

FILE



FAIRPORT HARBOR

*Village of Fairport Harbor*

220 THIRD STREET  
FAIRPORT HARBOR, OHIO 44077

Frank J. Sarosy, Mayor  
James V. Loiacono, Solicitor  
John F. Grogan, Clerk-Treas.  
Thomas A. Hilston, Administrator

Phone: (440) 352-3620  
Fax: (440) 352-8872

Council

Donald J. Babich  
Anthony F. Bertone  
Constance S. Coffman  
David F. Pohto  
Kathryn J. Popp  
James W. Zampini

December 8, 2005

Betty McCauley, Chief  
Docketing Division  
Public Utilities Commission of Ohio  
180 East Broad Street, 13<sup>th</sup> Floor  
Columbus, OH 43215

RECEIVED-DOCKETING DIV  
2005 DEC 14 AM 11:07  
PUCO

Re: Village of Fairport Harbor's Reply Comments in PUCO Case No. 05-1350-AU-ORD. *In the matter of the Amendment of Certain Rules of the Ohio Administrative Code to Implement Sections 4905.261 and 4911.021. Revised Code.*

Dear Ms. McCauley:

Please file these reply comments in the above case. The Village of Fairport Harbor is a municipality with 3180 residents and on their behalf is very concerned about the proposals by the Public Utilities Commission of Ohio ("PUCO") in this case. The PUCO is considering how and where public utilities should be required to inform residential utility consumers, such as those in our community, that they can contact their representative, the Office of the Ohio Consumers Counsel ("OCC"), with their inquiries. The OCC is a strong advocate for all of Ohio's residential utility consumers.

Until recently, the PUCO required public utilities to list OCC's contact information on utility bills, in telephone directories, on service disconnection notices, and other places where consumers could benefit from having access to OCC. In its entry of November 9, 2005, the PUCO has retreated from its past practice and is proposing that public utilities shall discontinue making OCC's contact information available to the public in certain materials, such as disconnection notices and telephone directories.

If, as the PUCO proposes, it is reasonable to change the way Ohioans are informed about contacting their state consumer advocate (OCC), then one would expect to see consumer organizations file in support of the PUCO's proposal. Not a single organization or public office filed in support of the PUCO. Many consumer organizations, however, filed against the PUCO's proposals.

The PUCO's proposal was supported by the Ohio Telephone Association which filed comments "for and on behalf of its members" to give their seal of approval to the PUCO's proposals. Some of the larger members of the Ohio Telephone Association

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.  
Technician *[Signature]* Date Processed 12-14-05

include AT&T (formerly SBC) and Verizon. AT&T/SBC has more than two million residential consumers (many of whom live in Northern Ohio). It appears that AT&T, Verizon, and their fellow members at the Telephone Association want the PUCO to deny consumers access to OCC's contact information on even more of the materials that utilities send to the public (such as on monthly bills). The Telephone Association's utilities referred to their costumers as "bill payers". Comments at 3. We are consumers, and our residents pay the rates of our utilities.

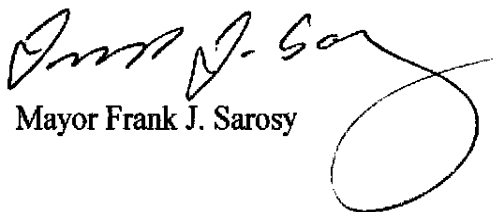
The proposals of the PUCO are mistaken. The PUCO's proposal will harm our community's residents who benefit when they are more informed and educated regarding the utility services on which they depend for essentials such as heating and communications. Our residents – many of whom are retired and on a fixed income or are low income – are facing a winter of extreme increases in energy costs. This is the time to increase consumers' awareness of the assistance offered by OCC and not a time to decrease the public's access to OCC.

The impetus for the PUCO and Telephone Association proposals is the passage of House Bill 66, the budget bill that eliminated the OCC call center's handling of "complaint" calls. However, nothing in that legislation requires or warrants the elimination of OCC's contact information from utility materials.

The PUCO also is citing House Bill 66 as a reason to limit the utilities' responsiveness to OCC when OCC calls the utility regarding a consumer inquiry. While the OCC call center does not handle "complaints" pursuant to House Bill 66, the PUCO is proposing a definition of "complaints" that is so broad it can result in utilities not cooperating with OCC when OCC calls them with an inquiry on behalf of a consumer. The PUCO should not define complaint in a manner that allows utilities to avoid cooperation with OCC when OCC contacts utilities about what truly are non-complaint calls that OCC receives from the public.

In this time of industry change and spiraling energy prices, the public's access to OCC is more important than ever. For these reasons, the PUCO should require utilities to make OCC's contact information widely accessible to the public. The PUCO should reject the proposal by AT & T and others at the Telephone Association for even more limits on the distribution of OCC contact info. The PUCO also should modify its proposed rules consistent with proposals that OCC made in its comments regarding how OCC's contact information should be described and listed. All the present locations for listings of OCC's contact information should be continued if not expanded to reach consumers in even more ways.

Thank You,



Mayor Frank J. Sarosy



*Village of Fairport Harbor*

220 THIRD STREET  
FAIRPORT HARBOR, OHIO 44077

Frank J. Sarosy, Mayor  
James V. Loiacono, Solicitor  
John F. Grogan, Clerk-Treas.

**Council**

Donald J. Bahich  
Anthony F. Bertone  
Constance S. Coffman  
Michael Kish  
David F. Pohto  
Kathryn J. Popp

DATE: 12-8-2005

**TELECOPIER "FAX" COVER SHEET**

TO: PUCO

COMPANY: \_\_\_\_\_

FAX NUMBER: \_\_\_\_\_

FROM: Village of Fairport Harbor

THIS IS PAGE 1 OF 3 PAGES SENT.

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CONTACT ME AS SOON AS POSSIBLE.

COMMENTS: PUCO Case No. 05-1350-AU-ORD.

---

---

---

---

---

---

---

---