

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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

**COMMENTS ON PROPOSED RULES THAT WOULD ALLOW TELEPHONE
COMPANIES TO TERMINATE BASIC SERVICE TO OHIO CONSUMERS**

**BY
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I. INTRODUCTION

This proceeding involves the necessary consumer protections for Ohioans who may lose their basic local exchange service when their telephone company seeks to abandon that service. Amended Substitute House Bill 64 (“Am. Sub. HB 64”), the budget bill enacted earlier this year, included several amendments to Ohio’s telecommunications law. Most notably, Am. Sub. HB 64 enacted a process for local telephone companies to withdraw or abandon basic local telephone service provided to residential customers under certain conditions.¹

Uncodified Section 363.30 of Am. Sub. HB 64 requires the Public Utilities Commission of Ohio (“PUCO”) to complete a rulemaking implementing the new telecommunications provisions within 180 days after the provisions’ effective date. The

¹ The process is contained in new R.C. 4927.10 enacted in Am. Sub. HB 64.

PUCO is considering the implementation of Am. Sub. HB 64 along with its five-year review of its existing telephone rules.² In an Entry issued on September 23, 2015, the PUCO asked for comments on the PUCO Staff’s draft rules to implement the telephone provisions of Am. Sub. HB 64.

In response to the Entry, Edgemont Neighborhood Coalition,³ Legal Aid Society of Southwest Ohio LLC,⁴ the Office of the Ohio Consumers’ Counsel (“OCC”),⁵ Ohio Poverty Law Center,⁶ Pro Seniors, Inc.,⁷ and Southeastern Ohio Legal Services⁸ (collectively, “Consumer Groups”) file these Comments. The PUCO should implement a balanced process that protects consumers when telephone companies seek to abandon or withdraw basic service provided to residential customers.

² See Entry (August 12, 2015) at 1.

³ Edgemont Neighborhood Coalition is a non-profit, charitable organization in Dayton that provides a variety of services to Edgemont residents, and works to expand education and economic opportunities and improve the quality of life for all residents of the neighborhood.

⁴ The Legal Aid Society of Southwest Ohio LLC provides legal representation, information, advice and referral for lower-income residents of Brown, Butler, Clermont, Clinton, Hamilton, Highland, and Warren Counties.

⁵ OCC is the state representative of Ohio’s residential utility customers. See R.C. Chapter 4911.

⁶ The Ohio Poverty Law Center is a nonprofit law office that pursues statewide policy and systemic advocacy to expand, protect, and enforce the legal rights of low-income Ohioans.

⁷ Pro Seniors, Inc. is a non-profit organization that provides free legal and long-term care advice and information to older adults, many of whom will be affected by the new rules.

⁸ Southeastern Ohio Legal Services gives legal help without attorney fees to residents of Southeast Ohio with low income and limited savings and assets.

II. COMMENTS

A. Summary

Am. Sub. HB 64 gives basic service customers little time – a mere 30 days after receiving notice that their service will end⁹ – to determine their options and to file a petition at the PUCO if no reasonable and comparatively priced alternatives are available to them. Unlike telephone companies, most consumers are not experienced with PUCO processes and do not have the money to hire lawyers to provide assistance to them. Further, the telephone company – not consumers – is initiating the discontinuance of basic service, and thus the proposed end of basic service may come as a surprise to many customers. But it's customers who will likely have to pay more for their telephone service with fewer consumer protections after their telephone company abandons basic service.

Telephone companies, not consumers, gain advantages from discontinuing consumers' basic service. Hence the PUCO's process for telephone companies to discontinue basic service should focus on ensuring balance for protecting and empowering consumers who will lose basic service through no fault of their own.¹⁰

Although R.C. 4927.10 specifies the timeframes for discontinuing basic service after the telephone company notifies its customers and the PUCO, the law does not include specifics for the notice and the petition process. The PUCO thus has wide

⁹ R.C. 4927.10(A)(1) requires telephone companies to notify customers 120 days before basic service will end. Under R.C. 4927.10(B), the deadline for customers who have no reasonable and comparatively priced alternative service available to them at their residence to file a petition at the PUCO is 90 days before basic service will be discontinued. This gives customers 30 days to act after receiving the notice from their telephone company.

¹⁰ Many basic service customers will likely be upsold to the incumbent's bundles. And others will likely give up their landline service altogether.

latitude in creating the specifics of the process. The PUCO should adopt a process that gives consumers ample notice (including the use of electronic mass media advertising) of the impending loss of their basic service. The notice to customers should also provide them with essential information in a conspicuous manner. In addition, customers who can find no reasonable and comparably priced alternative service should not have to file a formal petition. Instead, such customers should be allowed to notify the PUCO by a variety of means, including but not limited to United States Mail and electronic mail. Further, the process should account for and give protection to customers who did not receive the full 120 days' notice due to circumstances beyond their control (e.g., because they were hospitalized or were living elsewhere).

By and large, the PUCO Staff's proposed rules recognize that Ohioans need special protections when their telephone company withdraws their basic service. The Consumer Groups are grateful to the PUCO Staff for proposing these protections. As shown in these Comments, however, more protections are needed. Where the Consumer Groups recommend particular changes, deletions of language in a proposed rule will be shown with strikethroughs and additions to a proposed rule will be shown as all caps and underlined.¹¹ Further, a redlined version of the draft rules showing the Consumer Groups' proposed changes is attached to these Comments.

B. Customers should be given ample notice that their basic service will terminate.

R.C. 4927.10 requires telephone companies that have met the statutory criteria for abandoning basic service to notify customers that their basic service will end in 120 days.

¹¹ In these Comments, a draft rule will be referenced as "Proposed Rule ____." Failure to address any specific rule should not be deemed to be assent to the draft rule.

But the law does not specify the contents or the kinds of notice that companies must give. The draft rules require two types of notice to customers: (1) direct notice, either by U.S. Mail or email with the customer's consent;¹² and (2) newspaper advertising that is not in the section reserved for legal notices.¹³

While the draft rules are a step in the right direction, they do not specify the contents of notices. The notice requirements in the draft rules are also insufficient to provide customers with adequate notification, given that customers have only 30 days to determine if they have a reasonable and comparatively priced alternative service available and to petition the PUCO if they do not. Customers who are about to lose their basic service, through abandonment by their telephone company, need to receive detailed notices through a variety of means. The PUCO should improve upon the draft rules.

