

FILE

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
Western Reserve Telephone for Approval)
Of an Alternative Form of Regulation) Case No. 04-1359-TP-ALT
Pursuant to Chapter 4901:1-4, Ohio)
Administrative Code.)

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APPLICATION FOR REHEARING
OF THE OFFICE OF THE OHIO CONSUMERS' COUNSEL

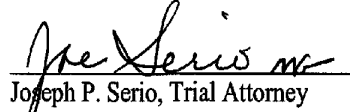
Pursuant to R.C. 4903.10 and Ohio Adm. Code 4901-1-35, the Office of the Ohio Consumers' Counsel ("OCC") hereby applies for rehearing from the October 13, 2004 Finding and Order ("F&O") issued by the Public Utilities Commission of Ohio ("Commission") in this proceeding. The OCC submits the F&O is unjust, unreasonable and contrary to law because:

1. The Commission erred by unlawfully awarding alternative regulation to all of Western Reserve Telephone's ("Western Reserve" or "the Company") non-basic services under R.C. 4927.03(A) without the showing required by R.C. 4927.03(A) that each and every one of Western Reserve's non-basic services is subject to competition or that Western Reserve's customers have reasonably available alternatives for those services.
2. The Commission erred by concluding that incumbent local exchange companies ("ILECs") needed elective alternative regulation prior to a showing that competition has established a strong foothold.

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Respectfully submitted,

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CONSUMERS' COUNSEL

A handwritten signature in cursive script, appearing to read "Joe Serio", is written over a horizontal line.

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**BEFORE
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In the Matter of the Application of)	
Western Reserve Telephone for Approval)	
Of an Alternative Form of Regulation)	Case No. 04-1359-TP-ALT
Pursuant to Chapter 4901:1-4, Ohio)	
Administrative Code.)	

**MEMORANDUM IN SUPPORT
OF THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

This case, and the companion elective alternative regulation ("elective alt. reg.") case for ALLTEL Ohio, Inc. ("ALLTEL") (Case No. 04-1358-TP-ALT), mark the sixth and seventh times that the Commission has granted an incumbent local exchange company ("ILEC") elective alt. reg. since the establishment of the elective alt. reg. rule in 2001.¹ Throughout the proceedings, the OCC has steadfastly adhered to the principle that there should be effective competition prior to a grant of the pricing and profit deregulation afforded by elective alt. reg.

In the ensuing time period, there has been much discussion regarding future and potential types of telecommunications competition. But the fact remains that for the vast majority of consumers in Ohio, these options or alternatives remain nothing more than promises for tomorrow that do not and cannot provide relief from the threat of a deregulated monopoly today. When faced with an ILEC's unregulated rate increases, many Ohio consumers -- particularly those in the Western Reserve service territory -- cannot turn for relief to technologies or services that do not yet exist. Instead, consumers are faced with the dilemma of paying the higher rate or

¹ United Telephone Company d/b/a Sprint (Case No. 02-2117-TP-ALT); SBC Ohio (Case No. 03-3069-TP-ALT); CenturyTel of Ohio, Inc. (Case No. 04-62-TP-ALT); Cincinnati Bell Telephone Company (Case No. 04-720-TP-ALT); and Chillicothe Telephone Company (Case No. 04-1253-TP-ALT).

dropping the service. This is not the intent of Ohio's telecommunications policy and is not in the best interest of Ohio's consumers.

The Commission continues to rely on the "record" from the 00-1532 proceeding² as a basis for concluding that telecommunications services for residential customers are subject to competition or that customers have reasonably available alternatives for those services.³

However, the fact remains that for the vast majority of Ohio consumers including Western Reserve customers, options or alternatives to the incumbent are limited and not comparable. With every headline touting potential and future alternatives, there are announcements of the demise of another competitive local exchange company ("CLEC") or the further reduction of residential service offerings.⁴ In light of the further and continual reduction in the competitive alternatives available to residential customers, the Commission should re-evaluate its position regarding elective alt. reg. and deny Western Reserve this deregulatory authority until Western Reserve's residential consumers have effective competitive alternatives.

