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October 26, 2015

Via E-Filing

Ms. Barcy F. McNeal, Secretary
Public Utilities Commission of Ohio
180 Broad Street
Columbus, OH 43215

**Re: *In the Matter of the Commission's Review of Ohio Adm. Code Chapter 4901:1-6,
Telephone Company Procedures and Standards***
PUCO Case No. 14-1554-TP-ORD

Dear Ms. McNeal:

I write to underscore Verizon's¹ support for the comments the Ohio Telecommunications Association ("OTA") is filing today in the above-referenced rulemaking.

As noted in OTA's comments, the draft rules accompanying the Commission's September 23, 2015 Entry exceed the statutory authority conferred on the Commission by Amended Substitute House Bill 64 of the 131st Ohio General Assembly ("HB 64") in several significant ways. As drafted, the regulatory overreach reflected in the rules would undermine the General Assembly's intent to promote the smooth transition to Internet Protocol networks and stimulate competition and investment in Ohio.

For example, the definition of "willing provider" in proposed rule 4901:1-6-01(QQ), O.A.C. does not incorporate the critical concept of "*willingness*" to serve. HB 64 does not authorize the Commission to compel every carrier that merely "offers" reasonable and affordably-priced voice service to a residential customer affected by an incumbent local exchange carrier's ("ILEC") withdrawal or abandonment of basic local exchange service ("BLES") to serve as a "willing provider." By definition, a "willing provider" must be affirmatively "willing" to undertake such responsibility. Yet, the proposed rule would designate a "willing provider" by regulatory fiat, without that provider's affirmative and express agreement. This will not promote the transition to new networks or promote competition; rather, it will dissuade providers from offering in Ohio services today's customers demand for fear of being saddled with new regulatory obligations.

¹ MCI metro Access Transmission Services LLC d/b/a Verizon Access Transmission Services; MCI Communications Services, Inc. d/b/a Verizon Business Services; and Cellco Partnership d/b/a Verizon Wireless and its affiliates doing business in Ohio (together, "Verizon").

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In another example of overreach, the proposed rules impermissibly seek to extend HB 64's requirements for an *ILEC's* withdrawal or abandonment of *BLES* to *all* "willing providers" offering "voice service;" *all* interconnected Voice over Internet Protocol ("VoIP") providers; and *all* entities offering telecommunications services provided via technologies not currently in existence. *See, e.g.*, Proposed Rules 4901:1-6-02(C) & (D); 4901:1-6-07(A) & (C); and 4901:1-6-21, O.A.C. The rules would impermissibly create and impose what amount to new "carrier of last resort" requirements on providers that have never been subject to them, scuttling carriers' potential amenability to serve as a "willing provider." New R.C. 4927.10 addresses only an *ILEC's* withdrawal or abandonment of *BLES*, and does not authorize the Commission to regulate the withdrawal or abandonment of *other* services by *other* types of providers. Similarly, Proposed Rules 4901:1-6-21(I) and (J) would improperly impose various reporting and assessment obligations on all "willing providers," including providers not subject to those requirements under Ohio law. HB 64 does not authorize this either.

OTA's comments detail additional concerns with the proposed rules and offer revised language to address them. Verizon supports the OTA comments and the revised rule language OTA proposes.

Verizon greatly appreciates the Commission providing the opportunity for public comment.

Very truly yours,

/s/ David Vehslage

David Vehslage

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

10/26/2015 9:16:04 AM

in

Case No(s). 14-1554-TP-ORD

Summary: Comments Letter of Verizon in Support of Comments of Ohio Telecommunications Association electronically filed by Deborah Kuhn on behalf of MCI Communications Services, Inc. dba Verizon Business Services and MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services and Cellco Partnership d/b/a Verizon Wireless and David Vehslage