- 1. The contents of U.S. Mail and email notices to customers should conspicuously inform customers that their basic service is about to end, should clearly inform customers of the deadlines for finding reasonable and comparatively priced alternative services, and should give explicit information regarding how a customer may file a petition at the PUCO.**

The draft rules contain several provisions regarding notice to customers that their basic service or voice service will end within 120 days from the date of the notice. Proposed Rule 7(C) requires that the 120-day notice to customers “must explain how the customer is directly impacted by the application and any customer action necessary as

¹² See Proposed Rule 7(C).

¹³ See Proposed Rule 21(A)(3). Proposed Rule 21(B)(2) contains a similar requirement for incumbent carriers and willing providers seeking to withdraw voice service.

result of the application. The notice shall be provided via direct mail or, if the customer consents, via electronic means.”¹⁴

Proposed Rule 21(A)(2) would require an incumbent carrier that is seeking to abandon basic service or voice service to file a copy of the notice sent to all affected customers notifying them of the need to find an alternative provider. Proposed Rule 21(B)(1) places the same requirement on an incumbent carrier or willing provider seeking to discontinue voice service. These rules require that the notice “shall provide the affected customers with the commission’s toll-free telephone number and website address for additional information regarding the application and filing of a petition.” But that is the limit of what the draft rules require to be in notices to customers whose telephone company is about to stop providing basic service.

To protect consumers, notices sent to them when their carriers are seeking to abandon basic service should provide more information. Direct mail and email notices to customers should clearly and conspicuously state that customers’ basic service is about to end. Statements that basic service will end “within 120 days” or “120 days from now” should not be used, because they do not provide the specificity necessary for customers to understand when their service will be discontinued. Similarly, notices should not tell customers that they must file a petition at the PUCO “no later than 90 days before service will be terminated” if they have no reasonable or comparatively priced telephone service available at their residences. Not only would such language require customers to calculate the deadline for filing a petition at the PUCO, it also may give consumers the false impression that they have 90 days from the date of the notice to let the PUCO know

¹⁴ See additional comment in Section D below.

they need assistance in finding a reasonable or comparatively priced telephone service at their homes.

Instead, correspondence to customers should include the exact date that basic service will end (e.g., “February 17, 2016”) and the exact date by which the customer must petition the PUCO if no reasonable and comparatively priced alternatives are available at the customer’s residence (e.g., “November 19, 2015”). The outside of the U.S. Mail envelope and the subject line of email notices should explicitly state that the customer’s basic service will end, the date service will end, and the date by which the customer must file a petition at the PUCO. U.S. mail notices to customers should use no less than 12-point type. Within the body of U.S. Mail and email notices, the exact date service will be discontinued and the exact date the customer must petition the PUCO should both be bolded and in larger type than the rest of the notice.

In addition, the requirements of the 120-day notice to customers should be in one rule instead of two, as proposed in the draft rules. This would add clarity to the PUCO’s rules for consumers’ benefit. All requirements for the 120-day notice to customers should be placed in Rule 7(C). The Consumer Groups recommend the following changes to Rule 7(C).

(1) For withdrawal of BLES or voice service by an ILEC or OR VOICE SERVICE BY AN ILEC OR A willing provider, the ILEC or willing provider shall provide at least one hundred and twenty days advance notice to its affected customers in, accordance with rule 4901:1-6-21 of the Administrative Code. The notice must explain how the customer is directly impacted by the application and any customer action necessary as result of the application.

(2) THE NOTICE DESCRIBED IN PARAGRAPH (1) OF THIS SECTION SHALL INCLUDE ALL OF THE FOLLOWING:

(a) THE EXACT DATE (I.E., MONTH, DAY AND YEAR) THAT THE ILEC WILL NO LONGER OFFER BLES OR VOICE SERVICE IN THE CUSTOMER'S EXCHANGE;

(b) THE EXACT DATE BY WHICH THE CUSTOMER MUST PETITION THE COMMISSION IF NO REASONABLE AND COMPARATIVELY PRICED ALTERNATIVES TO THE TELEPHONE COMPANY'S BASIC SERVICE ARE AVAILABLE AT THE CUSTOMER'S RESIDENCE; AND

(c) THE COMMISSION'S TOLL-FREE TELEPHONE NUMBER AND WEBSITE ADDRESS FOR ADDITIONAL INFORMATION REGARDING THE APPLICATION AND FILING OF A PETITION.

(3) The notice shall be provided via direct UNITED STATES Mail or, if the customer consents, via electronic MAIL means. THE OUTSIDE OF U.S. MAIL ENVELOPES AND THE SUBJECT LINE OF ELECTRONIC MAIL NOTICES MUST EXPLICITLY STATE THAT THE CUSTOMER'S BASIC SERVICE WILL END, AND MUST GIVE THE EXACT DATE SERVICE WILL END AND THE EXACT DATE BY WHICH THE CUSTOMER MUST FILE A PETITION AT THE COMMISSION. NOTICES THAT ARE MAILED TO CUSTOMERS MUST USE NO LESS THAN 12-POINT TYPE. WITHIN THE BODY OF U.S. MAIL AND ELECTRONIC MAIL NOTICES, THE EXACT DATE SERVICE WILL BE DISCONTINUED AND THE EXACT DATE THE CUSTOMER MUST FILE A PETITION WITH THE COMMISSION MUST BE BOTH BOLDED AND IN LARGER TYPE THAN THE REST OF THE NOTICE.

In addition to the changes discussed above, the following changes to Proposed

Rules 21(A)(2) and 21(B)(1) should be made:

A copy of the notice REQUIRED BY RULE 4901:1-7(C) sent to all affected customers identifying all potential willing providers and notifying those affected customers unable to obtain reasonable and comparatively priced voice service of the customers' right to file a petition with the commission. ~~The notice shall provide the affected customers with the commission's toll-free telephone number and website address for additional information regarding the application and filing of a petition. For purposes of rule 4901:1-6-21 of the administrative code, "affected customers" means any customer of BLES or voice service.~~

2. The PUCO's computation of time rules should apply to notices sent to customers via U.S. Mail.

If a telephone company uses U.S. Mail to deliver the notice to customers, the 30 days for customers to find reasonable and comparatively priced alternative service should start three days after the telephone company mails the notice to customers. This is consistent with Ohio Adm. Code 4901-1-07(B), which states, “[w]henever a party is permitted or required to take some action within a prescribed period of time after a pleading or other paper is served upon him or her and service is made by mail, three days shall be added to the prescribed period of time.”

