

4901:1-6-01

Definitions.

[Comment: For dates of references to a section of either the United States Code or a regulation in the code of federal regulations see rule 4901:1-6-02 of the Administrative Code.]

As used within this chapter, these terms denote the following:

- (A) "Alternative operator services (AOS)" means any intrastate operator-assisted services, other than inmate operator services (IOS), in which the customer and the end user are totally separate entities. The AOS provider contracts with the customer to provide the AOS; however, the AOS provider does not directly contract with the billed party to provide the services even though it is the billed party who actually pays for the processing of the operator-assisted calls. AOS does not include coin-sent calls.
- (B) "Alternative provider" includes a telephone company, including a wireless service provider, a telecommunications carrier, and a provider of internet-protocol enabled services, including voice over internet protocol.
- (C) "Basic local exchange service" (BLES) shall have the meaning set forth in division (A)(1) of section 4927.01 of the Revised Code.
- (D) "Bundle or package of services" shall have the meaning set forth in division (A)(2) of section 4927.01 of the Revised Code.
- (E) "Carrier access" shall have the meaning set forth in division (A)(3) of section 4927.01 of the Revised Code.
- (F) "Carrier of last resort" means an incumbent local exchange carrier (ILEC) as defined in section 4927.01(A)(5) of the Revised Code, that is required to provide basic local exchange service on a reasonable and non-discriminatory basis to all persons or entities in its service area requesting that service as set forth in section 4927.11 of the Revised Code. .
- ~~(F)~~(G) "Commission" means the public utilities commission of Ohio.
- ~~(G)~~(H) "Competitive eligible telecommunications carrier (CETC)" means a carrier, other than an incumbent local exchange carrier, designated by a state commission as an eligible telecommunications carrier.
- ~~(H)~~(I) "Competitive emergency services telecommunications carrier (CESTC)" means a telephone company that is a 9-1-1 system service provider that with respect to a service area, that was not an incumbent 9-1-1 system service provider on or after the date of enactment of the Telecommunications Act of 1996 (1996 act) 110 Stat. 60, 47 U.S.C. 151 et seq. or its successor or assignee of an incumbent local exchange.

~~(J)~~(J) "Competitive local exchange carrier (CLEC)" means, with respect to a service area, any facilities-based and nonfacilities-based local exchange carrier that was not an incumbent local exchange carrier on the date of enactment of the 1996 act or is not an entity that, on or after such date of enactment, became a successor or assignee of an incumbent local exchange carrier.

~~(K)~~(K) "Customer" means any person, firm, partnership, corporation, municipality, cooperative organization, government agency, etc., that agrees to purchase a telecommunications service and is responsible for paying charges and for complying with the rules and regulations of the telephone company. For purposes of this chapter, customer means a retail customer except where the term is specifically designated within a rule to mean a wholesale customer of the telephone company.

~~(L)~~(L) "Eligible telecommunications carrier (ETC)" means a carrier designated by a state commission as defined in subpart C of ~~FCC~~ 47 C.F.R. 54.201.

~~(M)~~(M) "Exchange area" means a geographical service area established by an incumbent local exchange carrier and approved by the commission, which embraces a city, town, or village and a designated surrounding or adjacent area. There are currently seven hundred thirty eight exchanges in the state.

~~(N)~~(N) "Facilities-based CLEC" means, with a respect to a service area, any local exchange carrier that uses facilities it owns, operates, manages or controls to provide basic local exchange services to consumers on a common carrier basis; and that was not an incumbent local exchange carrier on the date of the enactment of the 1996 act. Such carrier may partially or totally own, operate, manage or control such facilities. Carriers not included in such classification are carriers providing service(s) solely by resale of the incumbent local exchange carrier's local exchange services.

~~(O)~~(O) "Federal poverty level" shall have the meaning set forth in division (A)(4) of section 4927.01 of the Revised Code.

~~(P)~~(P) "Flat rate" service means unlimited number of local calls at a fixed charge.

~~(Q)~~(Q) "Incumbent local exchange carrier (ILEC)" shall have the meaning set forth in division (A)(5) of section 4927.01 of the Revised Code.

~~(R)~~(R) "Inmate operator services (IOS)" means any intrastate telecommunications service initiated from an inmate telephone, i.e., a telephone instrument set aside by authorities of a secured correctional facility for use by inmates or juvenile offenders.

~~(S)~~(S) "Internet protocol-enabled services" shall have the meaning set forth in division (A)(6) of section 4927.01 of the Revised Code.

(T) "Interstate-access component" shall have the same meaning as set forth in division (A)(7) of section 4927.01 of the Revised Code.

~~(S)~~(U) "Large ILEC" means any ILEC serving fifty thousand or more access lines in Ohio.

~~(T)~~(V) "Local exchange carrier" shall have the meaning set forth in division (A)~~(7)~~(8) of section 4927.01 of the Revised Code.

