shall provide the total number of access lines covered by each rate;
- 7) Any other Commission ordered surcharges; and
- 8) The total number of access lines as of December 31, 2009, and December 31, 2010.