Also, Ohio Adm. Code 4901-1-07(C) should apply: “Whenever a party is permitted or required to take some action within a prescribed period of time after a pleading or other paper is served upon him or her and service is made by personal, facsimile transmission, or electronic message (e-mail) service and is completed after five thirty p.m., one day shall be added to the prescribed period of time. The applicable time zone is the time zone where the recipient is located, but it may not be earlier than the actual close of the commission offices.”

3. Mass media notices to customers should include electronic media advertising.

Mailed notice – even with the improvements proposed above – may not be enough to get consumers’ attention that they must act within 30 days in order to avoid losing telephone service. Mailed notices can be mistaken for junk mail and thrown away without being read. Email notices may be intercepted by the recipient’s spam detectors. Telephone companies seeking to abandon basic service should be required to inform customers in ways in addition to mailed notices.

The PUCO should require telephone companies seeking to abandon basic service to also notify customers through mass media advertising. In the draft rules, the PUCO Staff has proposed that, concurrently with the application, a telephone company seeking to abandon basic service must publish a one-time notice in a newspaper of general circulation in the area where basic service is to be eliminated.¹⁵ The Consumer Groups commend the PUCO Staff for responding favorably to suggestions made at the workshop.¹⁶ The rules, however, should specify that notices published in newspapers be located in the newspapers' most-read sections, which are usually the front section or the local news section.¹⁷

The PUCO should also require additional means of mass media advertising to inform customers that their basic service will soon end. Newspaper circulation has declined by nearly 25 percent over the past decade.¹⁸ The PUCO should not rely solely on newspaper advertising to make customers aware that their basic service will no longer be available. In addition to newspaper advertising, telephone companies should be required to inform customers through advertising on local radio and television stations in the exchange(s) affected by the application. The advertising should also be in programming most likely to be heard or watched by the affected customers and their families.

¹⁵ Proposed Rule 21(A)(3). See also Proposed Rule 21(B)(2) regarding an incumbent carrier or willing provider seeking to withdraw voice service. These Proposed Rules use the term "non-Legal section" of the newspaper, which is ambiguous. The Consumer Groups suggest other language, as discussed below.

¹⁶ See Transcript of workshop held on August 26, 2015, docketed September 10, 2015 at 10-19.

¹⁷ See National Newspaper Association 2011 Daily Section Readership (available at <http://www.naa.org/Trends-and-Numbers/Readership/Readership-Archives.aspx>).

¹⁸ Daily circulation decreased from 53,345,000 in 2005 to 40,420,000 in 2014. During the same period, Sunday circulation decreased from 55,270,000 to 42,751,000. Source: Editor and Publisher International Yearbook (accessible at <http://www.naa.org/Trends-and-Numbers/Circulation-Volume/Newspaper-Circulation-Volume.aspx>).

The mass media advertising used to alert customers that their basic service will be terminated should be straight-forward and clear. The newspaper and broadcast copy should include all the following:

- The name(s) of the exchange(s) affected by the application to abandon basic service.
- A statement that the telephone company will end basic telephone service in the exchange(s) on the date basic service is to be abandoned.
- A statement informing customers that they must determine whether they will have a reasonable and comparatively priced alternative service available to them at their residence on the date basic service will be abandoned.
- The date by which customers who cannot find a reasonable and comparatively priced alternative service available to them at their residence must contact the PUCO.
- A statement listing the willing provider(s) the telephone company filed with the application.
- The PUCO's telephone number and website address.
- The case number of the application to abandon the affected customers' basic service.

As in the previous section, the Consumer Groups suggest moving portions of Proposed Rule 21 to Proposed Rule 7(C). The following additional changes should be made to Proposed Rule 7(C):

(4) IN ADDITION TO THE NOTICE DESCRIBED IN PARAGRAPH (1) OF THIS SECTION, THE ILEC OR WILLING PROVIDER SHALL PUBLISH THE FOLLOWING NOTICE:

“ATTENTION BASIC TELEPHONE SERVICE CUSTOMERS IN THE _____ EXCHANGE(S). [NAME OF TELEPHONE COMPANY] WILL END BASIC TELEPHONE SERVICE IN YOUR EXCHANGE ON [DATE]. YOU MUST DETERMINE BY [DATE] WHETHER YOU HAVE A REASONABLE AND COMPARATIVELY PRICED ALTERNATIVE SERVICE

AVAILABLE TO YOU AT YOUR RESIDENCE. THE WILLING PROVIDER(S) OF ALTERNATIVE SERVICE IN YOUR AREA ARE: [NAME(S) OF PROVIDER(S)]. IF YOU CANNOT FIND A REASONABLE AND COMPARATIVELY PRICED ALTERNATIVE SERVICE AVAILABLE TO YOU AT YOUR RESIDENCE, YOU MUST LET THE PUBLIC UTILITIES COMMISSION OF OHIO KNOW BY [DATE]. TO CONTACT THE PUBLIC UTILITIES COMMISSION OF OHIO, CALL 1-800-686-7826 OR VISIT THE PUCO'S WEBSITE AT WWW.PUCO.OHIO.GOV, AND REFER TO CASE NO. [YY-XXXX-TP-WBL]. REMEMBER, YOU MUST ACT BY [DATE]."

THIS NOTICE MUST BE PUBLISHED CONCURRENT TO THE FILING OF THE APPLICATION AND AT LEAST ONE TIME PER WEEK FOR THE NEXT THREE CONSECUTIVE WEEKS IN THE FRONT OR LOCAL NEWS SECTION OF A NEWSPAPER OF GENERAL CIRCULATION THROUGHOUT THE AREA SUBJECT TO THE APPLICATION. THE NOTICE MUST ALSO BE BROADCAST ON A LOCAL RADIO OR TELEVISION STATION SERVING THE AREA SUBJECT TO THE APPLICATION AT LEAST TWICE PER DAY FOR THE FIRST THIRTY CONSECUTIVE DAYS AFTER THE APPLICATION IS FILED.

(5) FOR PURPOSES OF RULES 4901:1-6-07(C) AND 4901:1-6-21 OF THE ADMINISTRATIVE CODE, "AFFECTED CUSTOMERS" MEANS ANY CUSTOMER OF BLES OR VOICE SERVICE.

