

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE COMMISSION'S
INVESTIGATION INTO INTRASTATE
CARRIER ACCESS REFORM PURSUANT TO
SUB. S.B. 162.

CASE NO. 10-2387-TP-COI

ENTRY

Entered in the Journal on May 14, 2020

I. SUMMARY

{¶ 1} In this Entry, all rate-of-return incumbent local exchange carriers are directed to file an application to reduce their intrastate and interstate end office access rates as required by the Federal Communications Commission.

II. DISCUSSION

{¶ 2} Pursuant to R.C. 4927.15, the rates, terms, and conditions for carrier access shall be approved and tariffed in the manner prescribed by the Commission and shall be subject to the applicable laws, including rules or regulations adopted and orders issued by the Commission or the Federal Communications Commission (FCC).

{¶ 3} On November 18, 2011, the FCC released its Report and Order and Further Notice of Proposed Rulemaking (Report and Order) in WC Docket No. 07-135 et al., *In re Establishing Just and Reasonable Rates for Local Exchange Carriers*. In its Report and Order, the FCC adopted a transitional intercarrier compensation restructuring framework for both intrastate and interstate telecommunications traffic exchanged with a local exchange carrier, which will ultimately result in bill-and-keep.

{¶ 4} Ohio Adm.Code 4901:1-7-14(C) requires that the prevailing incumbent local exchange company (ILEC) and competitive local exchange carrier (CLEC) switched access reciprocal compensation rates shall be transitioned to a default bill-and-keep compensation consistent with 47 C.F.R. 51.903-913.

{¶ 5} Consistent with 47 C.F.R. 51.909, beginning July 1, 2020, each rate-of-return ILEC and CLEC that benchmarks rates to rate-of-return ILECs shall remove any intercarrier

charges for terminating end office access service. As a result of this final phase of intrastate access reductions, rate-of-return companies will now be at bill-and-keep levels.

{¶ 6} In order to allow for the timely review and implementation of the requisite intrastate access rate revisions, all rate-of-return ILECs and all affected CLECs are directed to file on or before June 12, 2020, the appropriate application or representation that the carrier's intrastate rates will mirror its 2020 FCC-approved access rates. Unless suspended, the applications will be deemed automatically approved on July 1, 2020. The applications should satisfy the criteria set forth in 47 C.F.R. 51.909 and 51.911 for rate-of-return carriers and applicable CLECs, respectively. For those local exchange carriers that fail to file the requisite application on a timely basis, the current effective intercarrier compensation rates will be deemed as unjust and unreasonable as of July 1, 2020, and such carriers will be prohibited from charging for intrastate intercarrier traffic until they have Commission-approved tariffs in compliance with this Entry.

III. ORDER

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That each rate-of-return ILEC and affected CLEC should file an application to amend its tariff or file a letter of compliance, as applicable, in accordance with Paragraph 6. It is, further,

{¶ 9} ORDERED, That the tariff amendment applications shall be effective in accordance with Paragraph 6. It is, further,

{¶ 10} ORDERED, That a copy of this Entry be served via the Commission's telephone industry electronic mail listserv, upon all ILECs, all CLECs, all providers of telephone toll service, all wireless service providers registered with the Commission, the Ohio Consumers' Counsel, and all other interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Jay S. Agranoff

By: Jay S. Agranoff
Attorney Examiner

SJP/kck

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