

Rule 4901:1-5-24(A)(2), O.A.C.

This rule needs to be suspended only to the extent it refers to another suspended rule, namely Rule 4901:1-5-26(E), O.A.C.

Rule 4901:1-5-25(A), O.A.C.

This rule needs to be suspended to the extent it would allow toll charges to be included in calculating the amount of deposit required to establish local-only service for nonresidential customers.

Rule 4901:1-5-25(I), O.A.C.

This rule needs to be suspended only to the extent it makes no distinction, as the new policy would, between unpaid charges for local service and unpaid charges for toll service.

Rule 4901:1-5-25(J), O.A.C.

This rule needs to be suspended to the extent it would allow toll charges to be included in calculating the amount of deposit required to establish local-only service for nonresidential customers.

Rule 4901:1-5-26(E), O.A.C.

This rule needs to be suspended to the extent it would allow toll charges to be included in calculating the amount of deposit required to establish local-only service for residential customers.

Rule 4901:1-5-31, O.A.C.

This rule needs to be suspended only to the extent it permits disconnection of local service for nonpayment of toll service.

Rule 4901:1-5-34(C)(3), O.A.C.

This provision mandates that a disconnection notice must inform the subscriber of actions which must be taken in order to avoid disconnection, including the total amount required to be paid. It will not need to be suspended. However, the Commission takes this opportunity to clarify its practical application, considered in conjunction with the new disconnection policy: the total amount required to be paid in order to avoid a local service disconnection would, under our new policy, necessarily entail only outstanding local service charges.

C. Implementation of the New Disconnection Policy

The Commission believes that a grace period of four months seems appropriate in order to provide the affected Ohio telephone industry, as whole, with sufficient time to implement the operational changes which may need to be made in order to ensure compliance with the new disconnection policy. Therefore, the new policy itself, as well as the suspension of the above-listed MTSS provisions, shall become effective on the 120th day after the date of the journalization of this entry. Any entity which finds itself unable to comply with the policy by that date must file in this docket, at least 30 days prior to the effective date of the policy, a formal application for temporary waiver of the policy's application to such entity, along with a statement in support showing good cause for granting such waiver. The Commission will, in this docket, on a case-by-case basis, consider the merits of each such waiver request filed and issue a ruling thereon. No request for permanent waiver shall be considered, and each request for temporary waiver shall include a detailed schedule of the steps which the movant is taking in order to come into compliance with the policy as quickly as possible, as well as the date upon which compliance is expected to be achieved.

VI. ORDER:

It is, therefore,

ORDERED, That, in accordance with the above findings, a new policy regarding disconnection of local telephone service, as fully set forth in the conclusion section of this Finding and Order, is adopted and shall become effective, unless the Commission orders otherwise, upon 120 days of the date of the journalization of this Finding and Order. It is, further,

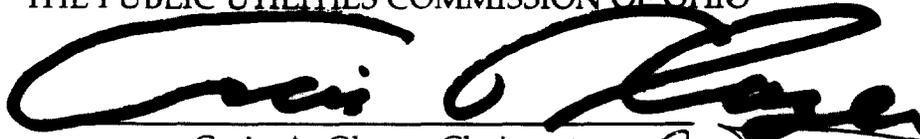
ORDERED, That, in accordance with the above findings, upon the effective date of the new disconnection policy, certain provisions of Chapter 4901:1-5, O.A.C., as set forth in the conclusion section of this Finding and Order, shall be suspended, unless the Commission orders otherwise, pending the completion of the MTSS generic docket. It is, further,

ORDERED, That, in accordance with the above findings, any entity which finds itself unable to comply on a timely basis with the new disconnection policy must file, at least 30 days prior to the effective date of the policy, a formal application for temporary waiver of the policy's application to such entity, along with a statement in support showing good cause for granting such waiver. Each request for temporary waiver shall include a detailed schedule of the steps which the movant is taking in order to come into compliance with the policy as quickly as possible, as well as date upon which compliance is expected to be achieved. It is, further,

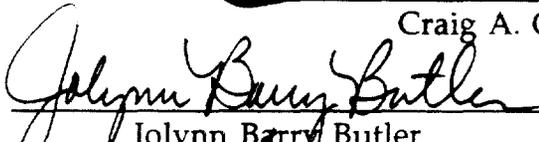
ORDERED, That unless, upon receipt and disposition of a timely waiver request the Commission orders otherwise, this case should be considered closed upon the effective date of the new disconnection policy. It is, further,

ORDERED, That a copy of this entry be served upon all local exchange companies, all interexchange carriers, and all radio common carriers certified to operate in the State of Ohio; the Ohio Telephone Association; the Office of Consumers' Counsel; the Ohio Department of Aging, the Ohio Attorney General, the American Association of Retired Persons, the Ohio Cable Television Association, the Legal Aid Society of Cleveland, the Legal Aid Society of Dayton; the cities of Akron, Cincinnati, Cleveland, Columbus, Dayton, and Toledo; all interested persons of record in Case No. 95-845-TP-COI, and all interested persons of record in Case No. 95-790-TP-COI.

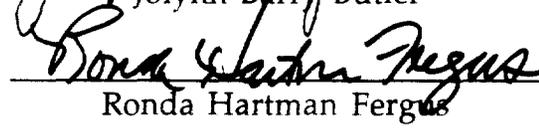
THE PUBLIC UTILITIES COMMISSION OF OHIO



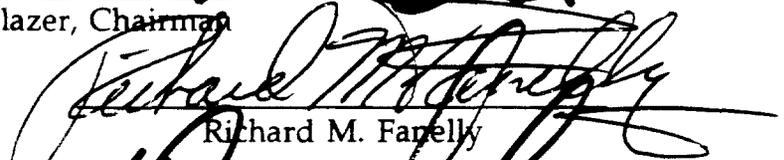
Craig A. Glazer, Chairman



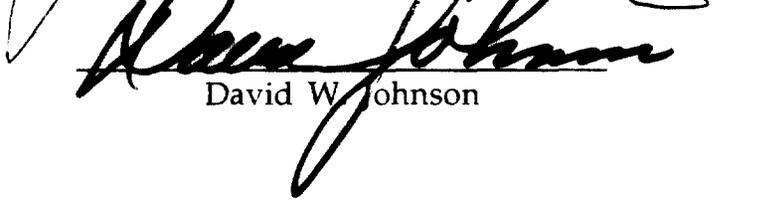
Jolynn Barry Butler



Ronda Hartman Fergus



Richard M. Fanelly



David W. Johnson

DEF/vrh

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A True Copy



Gary E. Vigorito
Secretary