

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission Approval)
of Fresh Look Notification.)

Case No. 97-717-TP-UNC

ENTRY

The attorney examiner finds:

- (1) In a Finding and Order issued on July 17, 1997, the Commission set forth certain parameters governing the Commission's fresh look policy.¹ No one sought rehearing of the July 17, 1997 Finding and Order.
- (2) Several alternative local exchange service providers have filed notices initiating the 180-day fresh look period in a large number of Ameritech Ohio (Ameritech) exchanges.
- (3) On September 5, 1997, Brooks Fiber Communications of Ohio, Inc. (Brooks)² filed a motion seeking clarification of the type of information and the time periods which incumbent local exchange companies (ILECs), such as Ameritech, must observe after either an ILEC customer or an alternative local service provider³, on behalf of an ILEC customer, has made a proper request for fresh look information to be provided. Brooks further moved that the Commission extend the 180-day window in a particular market by the number of days beyond a reasonable date that the ILEC delays in providing full and complete information concerning the particular customer.

Brooks maintains that although it may be the first NEC to have experienced certain difficulties outlined in its pleading, the issues are more generic and thus are not appropriate for resolution through the carrier-to-carrier complaint mechanism set forth in the Commission's local service guidelines in Case No. 95-845-TP-COI (*In the Matter of the Commission Investigation Relative to the Establishment of Local Exchange Competition and Other Competitive Issues*).

- 1 Fresh look is, as identified in the July 17, 1997 Finding and Order, designed to afford local exchange carrier customers' with long-term contractual arrangements a limited opportunity to decide if they desired to avail themselves of a competitive alternative local service provider.
- 2 Brooks is one of the alternative local service providers which has been authorized to provide local exchange services in competition with an incumbent local exchange service provider.
- 3 Alternative local service providers are also known as new entrant carriers or NECs.

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In the alternative, however, should the Commission determine that this motion is not appropriate for resolution through a more generic process, Brooks requests that the Commission treat this matter as a carrier-to-carrier complaint by Brooks against Ameritech.

- (4) Rule 4901-1-12(B), Ohio Administrative Code, provides that "(A)ny party may file a memorandum contra within fifteen days after the service of a motion, or such other period as the commission, the legal director, the deputy legal director, or the attorney examiner requires." In light of the fact that the 180-day fresh look time frame has already been initiated, the attorney examiner determines that any party interested in submitting a memorandum contra Brooks' September 5, 1997 motion, should do so no later than September 17, 1997.


The attorney examiner is not, at this time, making a determination as to whether Brooks' motion should be treated in a more generic fashion in this proceeding or whether this motion would be more appropriately construed as a carrier-to-carrier complaint pursuant to the guidelines set forth in Case No. 95-845-TP-COI. Rather, the attorney examiner encourages interested entities to address whether this matter would more appropriately be considered in a generic fashion or through the carrier complaint process.

It is, therefore,

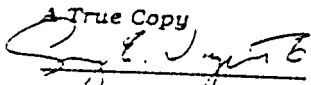
ORDERED, That interested entities respond to this motion no later than September 17, 1997. It is, further,

ORDERED, That a copy of this entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


 By: Jeffrey R. Jones
 Attorney Examiner

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Entered in the Journal
SEP 10 1997
 A True Copy

 Gary E. Vigorito
 Secretary

CASE NUMBER 97-717-TP-UNC
CASE DESCRIPTION APPROVAL OF FRESH LOOK NOTIFICATION
DOCUMENT SIGNED ON September 10, 1997
DATE OF SERVICE _____

PERSONS SERVED

PARTIES OF RECORD

ATTORNEYS

APPLICANT

COMMISSION APPROVAL OF FRESH LOOK
NOTIFICATION

NONE

INTERVENOR

AMERITECH OHIO
JON F. KELLY
150 E. GAY STREET ROOM 4-C
COLUMBUS, OH 43215

NONE

INTERVENOR

BROOKS FIBER COMMUNICATIONS OF
OHIO, INC.
26 N. 11TH STREET
TOLEDO, OH 43624

TODD J. STEIN
BROOKS FIBER COMMUNICATIONS OF
OHIO, INC.
2855 OAK INDUSTRIAL DR.
GRAND RAPIDS, MI 49506-1277

SALLY W. BLOOMFIELD
BRICKER & ECKLER
100 SOUTH THIRD STREET
COLUMBUS, OH 43215

INTERVENOR

CINCINNATI BELL TELEPHONE COMPANY
201 EAST FOURTH STREET
P.O. BOX 2301
CINCINNATI, OH 45201

MARK ROMITO
CINCINNATI BELL TELEPHONE COMPANY
201 E. FOURTH ST
P.O. BOX 2301
CINCINNATI, OH 45201

INTERVENOR

COMMUNICATIONS BUYING GROUP, INC.
23200 CHAGRIN BLVD #3
CLEVELAND, OH 44122-5404

NATHANIEL HAWTHORNE
ATTORNEY AT LAW
27600 CHAGRIN BLVD.
SUITE 260
CLEVELAND, OH 44122

INTERVENOR

ICG TELECOM GROUP, INC.
S. WILLIAMS
P.O. BOX 6742
ENGLEWOOD, CO 80155

BOYD B. FERRIS
MULDOON & FERRIS
2733 W. DUBLIN-GRANVILLE ROAD
COLUMBUS, OH 43235-4268

INTERVENOR

LCI INTERNATIONAL TELECOM CORP.
SCOTT M. MCMAHON
8180 GREENSBORO DR. SUITE 800
MCLEAN, VA 22102

NONE

INTERVENOR

MCIMETRO ACCESS TRANSMISSION
DARRELL S. TOWNSLEY, SEN ATT
205 N. MICHIGAN AVE.
CHICAGO, IL 60601

JUDITH B. SANDERS
BELL, ROYER & SANDERS CO., L.P.A.
33 SOUTH GRANT AVENUE
COLUMBUS, OH 43215-3927

INTERVENOR

NEXTLINK OHIO, L.L.C.
DENISE CLAYTON, DIR. OF REG. POLICY
TWO EASTON OVAL, SUITE 300
COLUMBUS, OH 43219

NONE

INTERVENOR

TIME WARNER COMMUNICATIONS OF OHIO
MARSHA SCHERMER, VICE PRESIDENT
65 EAST STATE STREET SUITE 1800
COLUMBUS, OH 43215

NONE