

July 29, 1992

RECEIVED

JUL 29 1992

John G. Alford, Secretary
PA PUBLIC UTILITY COMMISSION
Room B-19, North Office Building
Harrisburg, PA 17120

Public Utility Commission
SECRETARY'S BUREAU
Information Control Division

RE: AT&T Communications of Pennsylvania, Inc. v.
Commonwealth Telephone Company,
Docket No. I-920020C0001

DOCUMENT
FOLDER

Dear Secretary Alford:

Enclosed please find the original and two (2) copies of a Notice of Appearance for filing on behalf of Commonwealth Telephone Company in the above-captioned proceeding. Pursuant to the attached Certificate of Service, all parties of record have been served a copy of this document.

Thank you for your attention to this matter.

Sincerely,

TUCKER ARENSBERG, P.C.

NORMAN JAMES KENNARD

RLS

NJK/saf
ENCLOSURE
ctco.at&t.not

cc: All parties of record

ORIGINAL
ORIGINAL

IN THE COMMONWEALTH OF PENNSYLVANIA
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JUL 29 1992

AT&T COMMUNICATIONS OF :
PENNSYLVANIA, INC. :
 :
v. :
 :
COMMONWEALTH TELEPHONE COMPANY :

Public Utility Commission
SECRETARY'S BUREAU
Information Control Division
Docket No. I-920020C0001

DOCUMENT
FOLDER

NOTICE OF APPEARANCE

Please enter our appearance in the above-designated matter on behalf of the Commonwealth Telephone Company.

We are authorized to accept service on behalf of said participant in this matter. In addition to service upon the undersigned, the Commission and the parties are requested to also serve:

M. Scott Burnside, Vice President
Commonwealth Telephone Company
100 Lake Street
Dallas, PA 18612

On the basis of this notice, we request a copy of each document hereafter issued by the Pennsylvania Public Utility Commission or filed by the parties in this matter.

Respectfully submitted,

DOCKETED
AUG - 4 1992

Norman James Kennard, Esquire
John M. Quain, Esquire
TUCKER ARENSBERG, P.C.
116 Pine Street, Suite 403
Harrisburg, PA 17101
(717) 238-2900

Dated: July 29, 1992

Attorneys for COMMONWEALTH
TELEPHONE COMPANY

IN THE COMMONWEALTH OF PENNSYLVANIA
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

AT&T COMMUNICATIONS OF
PENNSYLVANIA, INC.

v.

COMMONWEALTH TELEPHONE COMPANY

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Docket No. I-920020C0001

CERTIFICATE OF SERVICE

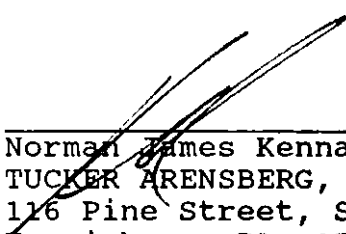
I hereby certify that, on this 28th day of July,
1992, I have served a true and correct copy of the foregoing
document upon the persons set forth below by First Class Mail,
postage prepaid or by hand-delivery (unless service is otherwise
indicated), in accordance with 52 Pa. Code § 1.54:

Honorable George M. Kashi
Administrative Law Judge
PA PUBLIC UTILITY COMMISSION
Room G-8 North Office Building
P.O. Box 3265
Harrisburg, PA 17120

Phillip F. McClelland
OFFICE OF CONSUMER ADVOCATE
1425 Strawberry Square
Harrisburg, PA 17120

OFFICE OF TRIAL STAFF
PA PUBLIC UTILITY COMMISSION
Room 210 North Office Building
P.O. Box 3265
Harrisburg, PA 17120

Mark A. Keffer, Esquire
AT&T COMMUNICATIONS OF PA, INC.
3201 Jermantown Road, 3A2
Fairfax, VA 22030-2885

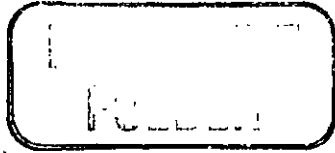

Norman James Kennard, Esquire
TUCKER ARENSBERG, P.C.
116 Pine Street, Suite 403
Harrisburg, PA 17101
(717) 238-2900

Attorneys for COMMONWEALTH
TELEPHONE COMPANY



Mark A. Keffer
Attorney

Room 3A2
3201 Jermantown Road
Fairfax, VA 22030-2885
703 359-4086



August 17, 1992

Mr. John G. Alford, Secretary
Pennsylvania Public Utility Commission
Post Office Box 3265
Harrisburg, Pennsylvania 17105-3265

RECEIVED
AUG 17 1992

Re: Docket No. I-920020C001

Public Utility Commission
SECRETARY'S BUREAU
Information Control Division

Dear Mr. Alford:

Enclosed for filing in the above-cited docket are an original and nine copies of AT&T Communications of Pennsylvania, Inc.'s Response to Commonwealth's Motion to Strike or Dismiss AT&T's Complaint.