² *In the Matter of the Commission Ordered Investigation of an Elective Alternative Regulatory Framework for Incumbent Local Exchange Companies*, Case No. 00-1532-TP-COI ("00-1532"), Opinion and Order (December 6, 2001). ("00-1532 Opinion and Order").

³ F&O at 4.

⁴ For example see, "More job cuts set by AT&T; Total to hit 20% of Staff," New York Times (October 8, 2004), announcing job cuts as a result of the pullback from the residential local market.

I. THE COMMISSION ERRED BY UNLAWFULLY AWARDING ALTERNATIVE REGULATION TO ALL OF WESTERN RESERVE'S NON-BASIC SERVICES UNDER R.C. 4927.03(A) WITHOUT THE SHOWING REQUIRED BY R.C. 4927.03(A) THAT EACH AND EVERY ONE OF WESTERN RESERVE'S NON-BASIC SERVICES IS SUBJECT TO COMPETITION OR THAT WESTERN RESERVE'S CUSTOMERS HAVE REASONABLY AVAILABLE ALTERNATIVES FOR THOSE SERVICES.

The Commission claims that its finding in Case No. 00-1532-TP-COI -- that each non-basic service of each ILEC was subject to competition or that customers of each service had reasonably available alternatives for that service -- was sufficient to justify both the elective alt. reg. rules themselves and the grant of effective alt. reg. to Western Reserve's non-basic services.⁵ The Commission has determined that the support for its decision in 00-1532 was found in the evidence of record.⁶ However, the only "evidence" in the 00-1532 case was the sworn non-expert testimony at the local public hearings; and the two affidavits filed by Ameritech Ohio and Sprint.⁷ There was absolutely no Western Reserve -specific evidence in 00-1532 and the Company failed to include any evidence of competition or reasonably available alternatives with its Application in this case. Moreover, the rest of the information in 00-1532 was scarcely evidence under any legal standard.

A review of the 00-1532 Opinion and Order (at 15-21) indicates that there was insufficient evidence and insufficient review of the information that was presented to meet the requirements of R.C. 4927.03(A). The record of 00-1532 did not demonstrate that each non-basic services of each Ohio ILEC was subject to competition or that customers of each service had reasonably available alternatives for that service. Specifically, the record of 00-1532 also

⁵ F&O at 4.

⁶ Id.

⁷ Ameritech Ohio has since changed its d/b/a to SBC Ohio.

failed to demonstrate that each of Western Reserve's non-basic services was subject to competition or that customers of each service had reasonably available alternatives for that service throughout Western Reserve's territory.

Moreover, the record here shows that the alleged benefits for Western Reserve customers of the commitments in the elective alt. reg. rules are unclear and uncertain and fail to provide sufficient benefits to meet the public interest standard required by R.C. 4927.03(A). The Commission's consideration of these vital issues in the F&O was incomplete.

The error in the Commission's Finding that each non-basic service of each ILEC was subject to competition or that customers of each service had reasonably available alternatives for that service is highlighted when brought to bear on Western Reserve's specific circumstances.

It is uncontested that there are no CLECs serving residential customers in Western Reserve's service territory.⁸ R.C. 4927.03(A)(2)(a)-(d) requires analysis of the status of competition, yet the F&O lacks such review. Because of this uncontested lack of actual competition in Western Reserve's territory, the Commission is relying on a generic record that does not focus on Western Reserve.

In the 00-1532 Opinion and Order, the Commission touted wireless service as a reasonably available alternative to ILEC non-basic services.⁹ Yet a careful look at the actual service showed that wireless service is hardly a reasonably available alternative in the Western Reserve service territory because of incomplete and uneven service coverage. Moreover, the fact that local competition may be occurring in the SBC Ohio or any other Ohio ILEC's service territory indicates nothing about whether competition is occurring in Western Reserve's territory.

