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William D. McKenney
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Georgetown, OH 45121

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PUCO

VIA EXPRESS MAIL
September 9, 1997

Ms. Daisy Crockron
Chief of Docketing
Public Utilities Commission of Ohio
Docketing Division
180 East Broad Street
Columbus, OH 43215-3793

RE: Case No. 96-1402-TP-PEX

Dear Ms. Crockron:

Enclosed for filing please find:

1. the original and 8 copies of Motion of the Complainants to Compel Response and to Request Additional Information

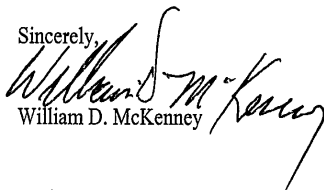
and

2. the original and 8 copies of Motion of Complainants to Proceed With Community of Interest Hearing and to Hold Filing of Cost Data Until After Said Hearing.

Please return one file-stamped copy of each filing in the self addressed stamped envelope.

Thank you for your assistance. If you have any questions, please feel free to call me during business hours at 937-378-6828.

Sincerely,


William D. McKenney

Encl.

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 Joan Schuyler Date Processed 9-11-97

BEFORE

RECEIVED-DOCKETING DIV

THE PUBLIC UTILITIES COMMISSION OF OHIO 97 SEP 10 PM 12:57

PUCO

In the Matter of the Petition of William
D. McKenney and Numerous Other Subscribers of
the Georgetown Exchange of GTE North
Incorporated,

Complainants,

v.

GTE North Incorporated,
Cincinnati Bell Telephone Company,
Ameritech Ohio,
Little Miami Telecommunications Corp.,

Respondents,

Relative to a Request for Two-Way, Nonoptional,
Flat-Rate Extended Area Service Between the
Georgetown Exchange of GTE North Incorporated
and the Bethany, Bethel, Cincinnati, Clermont,
Hamilton, Little Miami, Newtonsville, and
Williamsburg Exchanges of Cincinnati Bell
Telephone Company, the Decatur and Mowrystown
Exchanges of GTE North Incorporated, the
Aberdeen Exchange of Ameritech Ohio, and the
Fayetteville Exchange of Little Miami
Communications Corporation.

Case No. 96-1402-TP-PEX

MOTION OF THE COMPLAINANTS TO COMPEL RESPONSE AND TO REQUEST
ADDITIONAL INFORMATION

The Complainant pursuant to civil procedure by Rule 4901, Ohio Administrative Code
(O.A.C.) Requests consideration and finding in favor of the Complainant by the Attorney
Examiner based on the following motion:

William D. McKenney, Spokesperson, respectfully requests a full and complete response
to the entries of February 7 and May 6, 1997 in this case. The Complainants also request that the
respondents be ordered to provide additional explanation and information as necessary to clarify

the methodology used in providing the responses and the amount of Interexchange (IXC) traffic included in the calculation of calling rates for the interLATA routes, and to provide additional statistics as necessary to show the amount of traffic being carried by IXCs on the intraLATA routes.

1. GTE to supply Decatur statistics as ordered.
2. All respondents to provide a list of IXCs certified to do business in the applicable exchanges.
3. For interLATA routes: GTE, Ameritech, and Little Miami to provide the total number of access lines in the applicable exchanges, the aggregate number of presubscribed customers to those IXCs which actually supplied the number of calls in the months studied, the aggregate number of customers subscribed to IXC alternatives that do not allow the number of calls per month to be counted; and that these companies reduce the number of access lines used to calculate the calling rate accordingly.
4. GTE, Ameritech and Little Miami to provide a comparison of the cost per call using the alternatives to toll service that they provide (if the calls are not included in the traffic counted e.g. ValueLink); and that the IXCs provide the same information for the "Reach Out Ohio-type" plans. This information should include the "break even point" of how many calls per month a customer would be making in order to find such plans financially attractive.
5. For intraLATA routes: GTE and Ameritech to provide IXC traffic with a complete explanation of the methodology used and amount of traffic captured.
6. All respondents to explain what payphone traffic is included for all routes.
7. All respondents to provide a reasonable explanation of the reliability of calling rate studies from a total of five different months divided between and among them.

The reasons for which we make this request are set forth in the accompanying memorandum in support of this motion.