Very truly yours,

RLS

Mark A. Keffer
Mark A. Keffer

Enclosures

cc: Service List

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DOCKET
FILED

AT&T Communications of
Pennsylvania, Inc.

Complainant

v.

Commonwealth Telephone Company

Respondent

Docket No. I-920020C001

RECEIVED
AUG 17 1992

SECRETARY'S OFFICE
Public Utility Commission

AUG 20 1992

AT&T'S RESPONSE TO
COMMONWEALTH'S MOTION TO STRIKE
OR DISMISS AT&T'S COMPLAINT

Commonwealth Telephone Company would have the ALJ believe that the purpose of this case is to examine a single, extraordinarily narrow issue, namely, the propriety of Commonwealth's transactions with its affiliates. From that premise, Commonwealth argues that AT&T's complaint against Commonwealth's access charges is misplaced, because (in Commonwealth's view) access charge issues are not related to, or affected by, an investigation of affiliate transactions.

Commonwealth's goal in advancing this narrow view of the case is to convince the ALJ and the parties that this case is not an earnings investigation. The company, however, is wrong. This is an earnings investigation, and has been from the start.

By Order entered April 8, 1992, the Commission stated its concern that "...Commonwealth Telephone Company may have posited an inaccurate earnings position..." and commenced this investigation "...to gather additional information relative to a comprehensive calculation of return on common equity capital." Thereafter, by Order entered July 9, 1992, the Commission expanded the scope of this earnings investigation to include an additional issue, "...the appropriateness of Commonwealth's affiliated transactions, in particular the Parent Corporation Management Service Fees." See Order of July 9, 1992, at 2.

Nowhere in the July 9 Order did the Commission suggest that it now wanted to forego its earnings investigation and instead focus exclusively on Commonwealth's affiliated interests. Instead, the July 9 Order is extremely clear that the affiliated interests investigation is in addition to, and an integral part of, the overall earnings investigation. The order specifies that

...the ALJ should make specific findings regarding the appropriate level of affiliate expenses incurred by Commonwealth. Then the parties should explore all relevant earnings information to determine whether Commonwealth's return (incorporating pro forma adjustments consistent with ratemaking principles) is reasonable in light of existing market conditions, or whether an adjustment is appropriate.

Order of July 9, 1992, at 2, emphasis supplied.

This last point about "whether an adjustment is appropriate" underscores the fact that the Commission envisioned, and sanctioned, rate adjustments in this case. It is a basic tenet

of public utility regulation that if a company's earnings are excessive, the way regulators make an "adjustment" in those earnings is by changing rates.

Thus, when the Commission directed that "the presiding ALJ be, and hereby is, directed to make specific finding of fact concerning Commonwealth's affiliated interest charges and overall earnings" (July 9, 1992 Order at 3, emphasis supplied), the Commission was establishing an overall earnings investigation in which Commonwealth's rates can be adjusted. Commonwealth is wrong to suggest in its opposition to AT&T's complaint that the Commission wants to review Commonwealth's earnings "only if the review of these affiliated transactions reveal irregularities." Mot. to Strike at 2, emphasis in original.

AT&T, of course, has a strong interest in Commonwealth's earnings from its access charges, and in its specific rates for those access services. Given that Commonwealth's access services constitute a large portion of Commonwealth's business, any investigation of Commonwealth's earnings will, by necessity, include close scrutiny of Commonwealth's access earnings and rates. Thus, access issues involve common questions of law and fact that warrant consolidation of AT&T's access complaint with Commonwealth's earnings investigation. While the Commission's rules permit the ALJ to consolidate these cases without a specific motion from AT&T (see 52 Pa. Code Sec. 5.81), to facilitate the process, AT&T hereby moves that its complaint be consolidated with the earnings investigation.

