

File

7

Before  
The Public Utilities Commission of Ohio RECEIVED-DOCKETING DIV

In the Matter of the Numerous Applications of )  
Ameritech Ohio for Approval of a Contract or )  
Other Arrangement Between Ameritech Ohio and )  
Various of its Customers: )

98 MAR 26 PM 5:04

PUCO

- Ameritech/Southdown, Inc. ) Case No. 96-389-TP-AEC
- Ameritech/NewPar dba Cellular One ) Case No. 96-390-TP-AEC
- Ameritech/Kelly Services, Inc. ) Case No. 96-403-TP-AEC
- Ameritech/Corrigan Moving ) Case No. 96-442-TP-AEC
- Ameritech/Corrigan Moving ) Case No. 96-443-TP-AEC
- Ameritech/D.O.C. Optical ) Case No. 96-444-TP-AEC
- Ameritech/Reynolds & Reynolds ) Case No. 96-445-TP-AEC
- Ameritech/LCI International ) Case No. 96-446-TP-AEC
- Ameritech/Libbey-Owens-Ford Co. ) Case No. 96-465-TP-AEC
- Ameritech/Key Services Corp. ) Case No. 96-555-TP-AEC
- Ameritech/Mortgage Placement ) Case No. 96-580-TP-AEC
- Ameritech/Sears, Roebuck & Co. ) Case No. 96-629-TP-AEC
- Ameritech/Croghan Colonial Bank ) Case No. 96-640-TP-AEC
- Ameritech/Citizens Banking Co. ) Case No. 96-653-TP-AEC
- Ameritech/OCLC Online Computer Library ) Case No. 96-661-TP-AEC
- Ameritech/Chase Manhattan Mortgage ) Case No. 96-704-TP-AEC
- Ameritech/OfficeMax, Inc. ) Case No. 96-705-TP-AEC
- Ameritech/Sun TV ) Case No. 96-738-TP-AEC
- Ameritech/Dean Witter ) Case No. 96-754-TP-AEC
- Ameritech/Akron General Medical Center ) Case No. 96-755-TP-AEC
- Ameritech/Huntington National Bank ) Case No. 96-778-TP-AEC
- Ameritech/Mt. Carmel Health Systems ) Case No. 96-826-TP-AEC
- Ameritech/CompuServe, Inc. ) Case No. 96-827-TP-AEC
- Ameritech/Heritage Mutual Insurance Co. ) Case No. 96-833-TP-AEC
- Ameritech/Meridia health Systems ) Case No. 96-839-TP-AEC
- Ameritech/North Canton Medical Clinic ) Case No. 96-874-TP-AEC
- Ameritech/The OnRamp ) Case No. 96-911-TP-AEC
- Ameritech/Ohio Savings Bank ) Case No. 96-915-TP-AEC
- Ameritech/Stow-Glenn, Inc. ) Case No. 96-939-TP-AEC
- Ameritech/American Airlines ) Case No. 96-954-TP-AEC
- Ameritech/Revco D.S., Inc. ) Case No. 96-955-TP-AEC
- Ameritech/Salem Community Hospital ) Case No. 96-956-TP-AEC
- Ameritech/Altman Hospital ) Case No. 96-994-TP-AEC
- Ameritech/Sun TV ) Case No. 96-995-TP-AEC
- Ameritech/Cowen & Company ) Case No. 96-1017-TP-AEC
- Ameritech/Netwalk ) Case No. 96-1039-TP-AEC
- Ameritech/Gordon Food Service ) Case No. 96-1042-TP-AEC

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: Jan Schaefer Date Processed: 3-27-98

Ameritech/Bethesda Good Samaritan	)	Case No. 96-1043-TP-AEC
Ameritech/Motor Parts Federal Credit Union	)	Case No. 96-1044-TP-AEC
Ameritech/Village Green Co.	)	Case No. 96-1045-TP-AEC
Ameritech/Third Federal Savings and Loan	)	Case No. 96-1078-TP-AEC
Ameritech/Dayton Walther Corporation	)	Case No. 96-1092-TP-AEC
Ameritech/Laurelwood	)	Case No. 96-1101-EL-AEC
Ameritech/Sherwin Williams	)	Case No. 96-1109-TP-AEC
Ameritech/First American Title Insurance	)	Case No. 96-1110-TP-AEC
Ameritech/Mt. Carmel Health System	)	Case No. 96-1111-TP-AEC
Ameritech/Charter One Bank	)	Case No. 96-1112-TP-AEC
Ameritech/Metropolitan Savings Bank of Cleveland	)	Case No. 96-1141-TP-AEC
Ameritech/First National Bank	)	Case No. 96-1172-TP-AEC
Ameritech/Ursuline College	)	Case No. 96-1188-TP-AEC
Ameritech/The American Red Cross	)	Case No. 96-1210-TP-AEC
Ameritech/Limited Distribution Services, Inc.	)	Case No. 96-1251-TP-AEC
Ameritech/Office Depot, Inc.	)	Case No. 96-1252-TP-AEC
Ameritech/Boston Market	)	Case No. 96-1274-TP-AEC
Ameritech/Alro Steel	)	Case No. 96-1293-TP-AEC
Ameritech/Citizens Banking Co.	)	Case No. 96-1296-TP-AEC
Ameritech/Cutler/Marting Realty	)	Case No. 96-1309-TP-AEC
Ameritech/Rapid Design Service	)	Case No. 96-1346-TP-AEC
Ameritech/Citizens Federal	)	Case No. 96-1347-TP-AEC
Ameritech/Federal Savings Bank	)	Case No. 96-1348-TP-AEC
Ameritech/Longaberger	)	Case No. 96-1368-TP-AEC
Ameritech/Airtouch Cellular	)	Case No. 96-1369-TP-AEC
Ameritech/Seaman Patrick Paper Company	)	Case No. 96-1388-TP-AEC
Ameritech/KinderCare Learning Center	)	Case No. 96-1389-TP-AEC
Ameritech/Venture Industries	)	Case No. 96-1390-TP-AEC
Ameritech/CompuServe Incorporated	)	Case No. 96-1408-TP-AEC
Ameritech/H. Q. Business	)	Case No. 96-1415-TP-AEC
Ameritech/BASF Corp.	)	Case No. 96-1416-TP-AEC
Ameritech/Electronic Data Systems Corp.	)	Case No. 97-21-TP-AEC
Ameritech/Big Bear Stores	)	Case No. 97-22-TP-AEC
Ameritech/Progressive Insurance Agency, Inc.	)	Case No. 97-23-TP-AEC
Ameritech/City of Green	)	Case No. 97-24-TP-AEC
Ameritech/Southwest General Hospital	)	Case No. 97-29-TP-AEC
Ameritech/United Airlines	)	Case No. 97-55-TP-AEC
Ameritech/Grant/Riverside Methodist Hospitals	)	Case No. 97-90-TP-AEC
Ameritech/The Timken Company	)	Case No. 97-91-TP-AEC
Ameritech/Lear Corporation	)	Case No. 97-98-TP-AEC
Ameritech/Lexis-Nexis	)	Case No. 97-133-TP-AEC
Ameritech/Servall Co.	)	Case No. 97-147-TP-AEC
Ameritech/Star Banc Services	)	Case No. 97-150-TP-AEC
Ameritech/Charter One Bank	)	Case No. 97-164-TP-AEC
Ameritech/Young's Environmental Cleanup Inc.	)	Case No. 97-191-TP-AEC