MEMORANDUM IN SUPPORT OF MOTION

The Complainants have carefully reviewed all responses served by the companies with the assistance of the Coalition of Ohioans for State-of-the-Art Communications (COSAC). The companies have not fully complied with the orders of the Attorney Examiner in that some information directly ordered to be supplied is missing, while other information necessary to make sense of the information that is provided has been omitted.

1. Findings 3 and 4 in the Entry of Feb. 7, 1997 directed ALLNET, AT&T, CBLD, LCI, MCI, and Sprint to provide information on interLATA routes to the respondents GTE, Cincinnati Bell and Little Miami, and file affidavits by April 8, 1997.
 - (a) Affidavits were filed by LCI on April 11 and by ALLNET d.b.a. Frontier on April 14, and by AT&T on April 30.
 - (b) Motions for extension of time were filed by MCI on April 18 and Sprint on April 23. Both motions are unclear as to whether interLATA or intraLATA calling information is to be supplied.
 - (c) By Entry May 6, 1997 Sprint and MCI were granted until May 9 to provide information to the respondents.
 - (d) Affidavits were filed by Sprint on May 8, and by MCI on June 2.
 - (e) No affidavit or notice appears on the docket as filed by CBLD.
2. Finding 5 in the Entry of Feb. 7, 1997 directed the respondents to coordinate to be sure all calling data was from the same time frame, and Finding 6 directed all respondents to provide certain information regarding both interLATA and intraLATA routes to the Commission and the Spokesperson by May 6, 1997.
 - (a) Finding 6 of the Entry of May 6, 1997 extended the time to provide calling data to June 9, 1997.
 - (b) The affidavit of MCI does not indicate month of calling statistics. In past cases MCI referenced a letter of Nov. 9, 1994 originally filed in Case No. 94-174-TP-PEX which states that "MCI cannot retrieve information that is more than 30 days old."
 - (c) The affidavit of AT&T references a letter of Nov. 7, 1994 originally filed in Case No. 94-174-TP-PEX stating that while the number of customers in Reach Out Ohio is supplied, "the number of calls per month is not available."
 - (d) Likewise, the number of customers for Sprint's Select Service is supplied but not the number of calls.
 - (e) GTE, Cincinnati Bell and Little Miami have used calling data supplied by the IXC's for October of 1996 on the interLATA routes. Additionally, Little Miami has provided distribution from September of 1996. GTE has provided intraLATA calling data from the months of November 1996, December 1996, January 1997 and March 1997. Ameritech has provided data from December 1996, January 1996 and February 1996. (See 3 d below.)
 - (f) GTE has failed to provide measured service equivalents between Georgetown and

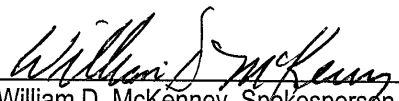
Decatur as ordered.

3. Responses to Finding 6 (e) and (h) show that methodology for both interLATA and intraLATA calling rates is substantially different between companies, leaves large amounts of traffic unaccounted for, and is very unclear for all but Cincinnati Bell.
 - (a) InterLATA Routes for GTE: company does not acknowledge that MCI information was unavailable in response (e), and does not make clear what it does with Reach Out Ohio and Sprint Select customers' traffic for purposes of this calculation. Does "number of presubscribed customers" in (h) include MCI customers and/or subscribers to Reach Out Ohio and Sprint Select whose calls cannot be counted?
 - (b) InterLATA Route for Little Miami: response to (e) references attachment 1 which provides conflicting information about month studied. The company has presumably calculated the calling rate using the total number of lines rather than those presubscribed to the applicable IXCs. Response to (d) references only five of the six IXCs presumably providing data. Response to (h) says nothing specific about IXCs or traffic or calculation.
 - (c) IntraLATA Routes for GTE: the company has excluded all IXC traffic from its calling statistics, but has included calls from its own alternatives to toll service and presumably calculated the calling rate using the total number of lines. Statistics are not from the same months as the interLATA routes.
 - (d) IntraLATA Routes for Ameritech: Response to (a) Attachment 1 gives access lines from different months than (b) Attachment 2. The company has excluded all IXC traffic from its calling statistics and also excluded all traffic from its own alternatives to toll service, but has subtracted the number of lines subscribed to an alternative before calculating the calling rate. However, the number of those customers as described in (e) page 5 of 6 Attachment 5 does not match (b) Attachment 2.
4. Exclusion of IXC calls, both presubscribed and 10xxx dialed, from intraLATA traffic cannot give an accurate calling rate. Since the EAS RULES 1991 were developed there has been an explosion of marketing by IXCs to encourage people to "dial the code" or to sign up for specific programs to handle "local toll calls". Even in the interLATA market there are many small companies that do not offer presubscription but rather direct mail market by sending stickers with a 10xxx code directly to the customer. Fierce competition in the IXC market has driven IXC rates far below the Message Toll Rates of the monopoly Local Exchange Providers. There has been a recent explosion in the pre-paid calling card business to the extent that the Commission itself has issued a consumer warning this year; these cards all utilize 800 numbers to provide dialtone and thus this traffic has not been captured.
5. The Complainants request that the respondents supply information to comply with or clarify already ordered responses as described in 1 - 4 above, and that the respondents provide additional information on IXC traffic for intraLATA routes, with the express purpose of determining what percentage of the actual traffic between exchanges is being captured in the calling rate studies.

