

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
MCImetro Access Transmission Services,) Case No. 98-1353-TP-WVR
Inc. for a Waiver of Local Service Guideline)
VI.G.1.)

ENTRY

The Commission finds:

- (1) On September 24, 1998, MCImetro Access Transmission Services, Inc. (MCImetro) filed an application seeking a waiver of Guideline VI.G.1 of the local service guidelines issued in Case No. 95-845-TP-COI. Guideline VI.G.1 provides as follows:

Terms and conditions of all promotions must be identified in price lists and filed in the NEC's TRF docket. Promotional offerings shall be effective on the day of filing. The only limitation upon NEC promotions shall be that the waiver of any charges other than a nonrecurring charge shall be limited to 90 calendar days on a per customer basis.

MCImetro requests a waiver of Guideline VI.G.1 so as to extend its promotional offering of Call Trace. Call Trace is a service that allows a customer to have a harassing telephone call traced by representatives of MCImetro's Annoyance Call Bureau. Customers activate the service on a per call basis by dialing *57. Customers may also obtain the service on a per line basis by subscription.

- (2) MCImetro states that it implemented Call Trace as a promotional offering in the Cleveland and Cincinnati areas on August 30, 1998. For the 90-day promotion, MCImetro waived all recurring and nonrecurring charges. To accelerate the availability of the service, MCImetro rolled out Call Trace before having in place the necessary billing systems. At present, MCImetro does not know when the billing system will become available. Consequently, at the end of the 90-day period, November 30, 1998, MCImetro may be in a position where it is incapable of charging for the service. If MCImetro were to continue the service without being able to bill for it,

MCImetro would be in violation of Guideline VI.G.1 for extending a promotional offering beyond the 90-day limitation.

- (3) As a solution, MCImetro requests a waiver of the 90-day limitation. MCImetro proposes that it be allowed to keep the promotion in place until it develops a billing system that is capable of charging for the service. MCImetro believes that granting the waiver is in the public interest because the trace service provides a public benefit for those customers who receive harassing telephone calls. If a waiver is not granted, MCImetro states that it will be forced to terminate the service at the end of the promotional period.

In response to the potential concern that the waiver will allow MCImetro to provide Call Trace indefinitely and free of charge, MCImetro argues that Call Trace is not used frequently, that it serves only one purpose, and that it is not a service that MCImetro would use to attract customers.

- (4) No one has filed a memorandum contra MCImetro's request for waiver.
- (5) Given the narrow circumstances involved in this waiver request, along with the potential benefit to the public to have Call Trace made available to it, the Commission finds that MCImetro's request for waiver should be granted. The Commission, however, does not believe that it is appropriate to grant the waiver indefinitely. Instead, the Commission shall extend the promotional period for 90 days or until a new billing system is implemented, whichever is sooner. The 90-day period shall commence on November 30, 1998, and end on February 28, 1999.

In the meantime, MCImetro should exercise due diligence in developing and implementing a billing system to charge for Call Trace. If upon expiration of the second 90-day promotional period MCImetro has failed to implement a properly functioning billing system, MCImetro shall, through the filing of another waiver request, be required to show good cause for its failure to implement a billing system and shall seek appropriate relief. Upon developing and instituting a system for billing Call Trace service, MCImetro shall make an

additional tariff filing describing the implementation of the charges.

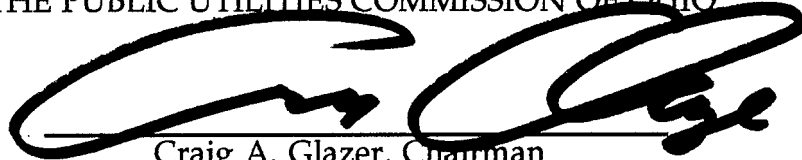
It is, therefore,

ORDERED, That the application of MCImetro for waiver of Guideline VI.G.1. of the local service guidelines is granted. It is, further,

ORDERED, That in accordance with Finding (5), MCImetro is authorized to extend the promotional period for its Call Trace service. It is, further,

ORDERED, That copies of this Entry be served upon MCImetro, its counsel, and upon all interested persons of record.

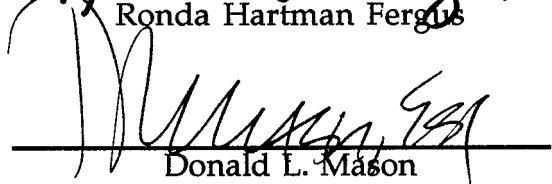
THE PUBLIC UTILITIES COMMISSION OF OHIO


Craig A. Glazer, Chairman

Jolynn Barry Butler

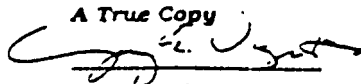

Ronda Hartman Fergus


Judith A. Jones


Donald L. Mason

LDJ/vrh

Entered in the Journal
NOV 5 1998

A True Copy

Gary E. Vigorito
Secretary

CASE NUMBER 98-1353-TP-WVR
CASE DESCRIPTION MCIMETRO ACCESS TRANSMISSION SERVIC
DOCUMENT SIGNED ON November 5, 1998
DATE OF SERVICE _____

PERSONS SERVED

PARTIES OF RECORD

ATTORNEYS

APPLICANT

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

CASE NUMBER 98-1353-TP-WVR
CASE DESCRIPTION MCIMETRO ACCESS TRANSMISSION SERVIC
DOCUMENT SIGNED ON November 5, 1998.
DATE OF SERVICE Nov 6, 1998

PERSONS SERVED

PARTIES OF RECORD

ATTORNEYS

APPLICANT

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