exchange carrier ("ILEC") have been satisfied by the Commission's February 12, 1998 Entry. The competitive local exchange carrier's ("CLEC") concern is especially important for an ILEC controlling 60% of the markets in Ohio, such as Ameritech. Ameritech's application for rehearing on the Commission's February 12, 1998 Entry should be denied for all the good reasons already stated in pleadings and in the Entry.<sup>1</sup> The sheer number of those contracts reinforces the expressed concerns about market control by Ameritech.

Two further comments at this time are appropriate: (1) sophisticated, informed customers may reasonably be heard to claim protection for information which is proprietary to the customer; and (2) whatever level of public disclosure regarding contractual information is set for ILECs must be no less than the disclosure by the CLECs.

Should the Commission be inclined to modify its February 12, 1998 Entry to honor customer requests for non-disclosure of information proprietary to the customer, the Joint Movants encourage the Commission to assure itself that the customer is not merely mouthing the ILECs arguments.

Should the Commission be inclined to modify its February 12, 1998 Entry to permit the ILEC to redact and protect customer name, location, price, and/or term, the CLECs must be allowed to protect their customer information from their competitors at least to the same degree (but preferably to a greater degree than) the ILEC can.

---

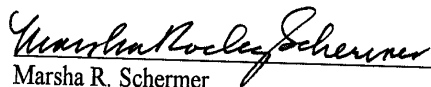
<sup>1</sup> In Ameritech's application for rehearing at page 2 which references the fact that Time Warner was a party in the case which reinstated Ameritech's alternative regulation ("alt. reg.") plan is misleading. The first alt. reg. plan fell to an Ohio Supreme Court decision that the plan had been crafted in the absence of the competitive interests. *Time Warner AxS v. Pub. Util. Comm.*, (1996) 75 Ohio St. 3d 229. The process which got the original plan reinstated, largely as originally written, left the competitors with time and opportunity to address only the most critical and urgent competitive concerns. Those who participated in that process know full well that it cannot be cited as endorsement for details buried within the original alt. reg. plan.

While the Commission may not want to open a COI on this issue, it may wish to call for comment by all interested parties who may not have participated in these AEC dockets.

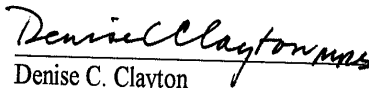
**Conclusion**

The Commission's decision in these cases should be retained as issued on February 12, 1998 and the application for rehearing by Ameritech should be denied. If the Commission determines that it should modify its Entry, additional comments by potentially interested parties should be sought.

Respectfully submitted,



Marsha R. Schermer  
Vice President, Regulatory - Midwest Region  
Time Warner Communications of Ohio, L.P.  
65 E. State Street, Suite. 1800  
Columbus, Ohio 43215  
Telephone: (614) 358-4000



Denise C. Clayton  
NEXTLINK Ohio, L.L.C.  
Two Easton Oval, Suite 300  
Columbus, OH 43219  
Telephone: (614) 416-1109

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the Joint Memorandum Contra of Time Warner Communications of Ohio, L.P. and NEXTLINK Ohio, L.L.C. Ameritech Ohio's Application for Rehearing was served upon the following parties of record in this proceeding, or their counsel of record by ordinary U.S.

Mail, postage prepaid, this 26th day of March, 1998.

  
Marsha R. Schermer

Mark I. Wallach  
James F. Lang  
Calfee, Halter & Griswold LLP  
1400 McDonald Investment Center  
800 Superior Avenue  
Cleveland, OH 44114

Michael T. Mulcahy  
Ameritech Ohio  
45 Erieview Plaza, Room 1441  
Cleveland, OH 44114

Jon F. Kelly, Esq.  
Ameritech Ohio  
150 E. Gay Street, Room 4-C  
Columbus, OH 43215

Benita A. Kahn, Esq.  
Vorys, Sater, Seymour & Pease  
52 East Gay Street  
Columbus, OH 43216-1008