- clarify already ordered responses as described in 1 - 4 above, and that the respondents provide additional information on IXC traffic for intraLATA routes, with the express purpose of determining what percentage of the actual traffic between exchanges is being captured in the calling rate studies.
- (a) GTE to supply Decatur statistics as ordered.
 - (b) All respondents to provide a list of IXCs certified to do business in the applicable exchanges.
 - (c) For interLATA routes: GTE, Ameritech, and Little Miami to provide the total number of access lines in the applicable exchanges, the aggregate number of presubscribed customers to those IXCs which actually supplied the number of calls in the months studied, the aggregate number of customers subscribed to IXC alternatives that do not allow the number of calls per month to be counted; and that these companies reduce the number of access lines used to calculate the calling rate accordingly.
 - (d) GTE, Ameritech and Little Miami to provide a comparison of the cost per call using the alternatives to toll service that they provide (if the calls are not included in the traffic counted e.g. ValueLink); and that the IXCs provide the same information for the "Reach Out Ohio-type" plans. This information should include the "break even point" of how many calls per month a customer would be making in order to find such plans financially attractive.
 - (e) For intraLATA routes: GTE and Ameritech to provide IXC traffic with a complete explanation of the methodology used and amount of traffic captured.
 - (f) All respondents to explain what payphone traffic is included for all routes.
 - (g) All respondents to provide a reasonable explanation of the reliability of calling rate studies from a total of five different months divided between and among them.

The Spokesperson who prepared this motion and memorandum is a lay person relatively unfamiliar with PUCO policies, rules, regulations and civil procedures under Ohio Administrative Code. Therefore, the Complainants request the Attorney Examiner consider and grant any other appropriate order that is fair, equitable, and consistent with the intent and spirit of the subject motion, i.e. to utilize all data and develop a complete record that more accurately reflects the calling patterns between and among the exchanges in this case.

Respectfully Submitted,

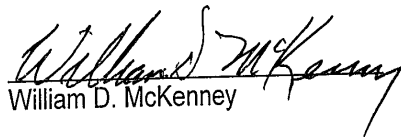

William D. McKenney, Spokesperson
7470 Doctor Faul Road
Georgetown, OH 45121
937-378-3051

Filed: September 9, 1997

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was sent U.S. Mail, postage prepaid, on September 9, 1997 to:

William H. Keating Attorney for GTE North Inc. 100 Executive Drive Marion, OH 43302	Charles S. Rawlings Attorney for Ameritech Ohio 2639 Wooster Road Rocky River, OH 44116
Jack B. Harrison Attorney for Cincinnati Bell Telephone FROST & JACOBS LLP 2500 PNC Center 201 East Fifth Street Cincinnati, OH 45202	Thomas E. Lodge Attorney for Little Miami Communications Corporation Thompson Hine & Flory LLP One Columbus 10 West Broad Street, Suite 700 Columbus, OH 43215-3435
L. Douglas Jennings Attorney Examiner Public Utilities Commission of Ohio 180 East Broad Street Columbus, OH 43266-0573	


William D. McKenney