There is also no basis in law for Commonwealth to argue in its motion to strike AT&T's complaint that the Commission has not established an earnings investigation under 66 Pa.C.S.A. Sec. 1309. That section provides, in relevant part, that:

Whenever the commission, after reasonable notice and hearing, upon its own motion or upon complaint, finds that existing rates of a public utility for any service are unjust, unreasonable, or in anywise in violation of any provision of law, the commission shall determine the just and reasonable rates...

Every element of this statute has been met: the Commission's Orders of April 8 and July 9 put Commonwealth on notice that the Commission was going to investigate its earnings; the Commission has clear authority to resolve complaints about specific services, such as AT&T's complaint challenging Commonwealth's access charges. Nothing in the statute requires the Commission to expressly cite this provision of the code whenever it commences an earnings investigation.

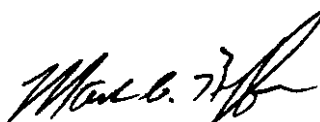
Nor is there any basis for Commonwealth to argue that this case is limited to a "fact finding" under 66 Pa.C.S.A. Sec. 331. Nothing in Section 331 constrains the Commission ability to investigate rates and earnings and, if necessary, to order appropriate changes. Rather, the section grants the Commission extremely broad authority to investigate public utilities, and to assign cases to ALJs. This section is a complement to (rather than in conflict with) Section 1309, which gives the Commission explicit authority to change rates after notice and hearing.

WHEREFORE, for the reasons set forth herein, AT&T Communications of Pennsylvania, Inc. respectfully requests that the ALJ deny Commonwealth's Motion to Strike or Dismiss AT&T's Complaint. As part of the decision, the ALJ should explain to Commonwealth that, in accordance with the Commission's April 8 and July 9 Orders, the scope of this case extends to an investigation of Commonwealth's overall earnings (including its earnings from access services) and any rate adjustments that may be required. Moreover, although the ALJ may do so on his own authority, AT&T respectfully moves that the ALJ consolidate AT&T's access complaint with the earnings investigation.

Respectfully submitted,

AT&T COMMUNICATIONS OF
PENNSYLVANIA, INC.

By its attorneys



Mark A. Keffer
Karlyn D. Stanley

3201 Jermantown Road
Fairfax, Virginia 22030
(703) 359-4086

August 17, 1992

CERTIFICATE OF SERVICE

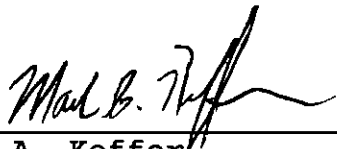
I hereby certify that on this 17th day of August 1992 copies of the foregoing Response of AT&T Communications of Pennsylvania, Inc. to Commonwealth's Motion to Strike or Dismiss AT&T's Complaint have been sent first class mail, postage prepaid, and/or hand delivered to:

Irwin A. Popowsky
Office of Consumer Advocate
1425 Strawberry Square
Harrisburg, PA 17120

Bernard A. Ryan, Jr., Esq.
Office of Small Business
Advocate
City Towers Bldg., Ste. 500B
301 Chestnut Street
Harrisburg, PA 17101

M. Scott Burnside, V. P.
Revenue & Public Affairs
Commonwealth Telephone Company
Box 1000, 100 Lake Street
Dallas, PA 18612

N. J. Kennard, Esq.
J. M. Quain, Esq.
Tucker Arensberg, P.C.
116 Pine St., Suite 403
Harrisburg, PA 17101



Mark A. Keffer

February 25, 1994

VIA HAND DELIVERY

John G. Alford, Secretary
PA Public Utility Commission
Room B-19, North Office Building
Harrisburg, PA 17120

Re: PA Public Utility Commission v. Commonwealth Telephone Company, Docket No. I-00920020 *0000T*

Dear Secretary Alford:

We enclose the original and two (2) copies of a Joint Petition for Settlement of AT&T's Complaint to be filed in the above-captioned matter. As evidenced by the attached Certificate of Service, all parties of record have been served a copy of same.

Thank you for your attention to this matter.

Sincerely,

TUCKER ARENSBERG, P.C.

[Signature]
NORMAN JAMES KENNARD

NJK/dmb
ctco/inv2/filing9.ltr

cc: All Parties of Record

RECEIVED
25 FEB 05 PM 4:27
P.A.U.C.
INFO. CONTROL DIV.

