

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

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

ENTRY

The attorney examiner finds:

- (1) On November 18, 2011, the Federal Communications Commission (FCC) released its Report and Order and Further Notice of Proposed Rulemaking (Report and Order) in WC Docket No. 07-135 et al., *In the Matter of Establishing Just and Reasonable Rates for Local Exchange Carriers*. In its Report and Order, the FCC adopted a transitional intercarrier compensation restructuring framework for both intrastate and interstate telecommunications traffic exchanged with a local exchange carrier, which will ultimately result in bill and keep.

During the first phase of the its intercarrier compensation restructuring, the FCC directed that for price cap carriers, rate-of-return carriers, and certain competitive local exchange carriers (CLECs) (i.e., those that benchmark rates to price cap or rate-of-return carriers) with intrastate terminating switched end office and transport rates, dedicated transport rates, and reciprocal compensation rates that are above the carrier's interstate access rates, the respective intrastate rates must be reduced by 50 percent of the differential between the rate and carrier's interstate access rates by July 1, 2012.

- (2) In order to allow for the timely review and implementation of the requisite reductions, including those related to reciprocal compensation, the Commission, pursuant to its Entry of February 29, 2012, directed all affected incumbent local exchange companies (ILECs) to file, in this docket, the appropriate application on or before March 21, 2012, and all affected CLECs to file the appropriate application on or before April 4, 2012.
- (3) Pursuant to the Entry of March 8, 2012, the attorney examiner granted the motion of a number of small incumbent local exchange carriers for an extension of time to comply with the time frames set forth in the Commission's Entry of February 29, 2012.

- (4) On March 15, 2012, Doylestown Telephone (Doylestown) and Ayersville Telephone Company (Ayersville) jointly filed a "me too" motion seeking an extension of time until April 11, 2012, to file an application to amend their respective intrastate access tariffs. In support of their joint motion, Doylestown and Ayersville reference the attorney examiner's Entry of March 8, 2012, pursuant to which a number of small incumbent local exchange carriers were granted similar relief.
- (5) On March 16, 2012, Windstream Ohio, Inc., Windstream Western Reserve Inc., Intellifiber Networks Inc., LDMI Telecommunications Inc., McLeodUSA Telecommunications Services, LLC, Talk America Inc., US LEC Communications, Inc., Windstream Norlight, Inc., and Windstream NuVox Ohio (jointly, Windstream) filed a motion seeking an extension of time until April 11, 2012, to file their respective supporting calculations. Additionally, Windstream requests an extension until June 1, 2012, to file their tariff amendment applications.

In support of its request, Windstream points out that the FCC's Report and Order requires the Windstream ILECs to use data collected through March 31, 2012, as part of the compliance process. Therefore, Windstream asserts that it requires additional time in order to collect, process and analyze the relevant data. Further, Windstream states that the FCC has not even finalized the forms that it will use for its compliance process. Finally, Windstream notes that it currently has multiple affiliates in the state of Ohio and that the collecting of data, performing of calculations, and completing of tariffs for all of these entities is a time consuming endeavor.

- (6) On March 16, 2012, CenturyTel of Ohio, Inc. dba CenturyLink and CenturyTel Solutions, LLC dba CenturyLink (jointly, CenturyLink) filed a motion for an extension of time. CenturyLink requests an extension until April 11, 2012, to comply with the Commission's Entry of February 29, 2012. Specifically, CenturyLink requests that it be permitted to file supporting calculations for its anticipated tariff filings rather than its final tariffs, and that the Commission allow for the filing of CenturyLink's final tariffs by June 1, 2012.

In support of its request, CenturyLink points out that several parties have filed petitions for reconsideration with the FCC relative to the FCC's Report and Order. CenturyLink believes that

these petitions for reconsideration raise issues that will impact the intrastate switched access rate reductions called for in the Report and Order. Therefore, CenturyLink avers that there is significant uncertainty regarding the precise adjustments that will be necessary to intrastate tariffs once the FCC rules on the pending petitions for reconsideration.

- (7) With respect to the requests by Doylestown, Ayersville, Windstream, and CenturyLink to extend the filing for the requisite calculations until April 11, 2012, the motions are reasonable and should be granted. In granting these requests, the attorney examiner believes that all ILECs and designated CLECs, and not just those who filed motions for an extension of time, may be impacted by the anticipated FCC action and, therefore, should be granted until April 11, 2012, to docket their respective calculations.

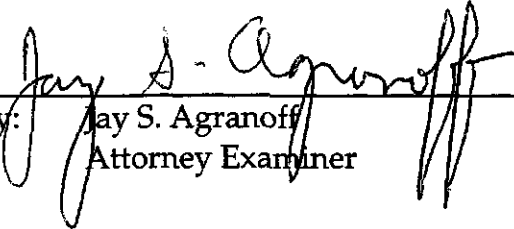
In regard to the requests to extend the filing of tariffs until June 1, 2012, the attorney examiner believes that, while some extension of time is warranted for the filing of final tariffs, the desired extension until June 1, 2012, will not provide adequate time for the Commission's staff to perform the necessary review. Therefore, all ILECs and affected CLECs, and not just those who filed motions for an extension of time, should be granted until May 1, 2012, to file the necessary tariff amendments.

It is, therefore,

ORDERED, That the motions for an extension of time be granted in part and denied in part in accordance with Finding (7). It is, further,

ORDERED, That a copy of this Entry be served upon all parties of record.

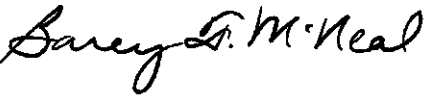
THE PUBLIC UTILITIES COMMISSION OF OHIO

  
By: Jay S. Agranoff  
Attorney Examiner

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Entered in the Journal

**MAR 20 2012**



Barcy F. McNeal  
Secretary