⁸ See 00-1532, Additional Reply Comments of the Ohio Consumers' Counsel, filed September 7, 2001 at 26-27.

⁹ 00-1532, Opinion and Order at 15-20.

It is noteworthy that at the same time the Commission appears to be ignoring the lack of effective competition in the context of elective alt. reg. cases, the Commission is simultaneously denouncing the lack of effective competition for electric service customers. In *Monongahela Power Company* (PUCO Case No. 00-02-EL-ETP), which is currently on appeal before the Ohio Supreme Court (Case No. 04-305), the Commission has argued on brief through counsel that:

Although “effective competition” is not a defined term, by anyone’s definition higher prices from the same provider without any other provider in the market is monopoly, not competition.¹⁰

Based on this assessment, as noted below, it is clear that elective alt. reg. ILECs have been able to impose rate increases on customers without fear of those customers switching service to competitors, because there is no effective competition for those services. To the extent that the Commission characterizes wireless or cable telephony service as a reasonably available alternative for wireline service, then the Commission might just as well characterize natural gas, propane, windmill or individual generators as comparable alternatives for electric service. Although natural gas, propane, windmills and individual generators can provide an energy source, they are not reasonable alternatives to an electric company for competitive purposes. Similarly, although wireless and cable telephony can provide telecommunications services, these are complements to wireline service and not alternatives to wireline service.

Thus, by the Commission’s own position in *Monongahela*, the 00-1532 record is clearly insufficient to show that each Western Reserve non-basic service was subject to competition or that customers had reasonably available alternatives to each non-basic service throughout Western Reserve’s territory. Western Reserve has not shown that it meets the standards of R.C. 4927.03. Accordingly, elective alt. reg. cannot be granted for each and every one of Western

¹⁰ *Monongahela Power Company v. Pub. Util. Comm.*, Case No. 04-305, Merit Brief Filed on Behalf of the Public Utilities Commission of Ohio (May 21, 2004) at 17.

Reserve's non-basic services. The Commission erred in approving Western Reserve's application.

II. THE COMMISSION ERRED BY CONCLUDING THAT INCUMBENT LOCAL EXCHANGE COMPANIES NEEDED ELECTIVE ALTERNATIVE REGULATION PRIOR TO A SHOWING THAT COMPETITION HAS ESTABLISHED A STRONG FOOTHOLD.

In the F&O, the Commission rejected the OCC's assertion that there was an absence of competition in the Western Reserve service territory.¹¹ Instead, the Commission stated:

One of the reasons for alternative regulation is to allow ILECs to counter increasing competition and customer attrition with packaging of regulated and de-regulated services. To wait, as the OCC suggests, until competition has demonstrated a strong foothold, may be too late for an ILEC to react with an effective competitive response.¹²

First, this rationale assumes facts not in evidence. There is no record evidence that if competitors actually were able to market in Western Reserve's service territory, that Western Reserve would be incapable of developing a timely response. This is especially true because competition would take time to grow and does not just happen over night. Further, the Commission's explanation of the reasons or the justifications for elective alt. reg. is entirely missing from the 00-1532 Opinion and Order. This explanation was developed ex post facto as a justification for granting elective alt. reg. In addition, there was nothing in Western Reserve's prior regulatory scheme that would have prevented the company from "packaging . . . regulated and deregulated services."

Moreover, if the Commission's assertion about elective alt. reg. being used as a "pre-competitive" response is correct, then the ILECs having already filed for and been granted

¹¹ F&O at 4.

¹² Id.

elective alt. reg. would have used that regulatory freedom to make filings that created these new packages. However, as demonstrated in Attachment 1 of this Application for Rehearing, a review of the Commission's docket since the first grant of elective alt. reg. authority less than two years ago indicates that there have been over 50 different filings by four of the ILECs (Sprint, SBC Ohio, Cincinnati Bell, and Chillicothe Telephone) that have been granted elective alt. reg. The vast majority of those filings have been for **rate increases**, which is not a competitive response strategy and not new service offerings. More specifically, the ILECs have raised rates for over 100 different services, while offering only 14 new service packages. There is nothing about the new packages that required elective alt. reg. authority in order to be implemented.