DOCKET
FOLDER

IN THE COMMONWEALTH OF PENNSYLVANIA
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

AT&T COMMUNICATIONS OF
PENNSYLVANIA, INC.

v.

COMMONWEALTH TELEPHONE
COMPANY

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DOCKET NO. I-00920020C001

**JOINT PETITION FOR
SETTLEMENT OF AT&T'S COMPLAINT**

RECEIVED
90 FEB 25 PM 4:27
P. O. BOX 110
INFO. CONTROL DIV.

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Commonwealth Telephone Company ("Commonwealth" or "CTCO") and AT&T Communications of Pennsylvania, Inc. ("AT&T"), join in this Petition For Settlement of AT&T's Complaint ("AT&T Settlement") and hereby respectfully request that the Pennsylvania Public Utility Commission ("Commission"): (1) Approve the Settlement set forth in this Petition; (2) Permit Commonwealth to file the Tariff Supplement attached hereto as Appendix "A" to become effective under the terms of this AT&T Settlement Petition; and (3) Terminate AT&T's Complaint currently docketed at I-920020C001 and mark the record "closed".

DOCKETED
MAR 16 1994
FOLDER

In support of this Settlement Petition, CTCO and AT&T state as follows:

1. Commonwealth is a telephone public utility providing telephone service to the entire Counties of Sullivan and Wyoming and portions of Berks, Bradford, Bucks, Chester, Columbia, Dauphin, Lackawanna, Lancaster, Lehigh, Luzerne, Lycoming, Monroe, Northampton, Schuylkill, Susquehanna, Tioga, and York Counties. This service territory encompasses 5,067 square miles. As of December 31, 1992, Commonwealth provided service to 203,844 main access lines. Of these, 163,305 are residential and 38,584 are business (including company lines). CTCO's operating territory is very rural, containing only 38.8 access lines per square mile (as compared to a Pennsylvania average of 151.0 lines per square mile). The Company's 79 central offices serve an average of 2,500 lines and 65 square miles.

2. The Commission entered an Opinion and Order on July 9, 1992, which directed "a further investigation into the appropriateness of Commonwealth's affiliated transactions" and "all relevant earnings information to determine whether Commonwealth's return...is reasonable...." Order at 2. The matter was assigned to the Office of Administrative Law Judge and the OTS was directed to participate. Id. at 3 (Ordering ¶'s 2 and 3).

3. On June 25, 1992, AT&T filed a formal Complaint, which was docketed at I-920020C001.¹ The relief sought by AT&T in that

¹ Pursuant to the Settlement described herein at Paragraph 5 and the Commission approval thereof, AT&T's Complaint was to have been severed from the Commission's investigative docket and re-

complaint was a reduction in the tariffed rates it pays to CTCO for access services. By timely Motion filed July 29, 1992, CTCO moved to strike or dismiss the Complaint of AT&T on the grounds that it raised issues outside the scope of the Commission's investigation and requested relief not available in the proceeding. By Order dated December 18, 1992, the presiding Administrative Law Judge ("ALJ") denied CTCO's Motion. AT&T's Complaint was consolidated with the instant proceeding.

4. On October 18, 1993, CTCO, the Office of Consumer Advocate ("OCA") and the Office of Trial Staff ("OTS") filed a Joint Petition for Settlement of Investigation ("Investigation Settlement"), which is incorporated herein by reference. AT&T was not a signatory party. The Investigation Settlement provided, with respect to AT&T's Complaint, that AT&T could elect a capped CCL rate of \$3.52 per access line per month or, failing this option, that AT&T's Complaint be severed from the Investigation and heard separately. Investigation Settlement at ¶ 16. In the event that AT&T did not choose a capped CCL charge, then the \$335,000 in associated revenue reduction would be given to "other ratepayers". Investigation Settlement at ¶ 12(b).

5. The Commission unanimously approved the Investigation Settlement in its entirety, upon the Motion of Chairman Rolka, at

docketed. However, due to the recent entry of the Order approving the Investigation Settlement, CTCO and AT&T have not been advised as to the new docket number and, therefore, this filing utilizes the "I-Docket" reference.

Public Meeting of January 6, 1994. Opinion and Order entered February 23, 1994.

