

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
COX OHIO TELECOM, LLC FOR
REVISIONS TO ITS LOCAL SERVICE
TARIFF.

CASE NO. 20-659-TP-ATA

FINDING AND ORDER

Entered in the Journal on May 6, 2020

I. SUMMARY

{¶ 1} The Commission approves the application filed by Cox Ohio Telecom, LLC for revisions to its local service tariff.

II. DISCUSSION

{¶ 2} R.C. 4927.125 provides that the rate, terms, and conditions for basic local exchange service and for installation and reconnection fees for basic local exchange service shall be tariffed in the manner prescribed by rules adopted by the Commission.

{¶ 3} On March 31, 2020, Cox Ohio Telecom, LLC (Applicant) filed an application seeking Commission approval of revisions to its local service tariff.

{¶ 4} Pursuant to Ohio Adm.Code 4901:1-6-05, an application filed under Ohio Adm.Code 4901:1-6-14(I)(2) for amendment to a local service tariff 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 application filed in the above-captioned proceeding was, thus, subject to the March 16, 2020 Entry and suspended from automatic approval during the state of emergency.

{¶ 8} Staff filed a report of its review of this application, indicating that the Applicant satisfied the statutory requirements relating to revisions of local service tariffs, and recommending that the application be approved.

{¶ 9} The Commission, therefore, approves the application filed by Cox Ohio Telecom, LLC to revise its local service tariff, as such revisions are more particularly outlined in the application and subsequent Staff recommendation.

III. ORDER

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That the application filed by Cox Ohio Telecom, LLC be approved.
It is, further,

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

COMMISSIONERS:

Approving:

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

JRJ/mef

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in

Case No(s). 20-0659-TP-ATA

Summary: Finding & Order approving the application for revisions to local service tariff.
electronically filed by Ms. Mary E Fischer on behalf of Public Utilities Commission of Ohio