

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of)	
United Telephone Company of Ohio)	
d/b/a CenturyLink to Introduce a Pole)	Case No. 15-889-TP-ATA
Attachment and Conduit Occupancy)	
Tariff.)	

In the Matter of the Application of)	
CenturyTel of Ohio, Inc. d/b/a)	
CenturyLink to Introduce a Pole)	Case No. 15-890-TP-ATA
Attachment and Conduit Occupancy)	
Tariff.)	

**MEMORANDUM CONTRA OF UNITED TELEPHONE COMPANY OF OHIO D/B/A
CENTURYLINK AND CENTURYTEL OF OHIO, INC. D/B/A CENTURYLINK TO
OHIO CABLE TELECOMMUNICATIONS ASSOCIATION'S
MOTION TO EXPEDITE DISCOVERY SCHEDULE**

Pursuant to Rule 4901-1-12(C) of the Ohio Administrative Code, United Telephone Company of Ohio d/b/a CenturyLink and CenturyTel of Ohio, Inc. d/b/a CenturyLink (collectively, "CenturyLink") respectfully submit this memorandum contra to the Motion to Expedite Discovery Schedule and for an Expedited Ruling that the Ohio Cable Telecommunications Association ("OCTA") filed on July 1, 2015. For the reasons that follow, the Commission should deny OCTA's motion.

Thus far, OCTA has served one set of discovery requests on CenturyLink asking whether Commission Staff has served any formal or informal discovery requests on CenturyLink and requesting any responses CenturyLink has provided. Counsel for CenturyLink has informally informed Counsel for OCTA that CenturyLink has not received or responded to any such requests and is preparing formal written responses to OCTA's first set of discovery to that effect. OCTA has not served any additional discovery.

OCTA's motion to expedite the discovery schedule in this matter should be denied because it is impossible at this juncture to evaluate the burden of the discovery OCTA intends to serve. Without knowing what additional discovery OCTA intends to serve, it is impossible for CenturyLink or the Commission to determine whether ten (10) days is sufficient time to respond. Although OCTA claims that a ten day response time will not be burdensome, OCTA has presented no support for that claim.

Moreover, OCTA has not provided an adequate explanation as to why it waited until such a late date to petition to intervene and serve discovery in these proceedings. CenturyLink filed the tariffs to which OCTA intends to object on May 13, 2015, more than seven weeks ago. Pursuant to the Commission's February 25, 2015 Entry in Case No. 13-579-AU-ORD, CenturyLink filed its tariffs together with the applicable rate calculations based on 2014 data so that the rates in the tariffs could be evaluated. Thus, OCTA has had all of the information necessary for it to determine its discovery needs for over seven weeks. Had OCTA promptly moved to intervene, OCTA would have had ample time to conduct discovery under the standard twenty day turnaround time prescribed by Commission rules.

OCTA's excuse for not intervening and serving discovery earlier is that it supposedly had to review 47 pole attachment filings made by electric companies and telephone companies. However, OCTA has long known which electric companies and telephone companies are the largest pole owners and which entities own the largest number of poles to which OCTA's members are attached. Consequently, the need to eventually review 47 pole attachment filings is no excuse for failing to promptly intervene in the tariff proceedings initiated by the largest pole owners. Indeed, OCTA has sought to intervene only in those proceedings.

Finally, CenturyLink notes that OCTA does not need to complete its discovery before the August 3, 2015 deadline by which OCTA must file objections to CenturyLink's tariffs. It needs only a sufficient understanding of the language of the tariffs and the basis for the rates to file its objections. OCTA already has the information it needs to determine whether to object to CenturyLink's tariffs. Once OCTA files its objections, the Commission will undoubtedly set a procedural schedule addressing such matters as whether there is a need for comments on CenturyLink's tariffs or additional discovery. Accordingly, the Commission should not at this time shorten the time to respond to discovery requests from twenty days to ten days as OCTA has requested.

For the foregoing reasons, the Commission should deny the Ohio Cable Telecommunications Association's motion to expedite the discovery schedule in the above-captioned matters.

Respectfully submitted,

/s/ Christen M. Blend

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Date: July 8, 2015

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by e-mail upon the following
counsel of record on this 8th day of July, 2015.

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Summary: Memorandum Contra of United Telephone Company of Ohio d/b/a/ CenturyLink and CenturyTel of Ohio, Inc. d/b/a CenturyLink to Ohio Cable Telecommunications Association's Motion to Expedite Discovery Schedule electronically filed by Ms. Christen M. Blend on behalf of United Telephone Company of Ohio d/b/a CenturyLink and CenturyTel of Ohio Inc. dba CenturyLink