Furthermore, as demonstrated by an October 12, 2004 tariff application by Talk America in Case No. 04-1562-TP-ZTA telecommunications providers are justifying **rate increases** by claiming that rates must be raised to keep in line with the charges of other service providers. Such rate increases, and the justification for them, totally contradicts how a truly competitive market operates and also flies in the face of the intent behind R.C. 4927.04 and elective alt. reg.

The only conclusion that can be reached from this data is that ILECs are using the regulatory freedom afforded by elective alt. reg. to raise rates at an unprecedented pace, without the scrutiny and public participation available through a rate case. Other than SBC Ohio, the ILECs can and have implemented these rate increases "willy nilly" because they face no competition and because customers have no reasonable alternatives. This demonstrates how prior grants of elective alt. reg. have failed to satisfy the requirements set forth by R.C. 4927.03 and even the Commission's own expectations. It is not in the public interest for consumers to

face this onslaught of rate increases without viable alternatives that can provide the same or reasonably similar service today.

III. CONCLUSION

The Commission's recognition in the F&O that competition has yet to establish "a strong foothold" in Western Reserve's service territory is an acknowledgement that the Company faces no effective competition.¹³ The Commission's Finding is contrary to the requirements set forth in R.C. 4927.03. The Commission has diluted that statutory requirement so that customers have no options or alternatives when faced with arbitrary automatic rate increases. The Commission's determinations are out of balance in favor of ILECs and to the unlawful detriment of the captive customers who are forced to endure rate increases with no options or alternatives.

For the reasons set forth herein, the OCC's Application for Rehearing should be granted. The approval of Western Reserve's Application should be reversed or modified.

Respectfully submitted,

JANINE L. MIGDEN-OSTRANDER
CONSUMERS' COUNSEL



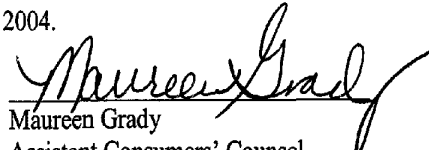
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¹³ F&O at 6.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Application for Rehearing of the Office of the Ohio Consumers' Counsel was served via hand delivery, first class mail, postage prepaid to the parties identified below this 12th day of November, 2004.


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ATTACHMENT 1

Filing &/or Effective Date	Company /Case Nos.	Description of Service	Old Rate	New Rate	% Increase
12-18-02	Sprint 02-3281-TP-ALT 90-5041-TP-TRF	New Tier 2 Local Calling Packages: Sprint Personal II Solution Sprint Home II Solution		\$31.95 \$26.95	
2-10-03	Sprint 02-2117-TP-ALT 90-5041-TP-TRF	Three-way Calling Repeat dialing Return Call Express Touch Feature Pkg.: Advantage Sprint Essentials Sprint Solutions Local Calling Bundled Pkgs.: Ideal Solutions Sure Solution I Sure Solution II Custom Solution I Classic Solution Message Toll Service, Day Rate – First Minute: 0-10 miles 11-22 miles 23-125+ miles Day Rate – Each Add. Min.: 0-10 miles 11-22 miles 23-125+ miles Evening Rate – First Min.: 0-10 miles 11-22 miles 23-125+ miles Eve. Rate – Each Add. Min.: 0-10 miles 11-22 miles 23-125+ miles Night/Weekend Rate – First Min.: 0-10 miles 11-22 miles 23-125+ miles	\$0.75 \$0.75 \$0.75 \$12.00 \$15.00 \$30.95 \$27.95 \$26.95 \$23.95 \$24.95 \$0.25 \$0.25 \$0.29 \$0.14 \$0.16 \$0.14 \$0.18 \$0.18 \$0.22 \$0.08 \$0.11 \$0.16 \$0.12 \$0.12 \$0.17	\$0.95 \$0.95 \$0.95 \$14.00 \$17.00 \$32.95 \$29.95 \$27.95 \$25.95 \$26.95 \$0.25 \$0.25 \$0.30 \$0.20 \$0.20 \$0.25 \$0.20 \$0.20 \$0.25 \$0.15 \$0.15 \$0.20 \$0.15 \$0.15 \$0.20	26.67% 26.67% 26.67% 16.67% 13.33% 6.46% 7.16% 3.71% 8.35% 8.02% 0% 0% 3.45% 42.86% 25% 78.57% 11.11% 11.11% 13.64% 87.50% 36.36% 25% 25% 17.65%