The following changes should be made to Proposed Rules 21(A)(3) and 21(B)(2):

A copy of the notice published concurrent to the filing of the application that is published ~~one time in the non-legal section of a newspaper of general circulation throughout the area subject to the application~~ AS REQUIRED BY RULE 4901:1-07(C)(4) OF THE OHIO ADMINISTRATIVE CODE. ~~The notice shall provide the affected customers with the commission's toll-free telephone number and website address for additional information regarding the application and filing of a petition.~~

4. Investigation of an incumbent carrier's withdrawal of basic service should begin before the PUCO's formal withdrawal process starts.

As discussed above, the statutory process of customer notice and response for those customers who lack alternatives is quite brief, as is the time for PUCO review. And the collaborative, directly implicated in the PUCO withdrawal process through R.C. 4927.10(B), needs to identify customers who lack alternatives.

An incumbent telephone company can apply to the PUCO for withdrawal only if it has received permission from the Federal Communications Commission ("FCC") to withdraw the "interstate access component" of basic service.¹⁹ The interstate access component is the portion of carrier access that is within the FCC's jurisdiction.²⁰ In order to foster a more deliberative process, incumbent carriers should be required to notify the PUCO – and the members of the collaborative – when the carrier applies to the FCC seeking to withdraw the interstate access component from Ohio basic service under 47 U.S.C. § 214(e). This would assist the collaborative in identifying customers who lack reasonable and comparatively priced alternatives by allowing the collaborative to focus on the areas identified in the FCC application.²¹ It would also assist the PUCO and the members of the collaborative in participating in the FCC proceeding under FCC rules, if they so desire.

¹⁹ R.C. 4927.10(A).

²⁰ R.C. 4927.01(A)(7). See also Proposed Rule 1(T).

²¹ See uncodified 749.10(C) of Am. Sub. HB 64.

5. The rules should reflect the PUCO's statutory duty to investigate whether reasonable and comparatively priced alternative service is available at the customer's residence.

The petition process in Proposed Rule 21(C) addresses situations where either the customer or the collaborative determines that no reasonable and comparatively priced alternative services are available at the customer's residence. However, the Proposed Rule does not reference the PUCO's concurrent statutory obligation to investigate alternative services at the customer's residence.

R.C. 4927.10(B)(1)(a) provides that "[i]f the public utilities commission determines after an investigation that no reasonable and comparatively priced voice service will be available to the affected customer at the customer's residence, the public utilities commission shall attempt to identify a willing provider of a reasonable and comparatively priced voice service to serve the customer ." The rules should reflect this important statutory duty. The following language should be included at the end of Proposed Rule 21(C):

IF EITHER THE CUSTOMER OR THE COLLABORATIVE HAS DETERMINED THAT NO REASONABLE AND COMPARATIVELY PRICED ALTERNATIVE SERVICE IS AVAILABLE AT THE CUSTOMER'S RESIDENCE, THE COMMISSION SHALL INVESTIGATE WHETHER A REASONABLE AND COMPARATIVELY PRICED VOICE SERVICE WILL BE AVAILABLE TO THE AFFECTED CUSTOMER AT THE CUSTOMER'S RESIDENCE. THE COMMISSION'S INVESTIGATION MUST BE COMPLETED WITHIN NINETY DAYS. IF AFTER THE INVESTIGATION THE COMMISSION DETERMINES THAT NO REASONABLE AND COMPARATIVELY PRICED VOICE SERVICE WILL BE AVAILABLE TO THE AFFECTED CUSTOMER AT THE CUSTOMER'S RESIDENCE, THE COMMISSION SHALL ATTEMPT TO IDENTIFY A WILLING PROVIDER OF A REASONABLE AND COMPARATIVELY PRICED VOICE SERVICE TO SERVE THE CUSTOMER AT THE CUSTOMER'S RESIDENCE.

Proposed Rule 21(E) should also reference the investigation. The following change should be made to Proposed Rule 21(E): “If THE INVESTIGATION DESCRIBED IN RULE 4901:1-21(C) OF THE OHIO ADMINISTRATIVE CODE FINDS no willing provider of a reasonable and comparatively priced voice service is identified TO SERVE THE CUSTOMER AT THE CUSTOMER’S RESIDENCE, the ILEC or alternative provider requesting the withdrawal must provide or continue to provide a reasonable and comparatively priced voice service, via any technology or service arrangement, to the customer at the customer's residence for not less than twelve months from the date of the order issued by this commission.”

6. The PUCO’s rules should allow challenges to the assertions made in the telephone company’s application to abandon basic service provided to residential customers.

The rules should also include a process to challenge the incumbent carrier’s assertions in its application. Particularly, interested persons should be allowed to challenge the carrier’s assertion that the FCC has granted withdrawal of the interstate access component from the carrier’s basic service.²²

Interested persons should also be allowed to challenge that the willing provider(s) identified in the application actually serve the exchange(s) covered in the application, and whether the provider(s) offer “reasonable and comparably priced service” in the exchanges. Absent requirements for notices, interested persons should also be permitted to challenge the adequacy of the carrier’s notices to customers. These challenges could also include those from members of the collaborative.

²² See Proposed Rule 21(A)(1).

The following language should be added to Proposed Rule 21:

INTERESTED PERSONS MAY FILE A CHALLENGE TO ANY PORTION OF THE APPLICATION WITHIN 30 DAYS AFTER THE APPLICATION IS FILED. THE CHALLENGE MUST BE FILED IN THE DOCKET OF THE APPLICATION, MUST BE IN WRITING, AND MUST DETAIL THE NATURE OF THE CHALLENGE AND THE REASONS FOR THE CHALLENGE.

- C. Customers who cannot find a reasonable and comparatively priced alternative service should be allowed to petition the PUCO in a variety of ways.**
- 1. In addition to the PUCO’s online docketing, customers should be allowed to use other means, including but not limited to U.S. Mail, email, hand delivery, and faxes, to petition the PUCO that they do not have reasonable and comparably priced service available.**

Consumers, most of whom are unfamiliar with telecommunications technology and PUCO processes, should be given broad opportunities to meet the requirement of a petition protesting BLES withdrawal. Proposed Rule 21(C) defines the petition as “a written statement in any format from an affected customer claiming that the customer will be unable to obtain reasonable and comparatively priced voice service upon the withdrawal or abandonment of BLES or voice service.” That is reasonable.