6. Since that time, CTCO and AT&T have discussed the possibility of settling AT&T's Complaint and have reached the settlement memorialized herein. They are in full agreement that this proposed settlement is in the best interests of themselves and their respective customers.

7. The terms and conditions of this AT&T Settlement Petition are as set forth below:

- (a) The terms and conditions of the Investigation Settlement, including but not limited to Paragraph 12 thereof, are expressly made a part hereof and are binding upon the parties hereto. The term "Joint Petitioners" as used in the Investigation Settlement shall be construed so as to expressly include and bind AT&T. Further, the final sentence of Paragraph 12(h) of the Investigation Settlement, which references the OCA and OTS, and Paragraph 12(i), which references the OCA, shall be construed as to also expressly include and bind AT&T to the terms thereof. Nothing herein, however, shall limit AT&T's participation in an investigation of a CTCO filing under Chapter 30 (66 Pa.C.S.A. § 3006);
- (b) CTCO shall implement an access charge cap of carrier common line ("CCL") charge of \$3.50 per line per month effective for service rendered on the first day beginning the next calendar month after entry of an Order by the Commission approving this Settlement. A Tariff Supplement which accomplishes this reduction and capping of the CCL charge is attached hereto as Appendix "A". This resolution fully satisfies the terms of the Investigation Settlement at Paragraph 12(b) and, therefore, no further amount of rate reduction shall be flowed back to any ratepayers under either Paragraph 12(b) of the Investigation Settlement or this AT&T Settlement. CTCO and AT&T have solicited letters of support endorsing this resolution from the OCA and OTS, which they have agreed to provide and which are filed with the Commission under separate cover letter and attached hereto; and

- (c) AT&T's Complaint currently docketed at I-920020C001 shall be deemed withdrawn upon approval of this Settlement.

8. AT&T and CTCO agree that the rates contained in Appendix "A" hereto are in the public interest. Joint Petitioners agree further that the proposed Settlement is in the public interest for the following reasons:

- (a) The settlement results in a decrease of approximately \$346,000 in CTCO's on-going, annual jurisdictional net operating revenues, an amount in excess of the \$335,000 reduction which was contemplated by the Investigation Settlement (§ 12(b)).
- (b) The terms of the Investigation, as previously approved by this Commission, are preserved and finalized.
- (c) This Settlement avoids protracted litigation and the related expense to the parties, the Commission and CTCO's ratepayers.

9. The Settlement is proposed by CTCO and AT&T to settle the instant case and is made without any admission against, or prejudice to, any position which either of them might adopt during litigation of this proceeding or any other proceeding, except as expressly set forth herein. The Commission's approval of this Settlement shall not be construed as binding or persuasive precedent in any other Commission proceeding or in any appeal from a Commission proceeding, except to the extent required to effectuate the terms and conditions of the Settlement in this and future proceedings involving CTCO. The Settlement is conditioned upon the Commission's approval of all the terms and conditions contained herein without modification or amendment, except to the extent outlined herein below. It is expressly understood by CTCO

and AT&T that this Settlement is conditional and shall have no force and effect unless accepted and adopted in its entirety by the Commission, except that this paragraph shall be effective regardless of whether the Settlement is accepted and adopted by the Commission. Either party may withdraw from the Settlement and proceed with litigation of this proceeding if the Commission does not approve all of the terms and conditions of the Settlement or alters or amends any of the terms and conditions of the Settlement. If the Commission disapproves any portion of the Settlement or modifies any term or provision thereof, then, in order to withdraw from the Settlement, a party hereto must file with the Commission, and serve upon all parties, a statement that such party is withdrawing from the Settlement within five (5) business days after the Commission enters an Order rejecting or modifying any term or condition of the Settlement.

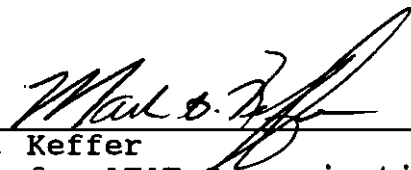
10. If the Commission does not approve this AT&T Settlement and the proceeding continues to further hearings, CTCO and AT&T preserve their respective rights to proceed to full hearings, including the right to submit further testimony as well as to conduct full cross-examination, briefing and argument, which rights are waived in reliance upon Commission acceptance of the Settlement.