		Night/Weekend Rate – Each Add. Min.			
		0-10 miles	\$0.05	\$0.10	100%
		11-22 miles	\$0.08	\$0.10	25%
		23-125+ miles:	\$0.10	\$0.15	50%
3-14-03	Sprint 03-700-CT-ZTA	New Tier 2 Service: Toll and Casual Dialing restriction – per access line		\$4.00	
7/1/03	Sprint 03-1444-TP-ZTA 90-5041-TP-TRF	Increased the rate for the following services: Directory Assistant-direct dial Directory Assistant-via an attendant Directory Call Completion-per call Reduced the Directory Assistance Monthly Call Allowance without charge	\$0.20 \$0.40 \$0.35 “up to 5”	\$0.50 \$1.00 \$0.50 “up to 2”	150% 150% 42.86%
7/9/03	Sprint 03-1498-TP-ZTA 90-5041-TP-TRF	Residence Additional Listing Foreign Residence Additional Listing Residence extra line matter, each line Non-published telephone service Basic Call Forwarding Speed Dial 8 Three-way calling Speed Dial 30 Signal Ring Plus: First Number, Second Number and Third Number Residence Intercom Residence Warm Line Residence Fixed Call Forwarding Toll Restriction-per line Sprint Classics Calling Pkg Decreased the monthly rate for the following services: Enhanced Call Forwarding Choice Solution Calling Package	\$0.90 \$0.90 \$0.90 \$1.25 \$1.25 \$1.25 \$1.25 \$2.75 \$2.75 \$0.50 \$1.90 \$1.40 \$4.00 \$13.00 \$2.75 \$25.95	\$1.50 \$1.50 \$1.50 \$2.00 \$2.00 \$2.00 \$2.00 \$3.50 \$3.50 \$0.75 \$2.50 \$2.00 \$5.00 \$15.00 \$2.50 \$24.95	66.67% 66.67% 66.67% 60% 60% 60% 60% 27.27% 27.27% 50% 31.58% 42.86% 25% 15.38% -9.09% -3.85%

		Eliminated the discount for purchasing the multiple features for various services.			
7/30/03	Sprint 03-1627-TP-ZTA	New "Safe and Sound II Solution" calling plan.		\$18.95	
11/28/03	03-2328-TP-ATA 90-5041-TP-TRF	Filed to "de-average the Lebanon exchange into a separate Rate Schedule and add one-way flat rate EAS routes to the Lebanon calling scope." Expanded the calling area between the Lebanon and the Cincinnati Bell exchanges through one-way flat rate EAS calling.			
6/2/04	Sprint 04-855-TP-ZTA 90-5041-TP-TRF	New "Core Solution Plus" calling plan.		\$38.75	
7/30/04	Sprint 90-5041-TP-TRF	Basic Call Forwarding Three-way calling Express touch feature Pkgs: Advantage Sprint Essentials Sprint Elite Sprint Classics Solutions local calling packages: Ideal Solution Sure Solution I Sure Solution II Choice Solution Custom Solution I Standard Solution II Basic Solution Classic Solution Core Solution Clear Solution Core Solution Plus Filed to "de-average" the Lima, Mansfield and Warren exchanges into separate Rate Schedules.	\$2.00 \$2.00 \$14.00 \$17.00 \$20.00 \$15.00 \$32.95 \$29.95 \$27.95 \$25.95 \$25.95 \$20.95 \$28.95 \$26.95 \$34.75 \$33.75 \$38.75	\$3.00 \$3.00 \$15.00 \$18.00 \$21.00 \$16.00 \$33.95 \$30.95 \$28.95 \$26.95 \$26.95 \$21.95 \$29.95 \$27.95 \$35.75 \$34.75 \$39.75	50% 50% 7.14% 5.88% 5% 6.67% 3.03% 3.34% 3.58% 3.85% 3.85% 4.77% 3.45% 3.71% 2.88% 2.96% 2.58%