But there is also a requirement in Proposed Rule 21(C) that the petition must be filed in the “assigned case number” with the PUCO. That assigned case number must be included in all notices, as discussed below. And PUCO staff should assist consumers in determining the case number whenever possible.

In addition, the rules should err on the side of acceptance regarding the timing of customers’ responses to telephone companies’ notices. If a customer sends a petition to the PUCO by the end of the response date for filing petitions at the PUCO, the notification should be deemed timely, regardless of whether it is received by the PUCO

by the deadline.²³ Customers should not be responsible for delays in U.S. Mail or email deliveries.

2. The PUCO should allow petitions to be filed on behalf of customers who have not found an alternative provider of reasonable and comparatively priced service.

Proposed Rule 21(C) states, “If a residential customer to whom notice has been given, pursuant to paragraphs (A)(2) or (B)(1) of this rule, is unable to obtain reasonable and comparatively priced voice service upon the withdrawal of BLES or voice service, the *customer* may file a petition, in the assigned case number, with the commission within thirty-days of receiving the notice.” (Emphasis added.) It is unclear from the proposed rule whether someone who is acting on behalf of the customer may file the petition. The PUCO should allow petitions to be filed by someone acting on behalf of the customer.

There might be situations where a customer without a reasonable or comparatively priced alternative service needs to file a petition with the PUCO, but is unable to do so personally. The customer may be infirm or otherwise impaired, or might not understand the process. In such cases, someone should be allowed to file the petition on the customer’s behalf. The actual filer could be a relative, a friend, a social service agency or anyone else who files with the customer’s permission and without charge to the customer.

Customers have little time, just 30 days after receiving notice from their telephone company, to determine whether they have a reasonable and comparatively priced service

²³ Ohio Adm. Code 4901-1-07(D) should apply: “If the commission office is closed to the public for the entire day that constitutes the last day for doing an act or closes before its usual closing time on that day, the act may be performed on the next succeeding day that is not a Saturday, Sunday, or legal holiday.” See also R.C. 1.14.

available at their homes and to file a petition at the PUCO, if necessary. The PUCO should remove barriers to customers who need to file a petition because their telephone company is terminating basic service. The PUCO should make the following change to the first sentence of Proposed Rule 21(C):

If a residential customer to whom notice has been given, pursuant to paragraphs (A)(2) or (B)(1) of this rule, is unable to obtain reasonable and comparatively priced voice service upon the withdrawal of BLES or voice service, the customer OR SOMEONE ACTING ON THE CUSTOMER'S BEHALF may file a petition, in the assigned case number, with the commission within thirty-days of receiving the notice.

3. The PUCO's rules should account for those instances where the customer did not receive the notice in time to petition the PUCO due to circumstances beyond the customer's control.

Customers may be away from home for extended periods of time through no fault of their own. For example, they may be hospitalized or may need to live with relatives due to circumstances beyond their control. Customers who, through no fault of their own, cannot respond in time to the notice regarding abandonment of their basic service should not be penalized.

There was testimony in the legislative deliberations regarding the telephone portions of Am. Sub. HB 64 was that customers may lose service unfairly.²⁴ The PUCO should take into account that customers face circumstances beyond their control that could cause delay in their receiving the notice or responding to it. Such customers should

²⁴ See, e.g., Testimony of Michael R. Smalz Before the House Finance Subcommittee on Agriculture, Development, and Natural Resources (March 12, 2015) at 3-5; Testimony of Bruce Weston, Ohio Consumers' Counsel Before the Senate Finance Committee Subcommittee on Workforce (May 5, 2015) at 7-9; Testimony of Nina Keller, Assistant Director, Area Agency on Aging District 7 Before the Senate Finance Committee Subcommittee on Workforce (May 19, 2015); Testimony of Rick Hindman, Assistant Director, Buckeye Hills-HVRDD Before the Senate Finance Committee Subcommittee on Workforce (May 19, 2015).

be allowed additional time to seek alternative services and to petition the PUCO, if necessary.

D. Comments on specific rules.

Proposed Rule 1(BB). This draft rule provides a definition for the key term “reasonable and comparatively priced voice service.” This term is an essential component of the petition process regarding the abandonment of basic service to residential customers. If a consumer cannot find a reasonable and comparatively priced voice service to replace the incumbent carrier’s basic service, the consumer may petition the PUCO for assistance in finding an alternative.²⁵ If the PUCO’s investigation shows that no reasonable and comparatively priced voice service is available at the consumer’s residence, the PUCO must attempt to find a willing provider of a reasonable and comparatively priced voice service to serve the consumer.²⁶ If no willing provider is found, the PUCO will, per the draft rules, order the incumbent to provide a reasonable and comparatively priced voice service at the consumer’s residence.²⁷

R.C. 4927.10(B)(3) directs the PUCO to “define the term ‘reasonable and comparatively priced voice service’ to include service that provides voice grade access to the public switched network or its functional equivalent, access to 9-1-1, and *that is competitively priced, when considering all the alternatives in the marketplace and their functionalities.*” (Emphasis added.) This should not be interpreted to mean that an alternative service costing significantly more than the consumer’s basic service is competitively priced because it may have many additional features that basic service

²⁵ R.C. 4927.10(B).

²⁶ R.C. 4927.10(B)(1)(a).

²⁷ R.C. 4927.10(B)(1)(b) and (B)(2).

doesn't have. The customer likely chose basic service because it does not have additional expensive features that the customer does not want or need. The customer also might not be able to afford additional features.

In Proposed Rule 1(BB), the PUCO Staff has recommended that the willing carrier's rates may "not exceed the ILEC's BLES rate by more than twenty-five percent." The Consumer Groups appreciate the PUCO Staff's effort to limit increases in the amount customers must pay for a willing carrier's services. But Proposed Rule 1(BB) would allow the differential between the incumbent carrier's basic service price and the price for an alternative service to be considerably more than Ohio law allows for basic service increases. By law, telephone companies that have flexible pricing authority for basic service cannot increase the price of basic service by more than \$1.25 per month each year.²⁸ Allowing "reasonable and comparatively priced alternative service" to be 25 percent higher than the price customers currently pay for basic service could subject such customers to many times a \$1.25 per month increase.

For example, AT&T's basic service customers now pay \$20.50 per month for service.²⁹ Under the draft rules, AT&T basic service customers could pay as much as \$25.62 per month for a "reasonable and comparatively priced" alternative service. Some Frontier customers pay about \$24 per month for basic service.³⁰ Under the draft rules, such customers could pay more than \$30 per month. And for each \$1.25 the incumbent

²⁸ R.C. 4927.12(C)(1)(b); Ohio Adm. Code 4901:1-6-14(C)(1)(b).

