

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of AT&T)
Communications of Ohio, Inc.,)
)
Complainant,)
)
v.) Case No. 96-336-TP-CSS
)
Ameritech Ohio,)
)
Respondent.)

ENTRY

The Commission finds:

- (1) On April 3, 1996, AT&T Communications of Ohio, Inc. (AT&T) filed a complaint with the Commission alleging that Ameritech Ohio's (Ameritech) intrastate carrier access charges violate Sections 4905.33 and 4905.35, Revised Code, and should be reduced. Also, AT&T alleged that Ameritech failed to provide cost studies in support of those rates as required by the Commission, in violation of Section 4905.54, Revised Code.
- (2) On September 18, 1997, the Commission issued an Opinion and Order in this case, finding that AT&T failed to sustain its burden of proof as to its claims that Ameritech violated Sections 4905.33, 4905.35, or 4905.54, Revised Code. Additionally, the Commission concluded that Ameritech shall not collect revenues associated with line termination from its access customers.
- (3) On November 6, 1997, the Commission issued an Entry on Rehearing in this case, denying the applications for rehearing of AT&T, MCI Telecommunications Corporation (MCI), the Ohio Consumers' Counsel (OCC), and Ameritech. It has come to our attention since we signed that Entry that paragraph 21 was not in its complete and final form. Therefore, we conclude that paragraph 21 should be corrected, *nunc pro tunc*, to accurately reflect our rationale for denying OCC's second assignment of error. Paragraph 21 of the November 6, 1997 Entry on Rehearing should read as follows:

We considered the dispute in this case to be whether the current rate-setting methodology for Ameritech's intrastate, switched access rates should be changed as

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Ameritech advocates or as the other parties advocate. Ameritech had agreed to follow the federal structure, as reformed, for its intrastate, switched access rates and had already begun making reductions in accordance therewith before the hearing began. AT&T, MCI, and OCC, however, sought more significant and immediate rate reductions. Under Section 4905.26, Revised Code, the burden fell on the complainants to prove that Ameritech's access rates are unjust and unreasonable. *Grossman v. Pub. Util. Comm.* (1966), 5 Ohio St. 2d 189. The Commission found, on the basis of the record presented in this case, that the complainants failed to meet their burden of proof. OCC's second assignment of error is without merit.

ORDER:

It is, therefore,

ORDERED, That paragraph 21 of the November 6, 1997 Entry on Rehearing in this case is hereby modified, *nunc pro tunc*, as set forth in this Entry. It is, further,

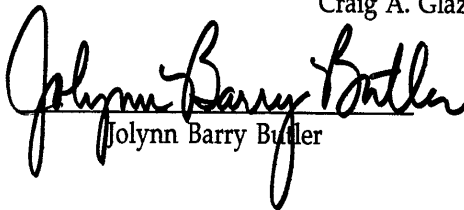
ORDERED, That this case is closed of record. It is, further,

ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



Craig A. Glazer, Chairman



Jolynn Barry Butler



Ronda Hartman Ferguson

David W. Johnson

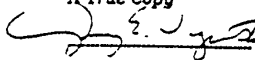
***ABSTAIN**

Judith A. Jones

GLP:geb

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Gary E. Vigorito
Secretary

SERVICE NOTICE

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CASE NUMBER 96-336-TP-CSS
CASE DESCRIPTION AT&T COMMUNICATIONS/AMERITECH OHIO
DOCUMENT SIGNED ON November 20, 1997
DATE OF SERVICE 11-26-97

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