8/20/04	Sprint 04-1313-TP-ZTA 90-5041-TP-TRF	Directory Assistance-Direct dialed Eliminated the Directory Assistance two call monthly allowance	\$0.50	\$0.95	90%
10/12/04	Sprint 90-5041-TP-TRF	Enhanced Call Waiting	\$2.75	\$3.00	9.09%
		Enhanced Call waiting w/two or more features	\$2.00	\$2.20	10%
		Calling package "Standard Solution I"	\$21.95	\$22.20	1.14%
		Operator handled Director Assistance	\$1.00	\$1.45	45%
1/13/03	SBC 90-5032-TP-TRF	Area Wide calling (including 30 minutes of use)	\$4.50	\$5.00	11.11%
		Day, Evening, Night & Weekend Rates for IntraLATA Toll Schedule A and Schedule B:			
		Day Rate (for Initial 1 minute and each add'l minute)	\$0.20	\$0.21	5%
		Evening Rate (for initial 1 minute and each add'l minute)	\$0.16	\$0.17	6.25%
2/11/03	SBC 90-5032-TP-TRF	Night & Weekend Rate (for initial 1 minute and each add'l minute)	\$0.14	\$0.15	7.14%
		Reduced the monthly rate for the 2-line Complete Solution Package	\$65.50	\$61.50	-6.11%
		Reduce the monthly rate for the Complete Solution Package	\$47.30	\$38.30	-19.03%
2/21/03	SBC 90-5032-TP-TRF	Change in Directory Assistance Rates			
		Local DA		\$0.75	
		Toll DA		\$0.95	
		National DA		\$1.25	
3/7/03	SBC 90-5032-TP-TRF	Reduce the per minute rate for Anytime Rate Calling Plan		\$0.07	
4/25/03	SBC 03-1058-TP-ZTA	Grandfathered the BASICS features package (includes Call Waiting, Call Forwarding, Three-way Calling, Caller ID and Caller ID with Name)			
4/25/03	SBC 03-1059-TP-ZTA	New BASICS Choice Features Package.		\$17.95	

4/25/03	SBC 03-1060-TP-ZTA	Modified components of the 2-line Complete Solution Package to include the BASICS Choice feature package in place of the BASICS.			
4/25/03	SBC 03-1061-TP-ZTA	Modified the name of the Sensible Solution Package to "Sensible Local Solution"			
4/25/03	SBC 03-1062-TP-ZTA	Modified components of the Complete Solution Package to include the BASICS Choice feature package in place of the BASICS.			
4/25/03	SBC 03-1063-TP-ZTA	New residential package-Sensible Solution		\$29.43	
4/25/03	SBC 03-1064-TP-ZTA	New residential package-Economy Solution Plus		\$24.65	
4/25/03	SBC 03-1065-TP-ZTA	New residential package-2 Line Complete Solution Plus		\$61.55	
4/25/03	SBC 03-1066-TP-ZTA	New residential package-Complete Solution Plus		\$38.35	
4/25/03	SBC 03-1067-TP-ZTA	New residential package-Sensible Solution Plus		\$29.58	
4/25/03	SBC 03-1068-TP-ZTA	If subscribe to BASICS choice, Economy Solution Plus and the Economy Local Solution packages will receive a discount on the Talking Call Waiting feature			
4/25/03	SBC 03-1069-TP-ZTA	If subscribe to BASICS Choice, Economy Solution Plus and the Economy Local Solution packages will receive a discount on the Privacy Manager feature			
4/25/03	SBC 03-1070-TP-ZTA	Rename the Economy Solution Package Plan to "Economy Local Solution"			
4/25/03	SBC 03-1071-TP-ZTA	New residential package-Economy Solution		\$24.45	

