

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF APPLICATION OF
CINCINNATI BELL TELEPHONE COMPANY
LLC TO ADD LANGUAGE AND RATES FOR
ACCESS TO POLES, CONDUIT, RIGHTS-OF-
WAY BY PUBLIC UTILITIES TO THE ACCESS
TARIFF.

CASE NO. 15-973-TP-ATA

ENTRY

Entered in the Journal on October 12, 2016

I. SUMMARY

{¶ 1} In this Entry, the Commission approves the tariff filing of Cincinnati Bell Telephone Company.

II. DISCUSSION

A. *Applicable Law*

{¶ 2} Cincinnati Bell Telephone Company (Cincinnati Bell) is a public utility defined in R.C. 4905.02 and, as such, is subject to the jurisdiction of the Commission.

{¶ 3} R.C. 4905.71 authorizes the Commission to determine the reasonable terms, conditions, and charges that a public utility may impose upon a person or entity seeking to attach any wire, cable, facility, or apparatus to a public utility's pole, pedestal, conduit space, or right-of-way.

B. *Procedural History*

{¶ 4} On July 30, 2014, as revised on October 15, 2014, the Commission, in Case No. 13-579-TP-ORD (*Pole Attachment Rules Case*), *In re the Adoption of Chapter 4901:1-3, Ohio Administrative Code, Concerning Access to Poles, Ducts, Conduits, and Rights-of-Way by Public Utilities*, adopted new administrative rules regarding access to poles, ducts, conduits, and rights-of-way of public utilities. The new rules became effective January 8, 2015. On February 25, 2015, as revised on April 22, 2015, the Commission, in the *Pole Attachment Rules Case* ordered all public utility pole owners in Ohio to file the appropriate

company-specific tariff amendment application, including the applicable calculations based on 2014 data.

{¶ 5} On May 15, 2015, as amended on June 26, 2015, Cincinnati Bell filed its tariff amendment application in this case.

{¶ 6} On May 18, 2016, the Commission issued its Finding and Order establishing the rates, terms, and conditions to be incorporated into Cincinnati Bell's pole attachment and conduit occupancy tariff. Consistent with the determinations set forth in its Finding and Order, Cincinnati Bell was directed to file a final tariff on or before June 20, 2016.

{¶ 7} On June 17, 2016, as amended on July 6, 2016, Cincinnati Bell filed its revised pole attachment and conduit occupancy tariff.

{¶ 8} On June 17, 2016, the Ohio Cable Telecommunications Association (OCTA) filed an application for rehearing regarding the Commission's Finding and Order of May 18, 2016.

{¶ 9} On July 13, 2016, the Commission issued its Entry on Rehearing in this proceeding denying OCTA's application for rehearing.

C. Commission Conclusion

{¶ 10} The Commission finds that the revised pole attachment and conduit occupancy tariff is approved inasmuch as it is consistent with the Commission's May 18, 2016 Finding and Order.


III. ORDER

{¶ 11} It is, therefore,

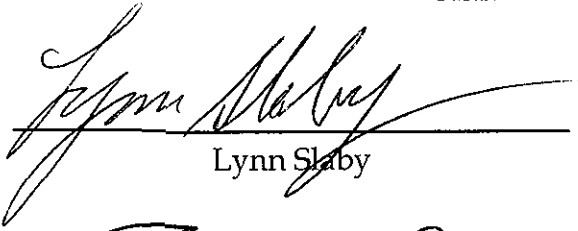
{¶ 12} ORDERED, That the revised pole attachment and conduit occupancy tariff be approved. It is, further,

{¶ 13} ORDERED, That a copy of this Entry be served upon all parties and interested persons of record.

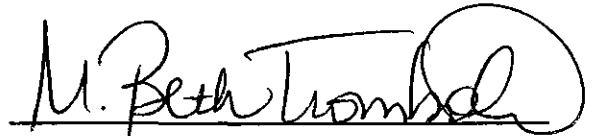
THE PUBLIC UTILITIES COMMISSION OF OHIO



Asim Z. Haque, Chairman



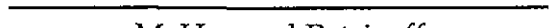
Lynn Slaby



M. Beth Trombold



Thomas W. Johnson

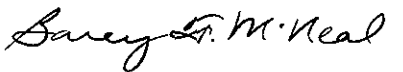


M. Howard Petricoff

JSA/dah

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OCT 12 2016



Barcy F. McNeal
Secretary