~~(U)~~(W) "Local service area" shall have the meaning set forth in division (A)~~(8)~~(9) of section 4927.01 of the Revised Code.

~~(V)~~(X) "Nonresidential service" means a telecommunication service primarily used for business, professional, institutional or occupational use.

~~(W)~~(Y) "Postmark" means a mark, including a date, stamped or imprinted on a bill or a piece of mail which serves to record the date of its mailing, which in no event shall be earlier than the date on which the item is actually deposited in the mail. The postmark of a bill that is sent electronically must appear on the electronic bill and shall in no event be earlier than the date which it is electronically sent.

~~(X)~~(Z) "Preferred carrier freeze" (PCF) means a service that prevents a change in a customer's preferred carrier selection, unless the customer gives consent for such change to the carrier from whom the freeze was requested.

~~(Y) "Provider of last resort" means an ILEC or successor telephone company that is required to provide basic local exchange service on a reasonable and non-discriminatory basis to all persons or entities in its service area requesting that service as set forth in section 4927.11 of the Revised Code.~~

~~(Z)~~(AA) "Public safety answering point" (PSAP) means a facility to which 9-1-1 system calls for a specific territory are initially routed for response and where personnel respond to specific requests for emergency service by directly dispatching the appropriate emergency service provider, relaying a message to the appropriate provider, or transferring the call to the appropriate provider.

(BB) "Reasonable and comparatively priced voice service" is a voice service that satisfies the definition set forth in division (B)(3) of section 4927.10 of the Revised Code. A voice service is presumptively deemed competitively priced, subject to rebuttal, if the rate does not exceed either: (1) the ILEC's BLES rate by more than twenty percent or; (2) the federal communications commission's (FCC) urban rate floor as defined in 47 C.F.R. 54.318(a).

~~(AA)~~(CC) "Regulated service" means service under the jurisdiction of the commission.

~~(BB)~~(DD) "Residential service" means a telecommunications service provided primarily for household use.

~~(CC)~~(EE) "Small business" shall have the meaning set forth in division (A)~~(9)~~(10) of section 4927.01 of the Revised Code.

~~(DD)~~(FF) "Tariff" means a schedule of rates, tolls, rentals, charges, classifications, and rules applicable to services and equipment provided by a telephone company that has been filed or posted in such places or in such manner as the commission orders.

~~(EE)~~(GG) "Telecommunications" shall have the meaning set forth in division (A)~~(10)~~(11) of section 4927.01 of the Revised Code.

~~(FF)~~(HH) "Telecommunications carrier" shall have the meaning set forth in division (A)~~(11)~~(12) of section 4927.01 of the Revised Code.

~~(GG)~~(II) "Telecommunications relay service (TRS)" means intrastate transmission services that provide the ability for an individual who has a hearing or speech impairment to engage in a communication by wire or radio with a hearing individual in a manner that is functionally equivalent to the ability of an individual, who does not have a hearing or speech impairment, to communicate using voice communication services by wire or radio. TRS includes services that enable two-way communication between an individual who uses a telecommunications device for the deaf or other nonvoice terminal device and an individual who does not use such a device.

~~(HH)~~(JJ) "Telecommunications service" shall have the meaning set forth in division (A)~~(12)~~(13) of section 4927.01 of the Revised Code.

~~(II)~~(KK) "Telephone company" shall have the meaning set forth in division (A)~~(13)~~(14) of section 4927.01 of the Revised Code.

~~(JJ)~~(LL) "Telephone exchange service" shall have the meaning set forth in division (A)~~(14)~~(15) of section 4927.01 of the Revised Code.

~~(KK)~~(MM) "Telephone toll service" shall have the meaning set forth in division (A)~~(15)~~(16) of section 4927.01 of the Revised Code.

~~(LL)~~(NN) "Traditional service area" means the area in which an ILEC provided basic local exchange service on the date of enactment of the ~~Telecommunications Act of 1996 act, 110 Stat. 60, 47 U.S.C. 153~~, and includes any commission-approved changes to an ILEC's traditional service area after that date.

~~(MM)~~(OO) "Voice over internet protocol service" (VoIP) shall have the meaning set forth in division (A)~~(16)~~(17) of section 4927.01 of the Revised Code.

(PP) "Voice service" shall have the same meaning as set forth in division (A)(18) of section 4927.01 of the Revised Code.

(OO) "Willing provider" is any provider, identified by the commission through its investigation process, voluntarily offering a reasonable and comparatively priced voice service at the customer's residence, to any residential customer affected by the withdrawal or abandonment of BLES.

~~(NN)~~(RR) "Wireless service" shall have the meaning set forth in division (A)~~(17)~~(19) of section 4927.01 of the Revised Code.

~~(OO)~~(SS) "Wireless service provider" shall have the meaning set forth in division (A)~~(18)~~(20) of section 4927.01 of the Revised Code.

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