4/28/03	SBC 03-1084-TP-ZTA	Grandfathered the WORKS feature package (including Call Waiting, Call Forwarding, Three-way Calling, Repeat Dialing, Automatic Callback, Caller ID, Caller ID with Name and Speed Calling 8)			
6/10/03	03-965-TP-SLF	Revised the Late Payment Charge. Charge does not apply until unpaid balance exceeds \$25.00 Increased returned check charge	\$15.00	Greater of \$5.00 or 1.5% \$25.00	 66.67%
6/30/03	SBC 03-1442-TP-ZTA	Grandfathered the Economy Local Solution package and the Sensible Local Solution package			
7/9/03	SBC 03-1503-TP-ZTA	Changed the name of the following packages: Complete Solution to Complete Local Solution Complete Solution Plus to Complete Local Solution Plus 2-Line Complete Solution to 2-Line Complete Local Solution 2-Line Complete Solution Plus to 2-Line Complete Local Solution Plus			
8/1/03	SBC 03-1689-TP-ZTA	Limit the number of Call Forwarding calls that will be transferred simultaneously	"multiple"	"up to 5"	
8/1/03	SBC 90-5032-TP-TRF	Increased Busy Line Verification charge Increased Busy Line Interrupt charge	\$1.75 \$2.00	\$1.00 \$1.30	75% 53.85%
8/1/03	SBC 90-5032-TP-TRF	Increased additional White Page directory listings charge	\$0.90	\$1.50	66.67%

10/3/03	SBC 03-2043-TP-ZTA	Lower the monthly rate for the Economy Solution Plus Pkg	\$24.65	\$24.50	-0.61%
10/24/03	SBC 03-2147-TP-ZTA	Introduced new plan "All Distance Connections" combining local and long distance calling		\$48.95	
11/10/03	SBC 90-5032-TP-TRF	Reduce the monthly rate for the Multi-Ring service	\$4.00	\$2.95	-26.25%
12/30/03	SBC 03-2553-TP-ZTA	Grandfather the following packages: Complete Local Solution Complete Local Solution Plus 2-Line Complete Local Solution 2-Line Complete Local Solution Plus			
3/11/04	SBC 90-5032-TP-TRF	Increased the WORKS feature package	\$19.95	\$20.95	5.01%
		Increased the BASICS feature package	\$15.95	\$16.95	6.27%
3/12/04	SBC 90-5032-TP-TRF	Operator handled surcharge rates: Calling Card Station to Station Customer Dialed Calling Card Station to Station Operator Assisted Station to Station Person to Person Operator Assistance 3 rd number billed Directory Assistance (local and toll) customer direct dials Directory Assistance (local and toll) operator assisted National Directory Assistance	\$0.50 \$1.25 \$1.10 \$3.00 \$1.50 \$0.75 \$0.95 \$1.25	\$0.95 \$1.95 \$1.75 \$3.75 \$2.25 \$1.10 \$1.10 ¹³ \$1.50	90% 56% 56.09% 25% 50% 46.67% 20%
3/15/04	SBC 90-5032-TP-TRF	Area Wide calling (including 30 minutes of use)	\$5.00	\$5.50	10%

¹³ The charge will be \$1.10 plus whichever Operator Assistance charge is applicable.

