

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of One )  
Call Communications, Inc. for Authority to )  
Transfer Service for Selected Customers of ) Case No. 00-1343-TP-ATR  
Cleartel Communications, Inc. to One )  
Call Communications, Inc. )

FINDING AND ORDER

The Commission finds:

- (1) On July 25, 2000, One Call Communications, Inc. (One Call) filed an application requesting the Commission's approval to enter into an agreement under which One Call will acquire certain customer accounts of Cleartel Communications, Inc. (Cleartel). One Call is an operator service provider for both public and private payphones. Cleartel is a provider of 0+ operator services and 1+ domestic and international long distance telephone services for payphones, hospitality suites, residences and businesses.
- (2) Six customers in Ohio will be affected by One Call's application.
- (3) This application arises out of a purchase agreement, dated January 19, 2000, in which Cleartel agreed to create Cleartel Marketing, LLC (Cleartel Marketing), a wholly owned limited liability company. Cleartel further agreed to transfer its 0+ and 1+ customer contracts and agreements to Cleartel Marketing and, thereafter, sell all of its interest in Cleartel Marketing to One Call. Pursuant to an agreement of merger dated January 20, 2000, One Call will be the surviving entity from the merger and will own the customer contracts. The customers transferred from Cleartel will be provided service pursuant to One Call's tariff, pursuant to Certificate No. 90-5148.
- (4) On May 1, 2000, One Call's petition for waiver of the presubscribed interexchange carrier change authorization and verification requirements was granted by the Federal Communications Commission in CC Docket No. 94-129. The basis of the decision was that One Call's two step process to notify the affected customers of the transaction would adequately protect the rights of the transferred customers of Cleartel. This process consisted of a letter informing customers of the proposed transaction; it was to include information advising the customers of their right to switch carriers and a toll free number for questions. A second letter was to follow

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after consummation of the transaction reiterating the same information.

- (5) One Call is requesting a waiver of the provisions of guideline XVII(C), Case No. 95-845-TP-COI, as the carrier only recently discovered that six of its customer accounts that were transferred were in Ohio. One Call accordingly filed this application and waiver request. Specific notice was provided to those Ohio customers and was attached to the application as Exhibit 2.
- (6) After reviewing the application and supporting exhibits, the Commission concludes that the transfer of service from Cleartel to One Call does not appear to be unreasonable, improper, or contrary to the public interest. The Commission concludes, therefore, that the One Call application and petition for waiver should be approved.

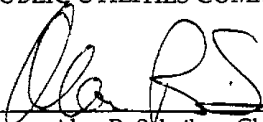
It is, therefore,

ORDERED, That the transfer of service requested by One Call is approved. It is, further,


ORDERED, That the petition for waiver of Section XVII (C) of the local competition guidelines, Case No. 95-845-TP-COI is granted. It is, further,

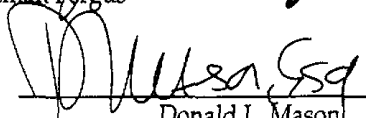
ORDERED, That a copy of this finding and order be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

  
 Alan R. Schriber, Chairman

  
 Ronda Hartman Fergus

  
 Judith A. Jones


  
 Donald L. Mason

SDL:geb

Entered in the Journal

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 Gary K. Vigorito  
 Secretary