

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATIONS TO CHANGE NAMES FILED BY:

WEST SAFETY COMMUNICATIONS
INC., AND

CASE NO. 20-527-TP-ACN

WEST TELECOM SERVICES, LLC.

CASE NO. 20-534-TP-ACN

FINDING AND ORDER

Entered in the Journal on April 22, 2020

I. SUMMARY

{¶ 1} The Commission approves the applications in the above-captioned proceedings for names changes by the applicant telephone companies.

II. DISCUSSION

{¶ 2} R.C. 4927.05 provides that no telephone company shall operate in the state without obtaining a certificate from the Commission, and each such certificate shall include the official name of the company. Further, pursuant to Ohio Adm.Code 4901:1-6-29, a telephone company is required to update its certification authority if there are certain changes to its operations, including a change of name by a competitive local exchange carrier (CLEC) providing basic local exchange service.

{¶ 3} Applications were filed in the above-captioned proceedings to change the official names of the applicant local exchange carriers.

{¶ 4} Pursuant to Ohio Adm.Code 4901:1-6-05, an application filed under Ohio Adm.Code 4901:1-6-29(B)(1) for a name change by local exchange carrier shall be deemed approved 30 days after the filing of the application, unless the Commission suspends such approval.

{¶ 5} 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. As described in the Executive Order, state agencies are required to implement procedures consistent with recommendations from the Department of Health to prevent or alleviate the public health threat associated with COVID-19. Additionally, all citizens are urged to heed the advice of the Department of Health regarding this public health emergency in order to protect their health and safety. The Executive Order was effective immediately and will remain in effect until the COVID-19 emergency no longer exists.

{¶ 6} On March 16, 2020, an attorney examiner issued an Entry in Case No. 20-591-AU-UNC, directing that any time period prescribed by order, statute, or rule for the Commission to act upon a pending application or other filing should be tolled during the state of emergency and also during the 14 days thereafter, including the 30-day automatic approval process for certification applications to operate as a telephone company in the state of Ohio, as well as the 90-day period for the Commission to take action to approve or deny a suspended application. Further, the attorney examiner indicated that, during the declared emergency, Staff would continue to investigate pending applications and the Commission would act on such applications on a case-by-case basis. *In re the Proper Procedures and Process for the Commission's Operations and Proceedings during the Declared State of Emergency and Related Matters*, Case No. 20-591-AU-UNC, Entry (Mar. 16, 2020) at ¶ 5.

{¶ 7} The applications filed in the above-captioned proceedings were, thus, subject to the March 16, 2020 Entry and suspended from automatic approval during the state of emergency.

{¶ 8} Staff filed reports of its review of each application, indicating that the applicants satisfy the statutory requirements relating to name changes by local exchange carriers, and recommending that the applications be approved.

{¶ 9} Upon review of the filed applications, as well as Staff's recommendations, the Commission therefore approves the name changes outlined in the applications and

subsequent Staff recommendations.

III. ORDER

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That the applications filed in the above-captioned cases be approved. It is, further,

{¶ 12} ORDERED, That Staff issue revised CLEC certificates to each applicant reflecting the new names of each company. It is, further,

{¶ 13} ORDERED, That a copy of this Finding and Order be served upon all parties of record.

COMMISSIONERS:

Approving:

Sam Randazzo, Chairman
M. Beth Trombold
Daniel R. Conway
Dennis P. Deters
Lawrence K. Friedeman

DMH/kck

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in

Case No(s). 20-0527-TP-ACN, 20-0534-TP-ACN

Summary: Finding & Order the applications filed in the above-captioned cases be approved. It is, further ordered that Staff issue revised CLEC certificates to each applicant reflecting the new names of each company. electronically filed by Kelli C King on behalf of The Public Utilities Commission of Ohio