WHEREFORE, CTCO and AT&T, by their duly authorized representatives, respectfully request that this Commission enter an Order which:

- (a) Authorizes Commonwealth Telephone Company to file a tariff in the form of Appendix "A" hereto, to become effective for service rendered on and after the first day beginning the next calendar month after entry of an Order by the Commission approving this Settlement; and
- (b) Fully approves and adopts all other terms and conditions contained herein.

Respectfully submitted,

A&T COMMUNICATIONS OF PENNSYLVANIA,
INC.

By: 
Mark A. Keffer
Counsel for AT&T Communications of
Pennsylvania, Inc.

COMMONWEALTH TELEPHONE COMPANY

By: 
Norman James Kennard
Counsel for Commonwealth Telephone
Company

Submitted: February 25, 1994

PENNSYLVANIA INDEPENDENT
TELEPHONE ASSOCIATION

Ninth Revised Page 118C
Cancels Eighth Revised Page 118C

ACCESS SERVICE

3. Carrier Common Line Access Service (cont'd)

3.8 Rates and Charges (cont'd)

The carrier common line access element shall no longer be applicable to Interexchange Carriers for the provision of InterLATA access service. The following Carrier Common Line Access, per line, per month, charge will apply:

ALL TEL PENNSYLVANIA, INC.	\$2.05
ARMSTRONG TELEPHONE COMPANY NORTH	2.96
THE BENTLEYVILLE TELEPHONE COMPANY	1.01
BREEZEWOOD TELEPHONE COMPANY	6.25
CANTON TELEPHONE COMPANY	2.74
CITIZENS TELEPHONE COMPANY OF KECKSBURG	1.42
CITIZENS UTILITIES COMPANY OF PA	5.73
COMMONWEALTH TELEPHONE COMPANY	3.50 (D)
CONESTOGA TELEPHONE & TELEGRAPH COMPANY	2.25
DENVER AND EPHRATA TELEPHONE AND TELEGRAPH CO	3.45
ENTERPRISE TELEPHONE COMPANY	4.00
IRONTON TELEPHONE COMPANY	2.88
LAKWOOD TELEPHONE COMPANY	2.98
MAHANoy & MAHANTANGO TELEPHONE COMPANY	5.13
THE MURRAYSVILLE TELEPHONE COMPANY	1.64
NORTH-EASTERN PA TELEPHONE COMPANY	1.57
NORTH PENN TELEPHONE COMPANY	7.85
NORTH PITTSBURGH TELEPHONE COMPANY	2.49
OSWAYO RIVER TELEPHONE COMPANY	7.21
PALMERTON TELEPHONE COMPANY	8.57
PYMATUNING INDEPENDENT TELEPHONE COMPANY	1.88
SUGAR VALLEY TELEPHONE COMPANY	3.18
VENUS TELEPHONE CORPORATION	7.62
YUKON WALTZ TELEPHONE COMPANY	1.65

(D) Indicates Decrease

Issued:

Effective:



OFFICE OF CONSUMER ADVOCATE
1425 Strawberry Square
Harrisburg, Pennsylvania 17120

IRWIN A. POPOWSKY
Consumer Advocate

(717) 783-5048

February 24, 1994

John G. Alford, Secretary
PA Public Utility Commission
Room G-18, North Office Bldg.
Harrisburg, PA 17120

Re: Settlement of AT&T and CTCO
Docket No. I-00920020

Dear Secretary Alford:

The Office of Consumer Advocate ("OCA") agrees that the terms and conditions of the Joint Petition for Settlement of AT&T's Complaint are in the public interest and should be approved by the PUC. The proposed Petition for Settlement of AT&T's Complaint provides a reasonable resolution to AT&T's Complaint. In addition, as set forth in the Joint Petition for Settlement between Commonwealth Telephone Company ("Commonwealth"), Office of Trial Staff, and OCA (Investigation Settlement) filed October 18, 1993, the capping of Commonwealth's common carrier line charges contributes to the overall reasonable resolution of the Commission's investigation at Docket No. I-00920020. OCA also agrees that this resolution fully satisfies the terms of the Investigation Settlement at Paragraphs 12(b) and 16.

