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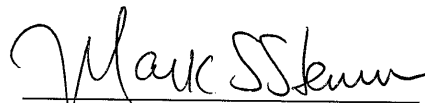
BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint)
of ICG Telecom Group, Inc.)
Against Ameritech Ohio Regarding) Case No. 97-1557-TP-CSS
The Payment of Reciprocal Compensation)

AMERITECH OHIO'S MOTION FOR ORAL ARGUMENT

Ameritech Ohio, by its attorneys and pursuant to Ohio Admin. Code Rule 4901-1-32,
respectfully requests that the Commission hear oral arguments before concluding rehearing. A
Memorandum supporting this request is attached.

Respectfully submitted,



Daniel R. Conway, Esq.
Mark S. Stemm, Esq.
Porter, Wright, Morris & Arthur
41 South High Street
Columbus, Ohio 43215-6194
614-227-2000

Attorneys for Ameritech Ohio

Michael T. Mulcahy, Esq.
Ameritech Ohio
45 Erieview Plaza, Suite 1400
Cleveland, Ohio 44114
216-822-3437

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MEMORANDUM IN SUPPORT

Much has transpired since last August when the Commission invited the parties to present argument and answer questions about the meaning of the Agreement's reciprocal compensation arrangements. On October 30, 1998, the FCC issued its *GTE Tariff* decision summarizing the longstanding FCC precedents treating Internet bound traffic as non-local, interstate traffic. See, *In the Matter of GTE Telephone Operating Cos. GTOC Tariff No. 1, GTOC Transmittal No. 1148*, CC Docket No. 98-79. On February 26, 1999, the Federal Communications Commission squarely held as a matter of federal law that a local exchange carrier (LEC) is not entitled to receive reciprocal compensation for traffic that it delivers to an information service provider, particularly an Internet service provider (ISP). *Implementation of the Local Competition Provisions in the Telecommunications Act of 1996* (CC Docket No. 96-98); *Inter-Carrier Compensation For ISP-Bound Traffic* (CC Docket No. 99-68), Declaratory Ruling ("FCC Order"). And, most recently, the state commissions in Nevada and Missouri have ruled that reciprocal compensation does not apply to ISP traffic under the 1996 Act. (See Exhibits 2 and 3 to Ameritech Ohio's Response to Comments of ICG Telecom Group, Inc. filed concurrently herewith.)


While Ameritech Ohio submits that these developments put beyond dispute the position Ameritech Ohio has advanced from the outset of this case, ICG views everything differently. Given the significance of the recent developments and the legal and financial implications of this case, Ameritech Ohio urges the Commission to grant the parties an opportunity to present oral argument and answer any remaining questions the Commission may have before this rehearing

concludes. The Commission has in the past during rehearing proceedings recognized the value of oral argument as allowing parties an opportunity to address the issues raised upon application for rehearing as well as significant legal developments. See e.g., In the Matter of the Review of Ameritech Ohio's Economic Costs for Interconnection, Unbundled Network Elements, and Reciprocal Compensation for Transport and Termination of Local Telecommunications Traffic, Case No. 96-922-TP-UNC, Entry on Rehearing (August 14, 1997).¹

For all the foregoing reasons, oral argument should prove helpful to the Commission's final deliberations and will assure the parties a full and meaningful opportunity to be heard. Ameritech Ohio respectfully requests an entry scheduling its oral argument in this proceeding separately or together with the MCI and Time Warner reciprocal compensation complaint cases also pending on rehearing.

Respectfully submitted,

Michael T. Mulcahy, Esq.
Ameritech Ohio
45 Erieview Plaza, Suite 1400
Cleveland, Ohio 44114
216-822-3437


Daniel R. Conway, Esq.
Mark S. Stemm, Esq.
Porter, Wright, Morris & Arthur
41 South High Street
Columbus, Ohio 43215-6194
614-227-2000

Attorneys for Ameritech Ohio

¹ The Commission found "that it would be beneficial to schedule a transcribed, oral argument before the Commission so that the parties to this proceeding have an opportunity to address the issues which have been raised in the applications for rehearing as well as the impact of the Eighth Circuit's Decision, if any, on our TELRIC order." Entry On Rehearing at ¶6.

CERTIFICATE OF SERVICE

This is to certify that a true and accurate copy of Ameritech Ohio's foregoing Motion was served upon the following by facsimile and regular U.S. Mail, this 29th day of March, 1999:

Boyd B. Ferris, Esq.
Muldoon & Ferris
2733 West Dublin-Granville Road
Columbus, Ohio 43235-4268

Sally Bloomfield, Esq.
Bricker & Eckler
100 South Third Street
Columbus, Ohio 43215

Judith B. Sanders, Esq.
Bell, Royer & Sanders Co., L.P.A.
33 South Grant Avenue
Columbus, Ohio 43215

Roger P. Sugarman, Esq.
Kegler, Brown, Hill & Ritter
65 East State Street, Suite 1800
Columbus, Ohio 43215

Bruce J. Weston, Esq.
Law Office
169 Hubbard Avenue
Columbus, Ohio 43215-1439


Cherie R. Kiser, Esq.
Mintz, Levin, Cohn, Ferris,
Glovsky and Popeo, P.C.
701 Pennsylvania Ave. NW, Suite 900
Washington, D.C. 20004-2608

Benita A. Kahn, Esq.
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street
Columbus, Ohio 43216-1008

Stephen M. Howard, Esq.
Vorys, Sater, Seymour and Pease
52 East Gay Street
Columbus, Ohio 43216-1008

Thomas E. Lodge, Esq.
Thompson, Hine & Flory LLP
10 West Broad Street, Suite 700
Columbus, Ohio 43215-3435

William H. Keating, Esq.
100 Executive Drive
Marion, Ohio 43302


Mark S. Stemm