

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Commission's Review of)
Ohio Adm. Code Chapter 4901:1-7, Local) Case No. 16-2066-TP-ORD
Exchange Carrier-to-Carrier Rules.)

**INITIAL COMMENTS OF
THE MIDWEST ASSOCIATION OF COMPETITIVE COMMUNICATIONS, INC.**

I. INTRODUCTION

The Midwest Association of Competitive Communications, Inc. (“MACC”) is an allied group of telecommunications companies and interested associated businesses.¹ The MACC is dedicated to supporting a regulatory environment that fosters competition in the communications marketplace.

The MACC companies vary in what they do. Each offers different services and serves different types of customers and geographic markets. Some companies, for instance, focus on providing competitive telephone service to customers through existing facilities. Others create new infrastructure to serve customers, thereby linking this new investment to the existing public network. What unites all MACC members is the belief that a vibrant, open market encourages all companies—the big as well as the small—to offer better service, provide the lowest possible prices, and roll-out innovative products that push the Midwest ahead in the national and global economy.

¹ These Initial Comments represent the position of the MACC as an organization, but may not represent the views of any particular member. The MACC’s carrier members include Birch Communications; First Communications; Granite Telecom; Integra; Level 3 Communications, Inc.; Socket; TDS Metrocom; and Windstream Communications. A list of all MACC members can be located at <http://macctelecom.com/members/>.

Pursuant to R.C. 111.15(B), the Public Utilities Commission of Ohio (“PUCO”) is conducting a five-year review of the local exchange carrier-to-carrier rules contained in O.A.C. Chapter 4901:1-7. By Entry issued January 18, 2017, it invited interested stakeholders to file initial and reply comments to PUCO Staff’s proposed rule changes. The MACC appreciates this opportunity to provide the PUCO these Initial Comments.

II. APPLICABLE LAW

In conducting a five-year review, R.C. 106.03(A) requires the PUCO to determine whether the rules:

- (1) should be continued without amendment, be amended, or be rescinded, taking into consideration the purpose, scope, and intent of the statute under which the rule was adopted;
- (2) need amendment or rescission to give more flexibility at the local level;
- (3) need amendment or rescission to eliminate unnecessary paperwork;
- (4) incorporate a text or other material by reference and, if so, whether the text or other material incorporated by reference is deposited or displayed as required by section 121.74 of the Revised Code and whether the incorporation by reference meets the standards stated in sections 121.72, 121.75, and 121.76 of the Revised Code;
- (5) duplicate, overlaps with, or conflicts with other rules;
- (6) have an adverse impact on businesses, as determined under section 107.52 of the Revised Code; and
- (7) contains words or phrases having meanings that in contemporary usage are understood as being derogatory or offensive.

III. COMMENTS

The MACC notes that, apart from minor, non-substantive changes, Staff has proposed modifications to the rules to ensure that the current versions of the United States Code and Code of Federal Regulations are referenced in the rules. O.A.C. 4901:1-7-02. Its only other modifications give effect to Federal Communications Commission’s determinations and eliminate provisions regarding (1) ILECs’ requirement to read a list of available toll providers to

consumers initiating local exchange service (O.A.C. 4901:1-7-03(F); and (2) the resale of lifeline services [O.A.C. 4901:1-7-21(D)].

The MACC does not object to Staff's proposed revisions. Further, the MACC expressly states that the existing local exchange carrier-to-carrier rules are functioning very well and as intended. Accordingly, the MACC recommends, pursuant to the standards contained in R.C. 106.03(A), that no other changes be made to the rules at this time.

The MACC reserves its right to file replies to the comments of other stakeholders submitted in this proceeding.

IV. CONCLUSION

The local exchange carrier-to-carrier rules are functioning very well and as intended. The MACC recommends that the rules not be amended at this time beyond the changes proposed by Staff in this proceeding.

Respectfully submitted on behalf of
**THE MIDWEST ASSOCIATION OF COMPETITIVE
COMMUNICATIONS, INC.**



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Summary: Comments of The Midwest Association of Competitive Communications, Inc.
electronically filed by Teresa Orahoad on behalf of Dane Stinson