

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE ANNUAL
REPORTS FOR CALENDAR YEAR 2019 FOR
THE FISCAL ASSESSMENT OF ALL
REGULATED ENTITIES.

CASE NO. 20-01-AU-RPT

IN THE MATTER OF THE ANNUAL
REPORTS FOR THE FISCAL ASSESSMENT
OF TELECOMMUNICATIONS RELAY
SERVICE FOR CALENDAR YEAR 2019.

CASE NO. 20-03-TP-RPT

IN THE MATTER OF THE ADOPTION OF
RULES FOR THE TELECOMMUNICATIONS
RELAY SERVICE ASSESSMENT PURSUANT
TO R.C. 4905.84.

CASE NO. 08-815-TP-ORD

ENTRY

Entered in the Journal on June 30, 2020

{¶ 1} Pursuant to R.C. 4905.10, by Entry issued January 29, 2020 in Case No. 20-01-AU-RPT, the Commission directed all regulated entities to file a 2019 annual report for fiscal assessment through the Commission's web-based filing system known as the PUCO Community by April 30, 2020.

{¶ 2} Similarly, pursuant to R.C. 4905.84, by Entry issued January 29, 2020 in Case Nos. 08-815-TP-ORD and 20-03-TP-RPT, the Commission directed all service providers required under federal law to provide customers with access to telecommunications relay service (TRS) to complete and submit, through the Commission's web-based filing system known as the PUCO Community, a response to the Telecommunications Relay Service Reporting Form (TRS form) by April 30, 2020.

{¶ 3} On March 9, 2020, the governor signed Executive Order 2020-01D (Executive Order), declaring a state of emergency in Ohio to protect the well-being of Ohioans from the dangerous effects of COVID-19. Further, on March 22, 2020, as amended on April 2, 2020, Dr. Amy Acton, Director of the Ohio Department of Health, issued an order (Stay at Home Order) intended to ensure that the maximum number of Ohioans self-isolate in their

residences to the maximum extent feasible, while enabling essential services to continue and help slow the spread of COVID-19.

{¶ 4} In light of the governor's declaration of a state of emergency and the Stay at Home Order, by Entry dated April 22, 2020 in Case No. 20-01-AU-RPT, the Commission extended the April 30, 2020 annual report deadline to June 29, 2020. Additionally, the Commission postponed the issuance of the initial assessment invoice, pursuant to R.C. 4905.10(C), to July 15, 2020 and extended the initial assessment invoice payment due date to August 20, 2020.

{¶ 5} Because of the same reasoning, by Entry dated April 22, 2020 in Case Nos. 08-815-TP-ORD and 20-03-TP-RPT, the Commission extended the April 30, 2020 TRS form filing deadline to June 29, 2020. The Commission also postponed the issuance of TRS annual assessment to July 15, 2020 and directed that the invoice be due on August 15, 2020.

{¶ 6} It has come to the attorney examiner's attention that a state-wide issue is affecting the Commission's web-based filing system, the PUCO Community. Due to this system-wide issue, users have been unable to access the PUCO Community and file annual reports and TRS forms since June 26, 2020. Because this issue has arisen close to the June 29, 2020 deadline for annual reports and TRS forms established by our April 22, 2020 Entries, the attorney examiner finds it prudent to further extend this deadline. As such, entities will now have until July 6, 2020, to file annual reports and TRS forms.

{¶ 7} Each regulated entity must file a separate 2019 annual report for each certificate held. Companies with two or more certificates should submit an annual report for each certificate or authority held during 2019, even if the company did not have intrastate gross earnings during the 2019 calendar year. No annual report is required for certificates issued in 2020. A list of all regulated entities who must file a 2019 annual report was filed by Staff on the docket for Case No. 20-01-AU-RPT on January 30, 2020.¹ Moreover, a list of

¹ For further information about annual reports in general, visit:

<https://www.puco.ohio.gov/docketing/annual-reports-for-fiscal-assessment/>.

all service providers who must file the TRS form was filed by Staff on the docket for Case Nos. 08-815-TP-ORD and 20-03-TP-RPT on January 29, 2020.²

{¶ 8} All companies are hereby put on notice that the Commission will expect timely compliance from all companies regarding the filing of the 2019 annual report. All companies should take notice that a civil forfeiture of up to \$10,000, may be assessed, pursuant to R.C. 4905.54, against any company that fails to comply by the July 6, 2020 annual report filing deadline and the August 20, 2020 initial assessment invoice payment due date, absent good cause shown. Such forfeiture would be in addition to any amounts owed to the Commission.

{¶ 9} Furthermore, all TRS providers are also hereby put on notice that the Commission will expect timely compliance regarding the submission of the TRS form by the July 6, 2020 deadline and the payment of the TRS invoice by the August 15, 2020 due date. All TRS providers should take notice that a civil forfeiture of up to \$1,000 per day, may be assessed, pursuant to R.C. 4905.84(E), against any company that fails to comply by the deadlines, absent good cause shown. Such forfeiture would be in addition to any amounts owed to this Commission.

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That each regulated entity subject to fiscal assessment for the 2019 calendar year submit a 2019 annual report using the Commission's online filing system by July 6, 2020. It is, further,

{¶ 12} ORDERED, That each regulated entity who receives an initial assessment invoice remit payment for the invoice by August 20, 2020. It is, further,

² For further information about TRS in general, visit:

<https://puco.ohio.gov/wps/portal/gov/puco/utilities/telecom/resources/telecommunications-relay-service-form>.

{¶ 13} ORDERED, That each service provider required to provide access to TRS to customers submit, using the Commission's web-based filing system known as the PUCO Community, a response to the TRS form by July 6, 2020. It is, further,

{¶ 14} ORDERED, That each service provider who receives a TRS annual assessment invoice remit payment for the invoice by August 15, 2020. It is, further,

{¶ 15} ORDERED, That notice of this Entry be served via the Electric-Energy, Gas-Pipeline, Railroad, Telephone, and Water industry listservs; upon all telephone companies and commercial mobile radio service providers under the Commission's jurisdiction through the Ohio Telecom Association; upon those entities who filed the TRS form under the previous remittance period through the TRS listserv; directly upon each company contact which was filed on the docket of the above-caption cases on January 30, 2020; and upon all other interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Anna Sanyal

By: Anna Sanyal
Attorney Examiner

GAP/kck

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Case No(s). 20-0001-AU-RPT, 20-0003-TP-RPT, 08-0815-TP-ORD

Summary: Attorney Examiner Entry ordering that each regulated entity subject to fiscal assessment for the 2019 calendar year submit a 2019 annual report using the Commission's online filing system by July 6, 2020. Further, ordering that each regulated entity who receives an initial assessment invoice remit payment for the invoice by August 20, 2020. Further, ordering that each service provider required to provide access to TRS to customers submit, using the Commission's web-based filing system known as the PUCO Community, a response to the TRS form by July 6, 2020. Further ordering that each service provider who receives a TRS annual assessment invoice remit payment for the invoice by August 15, 2020. Further ordering that notice of this Entry be served via the Electric-Energy, Gas-Pipeline, Railroad, Telephone, and Water industry listservs; upon all telephone companies and commercial mobile radio service providers under the Commission's jurisdiction through the Ohio Telecom Association; upon those entities who filed the TRS form under the previous remittance period through the TRS listserv; directly upon each company contact which was filed on the docket of the above-caption cases on January 30, 2020; and upon all other interested persons of record.

electronically filed by Kelli C King on behalf of Anna Sanyal, Attorney Examiner, Public