

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's)
Investigation into Intrastate Carrier Access)
Reform Pursuant to Sub. S. B. 162.)

Case No. 10-2387-TP-COI

AT&T'S ADDITIONAL SUPPLEMENTAL REPLY COMMENTS

I. Introduction

Pursuant to the Commission's Entry in this proceeding, dated January 18, 2011, the AT&T Entities¹ ("AT&T") through their counsel, hereby submit additional supplemental reply comments for the Commission's and the parties' consideration. The Commission sought comment on the Federal Communications Commission's ("FCC") Report and Order and Further Notice of Proposed Rulemaking ("FNPRM") in the USF and ICC Reform Proceeding *In the Matter of Connect America Fund et al.*, WC Docket No. 10-90 et al. ("Report and Order") released on November 18, 2011.

In addition to AT&T, ten parties filed additional supplemental comments on February 10. In our comments, AT&T recommended that in the near term, the Commission should focus on the prompt and accurate implementation of the July 1, 2012 intrastate rate changes prescribed in the FCC's Report and Order.

As AT&T noted in its initial comments, the Commission's focus should now be on how best to implement the FCC required changes. To that end, AT&T now proposes a course of

¹ The AT&T Entities are The Ohio Bell Telephone Company d/b/a AT&T Ohio, AT&T Communications of Ohio, Inc., TCG Ohio, SBC Long Distance d/b/a AT&T Long Distance, SNET America, Inc. d/b/a AT&T Long Distance East, and New Cingular Wireless PCS, LLC d/b/a AT&T Mobility.

action for the Commission's consideration. The Commission well knows that there will be an extraordinary amount of information that will be turned over to the Commission in conjunction with tariff filings. It will be extremely difficult for the staff to review all of the data in a timely manner and ensure its accuracy given the July 1 effective date of the new intrastate access rates. Therefore, AT&T proposes that certain data should be filed by May 1, 2012, to allow the Commission and other interested parties the opportunity to conduct preliminary reviews of the July 1, 2012, state tariff filings.

Specifically, AT&T proposes that the Commission order all LECs (ILECs and CLECs) not already at parity to file by May 1 the following:

- 1) The LEC's intrastate demand for Transitional Intrastate Access Service,² by rate element, for fiscal year 2011.
- 2) The LEC's intrastate rates as of December 29, 2011 for Transitional Intrastate Access Service. As AT&T stated in its Additional Supplemental Comments (at p. 3), some carriers do not currently list their intrastate rates in their tariffs.
- 3) The LEC's interstate rates as of December 29, 2011 for Transitional Intrastate Access Service.
- 4) Along with the rates, LECs should explain how they intend to calculate July 1 access rates (or, if the LEC prefers, it can simply provide the calculation of new rates) and an

² (j) Transitional Intrastate Access Service. A Transitional Intrastate Access Service means terminating End Office Access Service that was subject to intrastate access rates as of December 31, 2011; terminating Tandem-Switched Transport Access Service that was subject to intrastate access rates as of December 31, 2011; and originating and terminating Dedicated Transport Access Service that was subject to intrastate access rates as of December 31, 2011. See Report and Order, p. 507.

explanation as to how it will meet the requirements set forth in the FCC's Report and Order.

- 5) If a LEC is using a different rate structure for intrastate and interstate rates, then the ILEC or CLEC must also provide a detailed explanation of how it intends to develop the new intrastate rates and how the calculation will meet the FCC's rate reduction requirements set forth in the FCC's Report and Order, including the intrastate demand used for calculations.

To the extent that a LEC maintains that the information is confidential, then the Protective Order issued in this docket by Attorney Examiner Entry dated February 14, 2011 (that protects confidential information filed on November 3, 2010) should apply to all confidential information in this case. Protective agreements entered into between carriers should likewise carry over and cover the new information.

By requiring all LECs to file the information noted above, all interested parties will have an opportunity to review LECs' data and LECs' rate development. AT&T would also like to take this opportunity to again urge the Commission to specify what happens if a carrier fails to file either the required data on May 1 or their proposed tariff pages on June 1. As AT&T mentioned in its Additional Supplemental Comments, the Massachusetts Department of Telecommunications and Cable Order on Compliance well addressed such a situation, where the regulators provided CLECs with an incentive to file necessary switched access rate reductions by putting CLECs on notice that their "old" access rates would be considered unjust and reasonable and carriers would not be required to pay them. (See Attachment 1 to AT&T's Additional Supplemental Comments)

The Commission must set forth a timely and accurate procedure in order to implement the terminating switched access and transport rate reductions ordered by the FCC. AT&T submits that the process proposed is clear and simple for Staff, carriers and interested parties for the purpose of meeting the July 1 implementation.

