

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Petition of Lee Strad,)
Spokesperson, on behalf of Numerous)
Subscribers of the Magnolia-Waynesburg)
Exchange of Ameritech Ohio,)
Complainants,)
v.) Case No. 02-798-TP-PEX
Ameritech Ohio, and)
Verizon North Incorporated,)
Respondents,)
Relative to a Request for Two-Way, Non-)
optional Extended Area Service Between the)
Magnolia Waynesburg Exchange of Ameritech)
Ohio, on the One Hand, and the Bolivar,)
Carrollton, Malvern, Mineral City, New)
Philadelphia, and Strasburg Exchanges of)
Verizon North Incorporated and the Massillon)
Exchange of Ameritech Ohio, on the Other)
Hand.)

ENTRY

The attorney examiner finds:

- (1) On April 3, 2002, Lee Strad, spokesperson for the complainants, on behalf of numerous subscribers of the Magnolia-Waynesburg Exchange of Ameritech Ohio (Ameritech) filed a petition with the Commission which seeks the institution of two-way, nonoptional, flat-rate extended area service (EAS) between Ameritech's Magnolia-Waynesburg Exchange, on the one hand, and the Bolivar, Carrollton, Malvern, Mineral City, New Philadelphia, Strasburg exchanges of Verizon North Incorporated (Verizon) and Ameritech's Massillon Exchange, on the other hand.
- (2) By entry issued April 9, 2002, the attorney examiner ordered certain interexchange carriers and the respondents to provide calling data to determine the calling rate and the distribution of calls between the involved exchanges. The respondents timely filed informational responses on May 24, 2002. However, Ameritech's informational response was incomplete. It failed to set forth calling data regarding calls

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made from the requesting exchange to each of Verizon's involved requested exchanges. On June 28, 2002, Arneritech made a supplemental filing that provided the required calling data that had been missing from its May 24, 2002 informational response.

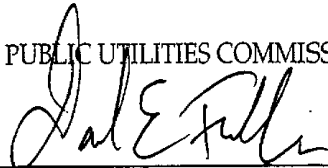
- (3) The April 9, 2002 entry directed that a settlement conference be scheduled after the calling information was filed. Accordingly, a settlement conference should be scheduled on August 7, 2002, at 1:30 p.m., in Hearing Room 11 B, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215. The purpose of the conference will be to address any questions that the complainants may have regarding the EAS hearing process, to explain the information responses provided by the respondents, and to explore the parties' willingness to negotiate a resolution to this complaint in lieu of an evidentiary hearing. In accordance with Rule 408 of the Ohio Rules of Evidence, any statements made in an attempt to settle this matter without the need for an evidentiary hearing will not generally be admissible in future proceedings in this case or be admissible to prove liability or invalidity of a claim. Nothing prohibits any party initiating settlement negotiations prior to the scheduled conference. An attorney examiner from the Commission's legal department will facilitate the process.
- (4) In order to facilitate discussions at the conference, all parties to this proceeding should familiarize themselves with the Commission's rules pertaining to EAS found in Chapter 4901:1-7, Ohio Administrative Code (O.A.C.), particularly the standards and thresholds set forth in Rule 4901:1-7-03, O.A.C.
- (5) The complainants need not retain an attorney-at-law to represent them. However, if they do not, the attorney examiner, in accordance with Rule 4901-1-08(D), O.A.C., will require that the complainants have a spokesperson selected to represent their interests at this conference and any future proceeding(s) in this case. The spokesperson shall have the authority at the conference to enter into a negotiated settlement of this matter on behalf of the complainants. The respondents shall be represented by an attorney-at-law who is licensed to practice in this state and who has the authority to enter into a stipulation on behalf of the telephone company.

It is, therefore,

ORDERED, That a settlement conference be held as set forth in Finding (3). It is, further,

ORDERED, That copies of this entry be served upon the spokesperson for the complainants, the respondents and their respective counsel, and all other interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



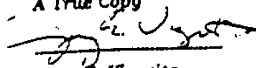
By: Daniel E. Fullin
Attorney Examiner

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Entered in the Journal

JUL 12 2002

A True Copy



Gary E. Vigorito
Secretary

CASE NUMBER: 02-0798-TP-PEX
CASE DESCRIPTION: LEE STRAD VS AMERITECH OHIO & VERIZON NORTH
DOCUMENT SIGNED ON: 7/12/2002
DATE OF SERVICE: 7/12/02

PARTIES SERVED

PARTIES OF RECORD

ATTORNEYS

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