

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Adoption of Rules for )  
the Telecommunications Relay Service )  
Assessment Pursuant to Section 4905.84, ) Case No. 08-815-TP-ORD  
Revised Code, as Enacted by House Bill )  
562. )

ENTRY

The Commission finds:

- (1) On June 24, 2008, the governor of the state of Ohio signed into law House Bill 562, thereby enacting Section 4905.84, Revised Code. This section provides that the Commission shall, not earlier than January 1, 2009, impose on and collect from each service provider that is required under federal law to provide its customers access to telecommunications relay service (TRS) an annual assessment to pay for the costs incurred by the TRS provider for providing TRS in Ohio. Furthermore, Division (F) of Section 4905.84, Revised Code, provides that the Commission shall adopt rules under Section 111.15, Revised Code, to establish the assessment amounts and procedures.
- (2) By finding and order issued August 27, 2008, the Commission adopted the commenters' suggestion that Federal Communications Commission (FCC) form 477 be used to determine the assessment amount owed by each provider.
- (3) By entry issued on September 10, 2008, the Commission acknowledged that language had been inadvertently removed from the proposed rule which recognized that not all providers that are required to pay for the costs incurred for the provision of TRS in Ohio are required to file form 477 with the FCC. Therefore, the Commission found it necessary to revise amended paragraph (D) of adopted Rule 4901:1-6-24, Ohio Administrative Code (O.A.C.), to reflect that all providers that do not submit FCC form 477 shall submit to the Commission's staff a completed form, as prescribed by the staff, which contains the number of the provider's retail customer access lines or their equivalent.
- (4) Adopted Rule 4901:1-6-24, O.A.C., has been properly filed with the Joint Committee on Agency Rule Review, the Secretary of State, and the Legislative Service Commission in accordance with divisions (D) and (E) of Section 111.15, Revised Code, to become effective in early December. Because a new funding mechanism must be in place to compensate the provider for

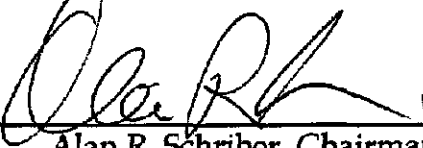
TRS after January 1, 2009, the Commission finds it appropriate, at this time, to direct all service providers that, under federal law, are required to provide its customers access to TRS to fill out and to submit to staff responses to the Telephone Relay Service Reporting Form attached to this entry. Any service provider required under federal law to provide its customers TRS that does not currently file form 477 with the FCC should provide the most recent information available on the number of Ohio retail customer access lines or equivalent information for Ohio and should submit that information to staff using the Telephone Relay Service Reporting Form attached to this entry. Responses are due by December 12, 2008.

It is, therefore,

ORDERED, That all service providers required to provide TRS to its customers comply with finding 4. It is, further,

ORDERED, That a copy of this entry, with the attached form, be served upon all telephone companies, including commercial mobile radio service providers, under the Commission's jurisdiction, all interested persons of record in Case No. 03-950-TP-COI, the Ohio Telecom Association, and all other interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

  
Alan R. Schriber, Chairman

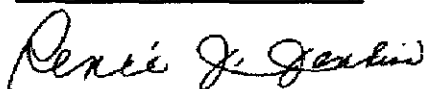
  
Paul A. Centolella

  
Ronda Hartman Fergus

  
Valerie A. Lemmie

  
Cheryl L. Roberto

JRJ/vrm  
Entered in the Journal  
NOV 12 2008



Renee J. Jenkins  
Secretary



# Public Utilities Commission of Ohio

## Telephone Relay Service Reporting Form

Pursuant to the Ohio Revised Code § 4905.84<sup>1</sup>, this form is to be utilized by all service providers that are required under federal law to provide its customers access to TRS, including telephone companies, commercial mobile radio service (CMRS) providers, and providers of advanced services or internet protocol-enabled services that are competitive with or functionally equivalent to voice-grade, end user access lines. Advanced services and internet protocol-enabled services have the meanings ascribed to them by federal law, including federal regulation to provide the number of retail customer access lines or their equivalent in Ohio. This form is to be submitted using access line or equivalent count data as of June 30, 2008, as reflected on FCC form 477 filed by September 30, 2008, if applicable. Please submit completed forms to:

Public Utilities Commission of Ohio  
Shawn Smith  
180 East Broad Street  
Columbus, OH 43215

Company Information			
Company Type			
<input type="checkbox"/> ILEC	<input type="checkbox"/> CLEC	<input type="checkbox"/> IXC	<input type="checkbox"/> AOS <input type="checkbox"/> VoIP <input type="checkbox"/> Wireless <input type="checkbox"/> Other _____
Company name			
Street address			
City	State	Zip	Contact Name
Phone number	Email address		

If FCC Form 477 was filed, please mirror the data provided on that form. Any service provider that does not currently file form 477 should provide the most recent information available.

Access Lines or Equivalents	Type of Service
	Ohio voice grade and user access lines (ILECs and CLECs)
	Ohio voice grade lines and channels you purchase from facilities-based carriers. (CLECs)
	Ohio Telephone Subscribers (Wireless)
	Ohio Voice Over Internet Protocol service subscribers. (VoIP)
	Ohio voice grade lines (AOS)
	Ohio lines or equivalents (IXC)
	Ohio lines or equivalents (CMRS)
	<b>Total Ohio Access Lines or Equivalents in Service</b>

**Affidavit – I declare under penalty of perjury that the foregoing information is true and correct.**

\_\_\_\_\_  
\*(Signature and Title)

\_\_\_\_\_  
(Date)

<sup>1</sup>In accordance with division (D) of section 4905.84 of the Revised Code, the Commission shall take such measures, as it considers necessary to protect the confidentiality of information provided pursuant to paragraph (D) of this rule.

<sup>2</sup>The Public Utilities Commission of Ohio may assess a forfeiture of up to \$1,000 for each day's continuance of failure to comply with Section 4905.84 of the Revised Code.