²⁹ AT&T Ohio's basic service consists of three components: network access, central office termination and usage. See AT&T Ohio Tariff PUCO No. 20, Part 4, Section, at 5th Revised Sheet 1. For residential customers, network access is \$10.65 per month, central office termination is \$2.30 per month, and the flat-rate basic usage charge is \$7.55 per month. See *id.* at 17th Revised Sheet 2.2.1 and 11th Revised Sheet 19.

³⁰ Frontier customers pay \$15.53 to \$21.15 per month for residential flat-rate basic service. See Frontier North, Inc. Tariff P.U.C.O. No. 11, Section 3 at 4th Revised Sheet No. 3 through 2nd Revised Sheet No. 12. In addition, some Frontier customers pay Zone charges ranging from \$1.08 to \$3.25 per month. See *id.*, Section 3 at Original Sheet No. 2.

raises its basic rates each year until it files to abandon basic service,³¹ the price ceiling for alternative services set by the proposed definition would increase by \$1.56 (125% of \$1.25). This would further widen the gap between what basic service customers are now paying and the allowable price for a “reasonable and comparatively priced alternative service.”

The price differential in the draft rules’ definition of reasonable and comparatively priced alternative service should be changed. The PUCO should adopt no more than a 10 percent differential. Older Ohioans, who disproportionately rely on basic landline service and often live on fixed incomes, would be especially hard pressed to pay any higher rates.

Two other pricing issues need to be addressed, not necessarily in the rules but in the application of the rules. One, the term “BLES rate” can be misconstrued. Many customers look at the entire local bill and consider that to be the basic service rate. That would include taxes and surcharges that should not be part of the comparison.

Two, the statute defines the comparable service as providing “voice grade access” and “access to 9-1-1.”³² So prices to compare should have these usage costs removed.³³ And VoIP prices must recognize the cost of the broadband service required for VoIP to operate.

As mentioned above, R.C. 4927.10(B)(3) requires the PUCO to consider all the alternatives in the marketplace and their functionalities. In performing this task, the

³¹ See Ohio Adm. Code 4901:1-6-14(C)(1)(a)(ii).

³² R.C. 4927.10(B)(3).

³³ The vast majority of basic service (and other wireline voice service) customers subscribe to unlimited local usage plans, but few carriers – other than AT&T – separately tariff the charges. Wireless carriers typically provide usage packages.

PUCO should do an apples-to-apples comparison of the services. If an alternative service offers unlimited long distance calling, the PUCO could compare the alternative service to the consumer's combined local and long distance bill. But the PUCO should not place additional value on features (e.g., voice mail) that are not a component of the consumer's current service. The statute states that the alternative service must be "competitively priced" to basic service when considering all the alternatives in the marketplace and their functionalities;³⁴ the subjective "value" – like mobility – of an alternative service is irrelevant.

One functionality that distinguishes an incumbent carrier's basic service from alternatives is that the incumbent's service does not rely on back-up power, due to line-powering.³⁵ The FCC has recently proposed an eight-hour back-up power requirement for all carriers, but requires customers to pay for it.³⁶ The need for back-up power makes the alternative services less comparable, and the cost to the customer of the back-up power must be considered in whether the services are competitively priced. Wireless service in particular has multiple needs for back-up power. The cell towers need power, as do individual handsets. That is part of the reason why the FCC has to date not recognized wireless service as competition for – instead, seeing it as a complement to – the incumbent carrier's service.³⁷

³⁴ R.C. 4927.10(B)(3).

³⁵ *In the Matter of Ensuring Continuity of 911 Communications*, PS Docket No. 14-174, et al., Notice of Proposed Rulemaking and Declaratory Ruling, FCC 14-185 (rel. November 25, 2014), ¶ 11.

³⁶ *Id.*, Report and Order, FCC 15-98 (August 7, 2015), ¶ 3.

³⁷ See *Petition of Qwest Corporation for Forbearance Pursuant to 47 U.S.C. § 160(c) in the Phoenix, Arizona Metropolitan Statistical Area*, WC Docket 09-135, Memorandum Opinion and Order, 25 FCC Rcd. 8622 (2010) (*FCC Qwest Phoenix Forbearance Order*), affirmed *Qwest v. FCC*, 689 F. 3d 1214 (10th Cir., 2012).

Another important functionality of basic landline service is some customers' reliance on medical alerts and other healthcare devices tied to their landline phone service. Wireless service may not be a viable option because of the prohibitive cost of replacing the existing medical devices that are not capable of operating with wireless service.

In the alternative regulation plans approved pursuant to R.C. 4927.04, the presence of wireless carriers was thought to be adequate to justify rate increases.³⁸ In the current context, the issue is withdrawal of basic service, not just a limited increase to the rates for the service. Withdrawal leaves the consumer with no choice for basic service, and thus there should be more scrutiny of the availability of alternative providers and the effect of their prices on customers.

Proposed Rule 1(QQ). The definition of “willing provider” as “any provider of a reasonable and comparatively priced voice service offering that service to any residential customer affected by the withdrawal or abandonment of BLES (or voice service) by an ILEC (or other willing provider)” should be clarified to read:

any provider of a reasonable and comparatively priced voice service offering that service TO THE RESIDENCE OF THE ~~any~~ residential customer affected by the withdrawal or abandonment of BLES (or voice service) by an ILEC (or other willing provider).

This change reflects that a willing provider must be willing to offer service at the customer's residence, since that is specified in the statute regarding an incumbent's withdrawal of basic service. And, the rule should refer to “**the** residential customer affected....” (Emphasis added). This proposed revision makes the language more customer-specific, as the statute intends.

³⁸ See R.C. 4927.12.

To ensure that the provider is indeed “willing,” the draft rules require willing providers to file an affidavit in the appropriate docket,³⁹ and to register with the PUCO.⁴⁰ It is not clear when the affidavit must be filed or when the registration must occur. But it would make sense for both to occur no later than the filing of the incumbent’s application to withdraw intrastate basic service.

Proposed Rule 7(C). The Proposed Rule provides for email service “if the customer consents....” The consent to email service allowed under the rule should be specific to the withdrawal of service, not an old generic consent or one buried in the fine print of a service agreement.