Sincerely yours,

Mark Shostak

Mark J. Shostak
Assistant Consumer Advocate

cc: Norman James Kennard
Carol F. Pennington
Mark Keffer



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P O BOX 3265, HARRISBURG, Pa. 17105-3265

February 25, 1994

IN REPLY PLEASE
REFER TO OUR FILE

John G. Alford, Secretary
Pa. Public Utility Commission
Post Office Box 3265
Harrisburg, PA 17105-3265

Re: Settlement of AT&T Complaint
Against Commonwealth Telephone
Company; I-00920020

Dear Secretary Alford:

The Office of Trial Staff ("OTS") of the Pennsylvania Public Utility Commission ("Commission") agrees that the terms and conditions of the Joint Petition For Settlement of AT&T's Complaint ("Joint Petition") to be filed in the above-captioned matter, are in the public interest and should be approved. This Joint Petition, and the letters in support filed by OTS and the Office of Consumer Advocate, fulfill the requirements of the Commission Order entered in this matter on February 23, 1994, with respect to paragraphs 12(b) and 16 of the Joint Petition For Settlement of Investigation at Docket No. I-00920020, approved by the Commission.

Very truly yours,

Kandace F. Melillo

Kandace F. Melillo
Prosecutor
Office of Trial Staff

KFM:gdp

cc: Parties of Record

CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing document(s), either personally, by facsimile, by first class and/or by Overnight/Express mail, upon the persons addressed below:

Honorable George M. Kashi
Administrative Law Judge
Pa. Public Utility Commission
608 North Office Building
Post Office Box 3265
Harrisburg, PA 17105-3265

Norman James Kennard, Esquire
Tucker Arensberg, P.C.
116 Pine Street, Suite 403
Harrisburg, PA 17101

Scott Burnside, Vice President
Regulatory and Public Affairs
Commonwealth Telephone Company
100 Lake Street
Dallas, PA 18612

Phillip F. McClelland, Esq.
Assistant Consumer Advocate
Office of Consumer Advocate
1425 Strawberry Square
Harrisburg, PA 17120

Mark A. Keffer, Attorney
AT&T Communications of PA
Room 3-D
3033 Chain Bridge Road
Oakton, VA 22185

Mr. Thomas S. Catlin, Vice Pres.
Exeter Associates
10801 Lockwood Drive
Silver Spring, MD 20901

Kandace F. Melillo
Kandace F. Melillo
Prosecutor - Office of Trial Staff
Pennsylvania Public Utility Commission

Date: February 25, 1994

I-00920020

IN THE COMMONWEALTH OF PENNSYLVANIA
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY :
COMMISSION :
v. : DOCKET NO. I-00920020 *COO01*
COMMONWEALTH TELEPHONE COMPANY :

CERTIFICATE OF SERVICE

I hereby certify that, on this 25th day of February, 1994, I have served a true and correct copy of the foregoing document upon the persons set forth below by First Class Mail, postage prepaid or by hand-delivery (unless service is otherwise indicated), in accordance with 52 Pa. Code § 1.54:

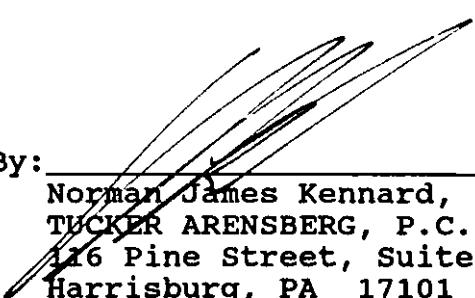
The Honorable George M. Kashi
Administrative Law Judge
Room G08
PA Public Utility Commission
Harrisburg, PA 17105-3265

Kandace F. Melillo, Esquire
Carol F. Pennington, Esquire
Office of Trial Staff
Pitnick Building, Third Floor
P.O. Box 3265
Harrisburg, PA 17105-3265

Philip F. McClelland, Esquire
Office of Consumer Advocate
1425 Strawberry Square
Harrisburg, PA 17120

Mark Keffer, Esquire
AT&T Communications of PA, Inc.
Third Floor
3201 Jermantown Road
Fairfax, VA 22030-2885

RECEIVED
FEB 25 1994
SECRETARY'S OFFICE
Public Utility Commission

By: 
Norman James Kennard, Esquire
TUCKER ARENSBERG, P.C.
116 Pine Street, Suite 403
Harrisburg, PA 17101
(717) 238-2900

Attorneys for COMMONWEALTH
TELEPHONE COMPANY