

FILE

BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the matter of the Application of First )  
Communications for the Approval of the Transfer ) Case No. 05-989-TP-ACQ  
of Assets of CoreComm Newco, Inc. to First )  
Communications, LLC. )

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AFFIDAVIT OF JONATHAN WHILEY

State of Ohio )  
 ) ss.  
County of Franklin )

My name is Jonathan Whiley. I am the Director of Midwest Operations for ATX Communications ("ATX"). In my current capacity at ATX, I am responsible for CoreComm Newco, Inc.'s ("CoreComm") switch operations. Therefore, I have personal knowledge of the assertions herein.

The purpose of this affidavit is to respond to the letter filed by the Office of the Ohio Consumers' Counsel ("OCC") on August 11, 2005 in the above-captioned matter, wherein it raised a concern that CoreComm is not providing adequate service to its residential customers with respect to the provision of enhanced 911 services ("E-911").

It is unclear as to the specific source of OCC's information that for the past 18 months CoreComm has failed to update E-911 information for approximately 200 customers in Delaware County, Ohio. By this affidavit, CoreComm represents that there has never been a systematic problem with the E-911 information associated with CoreComm's customers in Delaware County or elsewhere in Ohio. Inasmuch as there has not been any systematic CoreComm E-911 "problems," OCC has no basis to believe that a "problem" will persist upon a transfer of assets to First Communications, LLC.

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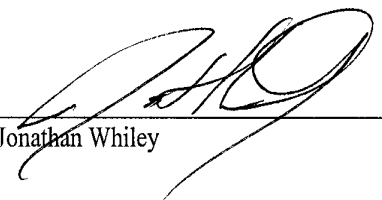
The reason that representatives of Verizon report that there have been no updates for approximately 18 months to the E-911 data base is because CoreComm has been provisioning its new customers with SBC's UNE-P service during that period of time. CoreComm has not provided service to new customers using its own switch serving Delaware County during that period. Since the only time that CoreComm is obligated to update Verizon's E-911 database is when local services are provided to customers using its own switch -- SBC handles E-911 for its UNE-P and Resale products including updating Verizon's E-911 database -- no updates were required to Verizon's E-911 database.

Furthermore, in the spirit of cooperation, I hereby attest to the fact that in the recent past, I have reviewed the accuracy of the E-911 information for customers served in Delaware County, and I have determined to my satisfaction that the information is accurate. In fact, some weeks ago, in response to an inquiry regarding the records of a single facilities-based customer, and out of an abundance of caution, CoreComm reconfirmed its Delaware County customer (both facilities-based and wholesale provisioned) information with the Delaware County E-911 data base administrator.

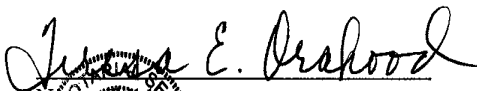

Therefore, I verify that all of CoreComm's customer information is current in the Verizon E-911 database for Delaware County.

FURTHER AFFIANT SAYETH NAUGHT.

I hereby swear, under penalty of perjury, that the foregoing statements are true and correct to the best of my knowledge.

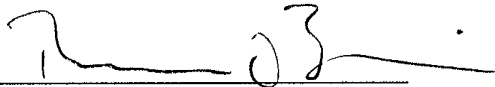
  
Jonathan Whiley

Sworn to before me and subscribed in my presence, this 22<sup>nd</sup> day of August 2005.

  
  
TERESA E. ORAKHOOD  
Notary Public, State of Ohio  
My Commission Expires 10-19-05

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing AFFIDAVIT was served upon the following parties of record via first class U.S. mail, postage prepaid, this 22<sup>nd</sup> day of August 2005.

  
\_\_\_\_\_  
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