Proposed Rule 21(A)(2). The Proposed Rule requires the telephone company seeking to withdraw basic service to file a copy of the customer notice. The telephone company should also be required to file, under seal,⁴¹ the name, address and telephone number of each affected basic service customer in order to aid the PUCO Staff’s investigation. Members of the collaborative should have access to this information under appropriate protective agreements.⁴²

In addition, the Proposed Rule requires that the application “identify all potential willing providers.” This identification – of the provider and whether its services are

³⁹ See Proposed Rule 21(G).

⁴⁰ See Proposed Rule 21(F).

⁴¹ See uncodified section 749.10(E).

⁴² The PUCO should enact a generic protective agreement, including provisions recognizing that government agencies have particular issues, such as public records requests, that need to be accommodated. Government agencies should be allowed, as usual, to develop protective agreements reflecting their circumstances. See, e.g., *In the Matter of the Application of United Telephone Company of Ohio d/b/a Embarq for Approval of an Alternative Form of Regulation of Basic Local Exchange Service and Other Tier 1 Services Pursuant to Chapter 4901:1-4, Ohio Administrative Code*, Case No. 07-760-TP-BLS, Entry (August 10, 2007) at 5-6.

“reasonable and comparably priced” – should not be accepted as to actual availability and comparability of prices without investigation by the PUCO.

III. CONCLUSION

The Consumer Groups appreciate the PUCO Staff’s efforts to provide consumer protections in the draft rules. Additional consumer protections are needed, however. To protect consumers, the PUCO should adopt the changes to the draft rules discussed in these Comments.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of these Comments was served on the persons stated below via electronic transmission this 26th day of October 2015.

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4901:1-6-01 Definitions.

As used within this chapter, these terms denote the following:

(BB) “Reasonable and comparatively priced voice service” is a voice service that incorporates the definition set forth in section 4927.10(B)(3) of the Revised Code and does not exceed the ILEC’s BLES rate by more than ten percent.

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(QQ) “Willing provider” is any provider of a reasonable and comparatively priced voice service offering that service to the residence of the residential customer affected by the withdrawal or abandonment of BLES (or voice service) by an ILEC (or other willing provider).

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4901:1-6-07 Customer notice requirements.

(C) (1) For withdrawal of BLES by an ILEC or voice service by an ILEC or a willing provider, the ILEC or willing provider shall provide at least one hundred and twenty days advance notice to its affected customers. The notice must explain how the customer is directly impacted by the application and any customer action necessary as result of the application.

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(2) The notice described in paragraph (1) of this section shall include all of the following:

(a) The exact date (i.e., month, day and year) that the ILEC will no longer offer BLES or voice service in the customer’s exchange;

(b) The exact date by which the customer must petition the commission if no reasonable and comparatively priced alternatives to the telephone company’s basic service are available at the customer’s residence;

(c) The case number of the ILEC’s application to withdraw BLES; and

(d) The commission’s toll-free telephone number and website address for additional information regarding the application and filing of a petition.

(3) The notice shall be provided via United States Mail or if the customer consents, via electronic mail. The outside of U.S. Mail envelopes and the subject line of electronic mail notices must explicitly state that the customer’s basic service will end, and must give the exact date service will end and the exact date by which the customer must file a petition at the commission. Notices that are mailed to customers must use no less than 12-point type. Within the body of U.S. mail and electronic mail notices, the exact date service will be discontinued and the exact date the customer must file a petition with the commission must be both bolded and in larger type than the rest of the notice.

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(4) In addition to the notice described in paragraph (1) of this section, the ILEC or willing provider shall publish the following notice:

“Attention basic telephone service customers in the _____ exchange(s). [name of telephone company] will end basic telephone service in your exchange on [date]. You must determine by [date] whether you have a reasonable and comparatively priced alternative service available to you at your residence. The willing provider(s) of alternative service in your area are: [name(s) of provider(s)]. If you cannot find a reasonable and comparatively priced alternative service available to you at your residence, you must let the Public Utilities Commission of Ohio know by [date]. To contact the Public Utilities Commission of Ohio, call 1-800-686-7826 or visit the

PUCO's website at www.puco.ohio.gov, and refer to case no. [yy-xxxx-tp-wbl]. Remember, you must act by [date]."

This notice must be published concurrent to the filing of the application and at least one time per week for the next three consecutive weeks in the front or local news section of a newspaper of general circulation throughout the area subject to the application. The notice must also be broadcast on a local radio or television station serving the area subject to the application at least twice per day on the application is filed and each day for the next twenty-nine consecutive days .

(5) For purposes of rules 4901:1-6-07(C) and 4901:1-6-21 of the Administrative Code, "affected customers" means any customer of BLES or voice service.

4901:1-6-21 Carrier's withdrawal or abandonment of basic local exchange service (BLES) or voice service.

(A) An incumbent local exchange carrier (ILEC) shall not discontinue offering BLES within an exchange without filing a notice application for the withdrawal of BLES (WBL) to withdraw such service from its tariff at least one hundred and twenty days prior to the withdrawal. An application filed pursuant to this rule is subject to a one hundred and twenty-day automatic approval process. As part of this application process an ILEC must provide the following:

(1) A copy of the federal communication commission order that allows the ILEC to withdraw the interstate-access component of its BLES under 47 U.S.C. 214.

(2) A copy of the notice required by rule 4901:1-7(C) of the Ohio Administrative Code sent to all affected customers identifying all potential willing providers and notifying those affected customers unable to obtain reasonable and comparatively priced voice service of the customers' right to file a petition, with the commission. ✓

(3) A copy of the notice published concurrent to the filing of the application that is published as required by rule 4901:1-07(C)(4) of the Ohio Administrative Code. ✓

(4) The name, address and telephone number of each affected basic service customer. This information shall be filed under seal.

(5) The application must identify all potential willing providers offering a reasonable and comparatively priced voice service to affected customers, regardless of the technology or facilities used by the willing provider. All affected customers do not have to receive service from the same willing provider.

(6) A clear and detailed description, including a map, of the geographic boundary of the ILEC's service area to which the requested withdrawal would apply.