Respectfully submitted,

The AT&T Entities

By: /s/ Mary Ryan Fenlon

Mary Ryan Fenlon (Counsel of Record)
Jon F. Kelly
AT&T Services, Inc.
150 E. Gay St. Rm. 4-A
Columbus, Ohio 43215
(614) 223-3302

Their Attorneys

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by electronic mail on the parties listed below on this 24th day of February, 2012.

/s/ Mary R. Fenlon

Mary R. Fenlon

Ohio Consumers' Counsel

Terry Etter
Office of the Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, OH 43215-3485
etter@occ.state.oh.us

Cincinnati Bell

Douglas E. Hart
Cincinnati Bell Telephone Company LLC
441 Vine Street, Suite 4192
Cincinnati, OH 45202
dhart@douglasshart.com

Ohio Cable Telecommunications
Association

Stephen M. Howard
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street
Columbus, OH 43215
smhoward@vorys.com

Benita A. Kahn
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street, P.O. Box 1008
Columbus, OH 43215-1008
bakahn@vorys.com

Verizon

Barth E. Royer
Bell & Royer Co., LPA
33 South Grant Avenue
Columbus, OH 43215-3927
barthroyer@aol.com

David Haga, Assistant General Counsel
Verizon
1320 North Courthouse Road
Arlington, VA 22201
david.haga@verizon.com

Charles Carrathers
Verizon
600 Hidden Ridge HQE03H51
Irving, TX 75308
chuck.carrathers@verizon.com

CenturyLink

Zsuzsanna E. Benedek
CenturyLink
240 North Third Street, Suite 300
Harrisburg, PA 17101
sue.benedek@centurylink.com

Gary Baki
Century Link
50 West Broad Street, Suite 3600
Columbus, OH 43215
gary.s.baki@embarq.com

T-Mobile USA, Inc.

Garnet Hanly
T-Mobile USA, Inc.
401 Ninth Street, NW, Suite 550
Washington, DC 20004
Garnet.Hanly@T-Mobile.com

Access Point, Inc.

Kate Dutton
100 Crescent Green, Suite 109
Cary, NC 27518
kate.dutton@accesspointinc.com

ICORE

Gary M. Zingaretti
253 South Franklin Street
Wilkes-Barre, PA 18701
gzing@icoreinc.com

ONVOY, INC.

Mary T. Buley
300 South Highway 169, Suite 700
Minneapolis, MN 55426
mary.buley@onvoy.com

Technologies Management, Inc.

Laura McGrath
Technologies Management, Inc.
2600 Maitland Center Parkway
Maitland, FL 32751
lmcgrath@tminc.com

Impact Network Solutions, Inc.

Nancy L. Myers
Impact Network Solutions, Inc.
429 Trenton Avenue
Findlay, OH 45840
myersn@impactnetwork.com

First Communications, Inc.

Mary Cegelski
First Communications, Inc.
15278 Neo Parkway
Garfield Heights, OH 44128
MCEGELSKI@firstcomm.com

Frontier Communications

Rachel G. Winder
Ohio Government and Regulatory Affairs
17 South High Street, Suite 610
Columbus, OH 43215
Rachel.winder@ftr.com

Carolyn S. Flahive
Thompson Hine LLP
41 South High Street, Suite 1700
Columbus, OH 43215-6101
carolyn.flahive@thompsonhine.com

Kevin Saville, Associate General Counsel
Frontier Communications
2378 Wilshire Blvd.
Mound, MN 55364
Kevin.Saville@FTR.com

Windstream

Williams Adams
Bailey Cavalieri LLC
10 West Broad Street, Suite 2100
Columbus, OH 43215-3422
William.Adams@baileycavalieri.com

Small Local Exchange Carriers Group
Association

Norman J. Kenard
Regina L. Matz
Thomas, Long, Nielsen & Kennard
P.O. Box 9500
Harrisburg, PA 17108
rmatz@thomaslonglaw.com
nkennard@thomaslonglaw.com

The MACC Coalition

Thomas J. O'Brien
Bricker & Eckler, LLP
100 South Third Street
Columbus, OH 43215-4291
tobrien@bricker.com

Public Utilities Commission

William Wright
Assistant Attorney General
Chief, Staff of the PUCO
180 E. Broad Street
Columbus, OH 43215
bill.wright@puc.state.oh.us

Sprint Nextel

Diane C. Browning, Counsel
State Regulatory Affairs
Sprint Nextel
6450 Sprint Parkway
Mailstop KSOPHN0314-3A459
Overland Park, KS 66251
diane.c.browning@sprint.com

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

2/24/2012 12:58:35 PM

in

Case No(s). 10-2387-TP-COI

Summary: Reply Comments of the AT&T Entities electronically filed by Ms. Mary K. Fenlon on behalf of AT&T Entities