3/15/04	SBC 90-5032-TP-TRF	Day, Evening, Night & Weekend Rates for IntraLATA toll Schedule A and B:			
		Day rate (for initial 1 minute and each add'l minute)	\$0.21	\$0.23	9.52%
		Evening rate (for initial 1 minute and each add'l minute)	\$0.17	\$0.19	11.76%
		Night & Weekend rate (for initial 1 minute and each add'l minute)	\$0.15	\$0.17	13.33%
		Adds a monthly recurring charge for the Anytime Rate (local toll) Calling Plan		\$2.95	
		Automatic callback	\$4.10	\$5.00	21.95%
		Automatic callback (per use)	\$0.70	\$0.95	35.71%
		Three way calling	\$4.00	\$5.00	25%
		Three way calling (per use)	\$0.70	\$0.95	35.71%
		Caller ID with name	\$7.95	\$8.95	12.58%
		Repeat dialing	\$4.10	\$5.00	21.95%
		Talking call waiting	\$2.50	\$3.00	20%
		Talking call waiting (with a calling plan)	\$2.00	\$2.25	12.50%
		Call screening	\$4.00	\$5.00	25%
		Call forwarding	\$4.00	\$5.00	25%
6/1/04	SBC 04-831-TP-ZTA	Introduced new feature- Distinctive Ring which can designate up to five telephone numbers		\$2.95	
7/30/04	SBC 90-5032-TP-TRF	Busy Line verification charge	\$1.75	\$2.50	42.86%
		Increased Busy Line interrupt charge	\$2.50	\$2.75	37.5%
7/30/04	SBC 04-1203-TP-ZTA	Grandfathered the following Optional Toll Calling Plans: Peak/off peak plan-MRC \$2.95, per minute usage Peak \$0.24, Off Peak \$0.09 Saver Pack 30 @ \$3.90, per minute after 30 minute allowance @ \$0.10 Saver Pack 60 @ \$6.60, per minute after 60 minute allowance @ \$0.07			

		Saver Pack 120 @ \$10.00, per minute after 120 minute allowance @ \$0.07			
7/30/04	SBC 04-1204-TP-ATA	<p>Grandfathered the following Optional Local Calling Plans: Community Calling Service- calling to exchanges within the same LATA that are not over 22 airline miles from the customers' home exchange. The incremental monthly Message Rate and Flat Rate at \$15.15 are in addition to the monthly rates for the network access, central office termination and usage. The incremental rates are for the first two hours of use. Each additional 15 minutes of use or fraction thereof is \$1.80 for all residence services.</p> <p>Optional Local Area Service- includes calling to exchanges in addition to those exchange areas included in Community Calling Service. The monthly residence Flat Rate range from \$9.20 to \$11.45 and the monthly Message Rate range from \$6.65 to \$8.75.</p> <p>Econo-Call Service-available in various exchanges that may call other specific exchanges at a monthly rate of \$2.90. The monthly usage includes 30 messages per month with each additional message charge \$0.08.</p>			
7/30/04	SBC 90-5032-TP-TRF	Additional White Page directory listings charge	\$1.50	\$2.00	33.33%
7/30/04	SBC 04-1213-TP-ZTA	Eliminate the IntraLATA Presubscription Implementation Charge (per minute of use)	\$0.001 401		

8/17/04	Cincinnati Bell 04-1293-TP-SLF 04-1294-TP-SLF 90-5013-TP-TRF	Late Payment Charge. Charge does not apply until unpaid balance exceeds \$25.00.		Greater of \$5.00 or 1.5%	
		Increased return check charge	\$15.00	\$25.00	66.67%
11/01/04	Chillicothe Telephone 90-5012-TP-TRF	Increased IntraLATA directory assistance:			
		Customer direct dial	\$.30	\$.95	216.67%
		Customer uses operator	\$.45	\$.95	111.11%
		Establish local directory assistance charge	\$0	\$.95	
		Increase local directory assistance for 614 and 740 area codes	\$.30	\$.95	216.67%