(B) An ILEC or willing provider shall not discontinue offering voice service within an exchange without filing an application for withdrawal of voice service (WVS) to withdraw such service at least one hundred and twenty days prior to the withdrawal. An application filed pursuant to this rule is subject to a one hundred and twenty-day automatic approval process. As part of this application process an ILEC or willing provider must provide or comply with the following:

(1) A copy of the notice required by rule 4901:1-7(C) sent to all affected customers identifying all potential willing providers and notifying those affected customers unable to obtain reasonable and comparatively priced voice service of the customers' right to file a petition with the commission. ✓

Deleted: The notice shall provide the affected customers with the commission's toll-free telephone number and website address for additional information regarding the application and filing of a petition. For purposes of rule 4901:1-6-21 of the administrative code, "affected customers" means any customer of BLES or voice service.

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(2) A copy of the notice published concurrent to the filing of the application that is published ~~as required by rule 4901:1-07(C)(4) of the Ohio Administrative Code.~~

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(3) The application must demonstrate that at least one alternative provider offers a reasonable and comparatively priced voice service to all or some affected customers, regardless of the technology or facilities used by the alternative provider. All affected customers do not have to receive service from the same alternative provider.

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(4) A clear and detailed description, including a map, of the geographic boundary area to which the requested withdrawal would apply.

(5) All ILECs and willing providers shall comply with the provisions of rule 4901:1-26(E), (I), and (J) relative to abandonment or the discontinuation of voice service.

(C) If a residential customer to whom notice has been given, pursuant to paragraphs (A)(2) or (B)(1) of this rule, is unable to obtain reasonable and comparatively priced voice service upon the withdrawal of BLES or voice service, the customer ~~or someone acting on the customer's behalf~~ may file a petition, in the assigned case number, with the commission within thirty-days of receiving the notice. For purposes of this rule, a petition is a written statement in any format from an affected customer claiming that the customer will be unable to obtain reasonable and comparatively priced voice service upon the withdrawal or abandonment of BLES or voice service. Alternatively, if a residential customer is identified by the collaborative process established under section 749.10 of amended substitute House Bill 64 of the 131st general assembly as a customer who will be unable to obtain reasonable and comparatively priced voice service upon the withdrawal of BLES or voice service, that customer shall be treated as though the customer filed a timely petition. ~~If either the customer or the collaborative has determined that no reasonable and comparatively priced alternative service is available at the customer's residence, the commission shall investigate whether a reasonable and comparatively priced voice service will be available to the affected customer at the customer's residence. The commission's investigation must be completed within ninety days. If after the investigation the commission determines that no reasonable and comparatively priced voice service will be available to the affected customer at the customer's residence, the commission shall attempt to identify a willing provider of a reasonable and comparatively priced voice service to serve the customer at the customer's residence.~~

(D) If no affected residential customers file a petition and no residential customers are identified by the collaborative process set forth in section 749.10 of amended substitute House Bill 64 of the 131st general assembly, the ILEC or willing providers application to withdraw or abandon will be automatically approved on the one hundred and twenty-first day after the application was filed.

(E) If ~~the investigation described in rule 4901:1-21(C) of the Ohio Administrative Code finds~~ no willing provider of a reasonable and comparatively priced voice service is identified ~~to serve the customer at the customer's residence~~, the ILEC or alternative provider requesting the withdrawal must provide or continue to provide a reasonable and comparatively priced voice service, via any technology or service arrangement, to the customer at the customer's residence for not less than twelve months from the date of the order issued by this commission.

(1) If after the initial twelve-month period, no willing provider of a reasonable and comparatively priced voice service is identified, the ILEC or willing provider requesting the

withdrawal must continue to provide a reasonable and comparatively priced voice service, via any technology or service arrangement, to the customer at the customer's residence for an additional twelve-month period.

(2) If after the second twelve-month period, no willing provider of a reasonable and comparatively priced voice service is identified, the ILEC or willing provider requesting the withdrawal must continue to provide a reasonable and comparatively priced voice service, via any technology or service arrangement, to the customer at the customer's residence until otherwise authorized by the commission.

(F) Interested persons may file a challenge to any portion of the application within 30 days after the application is filed. The challenge must be filed in the docket of the application, must be in writing, and must detail the nature of the challenge and the reasons for the challenge.

(G) Pursuant to the authority granted to the commission in section 4927.03(A) of the Revised Code, any interconnected voice over internet protocol-enabled service or any telecommunications service that is provided as a voice service by a willing provider, under this rule, shall be subject to all of the provisions of this rule regarding the withdrawal or abandonment of voice service.

(H) A provider of voice service wishing to become a willing provider pursuant to section 4927.10 of the Revised Code, must file an affidavit attesting to the same in the withdrawing incumbent local exchange carrier's or willing provider's WBL or WVS case.

(I) Every willing provider shall file a zero-day registration notice in a willing provider registration (WPR) filing with the commission using the telecommunications filing form discussed in rule 4901:1-6-04 of the Administrative Code and provide all of the following:

- (1) The company's name.
- (2) The company's address.
- (3) The name of a contact person and that person's contact information.
- (4) The general geographic area served including maps.
- (5) Evidence of registration with the Ohio secretary of state.
- (6) Evidence of notice to the Ohio department of taxation, public utilities tax division, of its intent to provide service.

(J) Assessment report

The requirements of sections 4905.10, 4905.14, and 4911.18 of the Revised Code apply to willing providers. Willing providers are required to submit, at the time and in the manner prescribed by the commission, an annual assessment report and to pay the prescribed annual assessment for the maintenance of the commission.

(K) Telecommunications relay service (TRS), eligible telecommunication carrier, and lifeline requirements, universal service, and carrier access reform.

The Commission has authority over willing providers' provision of TRS as set forth in section 4905.84 of the Revised Code and rule 4901:1-6-37 of the Administrative Code. The commission has authority over willing providers with respect to addressing carrier access policy and creating and administering mechanisms for carrier access reform as set forth in section 4927.15(C) of the

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Attachment

Revised Code. To the extent that a willing provider seeks certification in Ohio as a telecommunications carrier eligible for federal universal service funding for the provision of lifeline service under 47 U.S.C. 214(e), the commission has authority to consider such application under rule 4901:1-6-09 of the Administrative Code.

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in

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

Summary: Comments Comments on Proposed Rules that Would Allow Telephone Companies to Terminate Basic Service to Ohio Consumers by Edgemont Neighborhood Coalition, Legal Aid Society of Southwest Ohio LLC, the Office of the Ohio Consumers' Counsel, Ohio Poverty Law Center, Pro Seniors, Inc., and Southeastern Ohio Legal Services electronically filed by Ms. Deb J. Bingham on behalf of Etter, Terry L.