

4901:1-6-02

**Purpose and scope.**

[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.]

- (A) The rules set forth in Chapter 4901:1-6 of the Administrative Code, apply to all incumbent local exchange carriers (ILECs), competitive local exchange carriers (CLECs), and other providers of telecommunication services, unless otherwise specified in this chapter or commission order.
- (B) A wireless service provider and a reseller of wireless service are exempt from all rules in Chapter 4901:1-6 of the Administrative Code, except rules 4901:1-6-24 (wireless service provisions), 4901:1-6-09, eligible telecommunications carrier (ETC), 4901:1-6-19, lifeline requirements for ETCs (where the wireless service provider or reseller of wireless service has attained ETC status), and 4901:1-6-36, telecommunications relay service (TRS).
- (C) A provider of interconnected voice over internet protocol-enabled service is exempt from all rules in Chapter 4901:1-6 of the Administrative Code, except for ~~rule 4901:1-6-36 (TRS)~~ rules 4901:1-6-21 (withdrawal of BLES) to the extent necessary for the protection, welfare, and safety of the public, and 4901:1-6-36 (TRS) of the Administrative Code.
- (D) A provider of any telecommunications service that, consistent with section 4927.03 of the Revised Code was, ~~is~~ not commercially available as of September 13, 2010, and that employs technology that became available for commercial use only after September 13, 2010, is exempt from all rules set forth in Chapter 4901:1-6 of the Administrative Code, except for ~~rule~~ rules 4901:1-6-21 and where applicable, 4901:1-6-36 (TRS) of the Administrative Code, in the event such provider is subsequently required under federal law to provide to its customers access to ~~telecommunications relay service~~ TRS.
- (E) The commission may, upon application or upon a motion filed by a party, waive any requirement of this chapter, for good cause shown, other than a requirement mandated by statute from which no waiver is permitted.
- (F) Any telephone company seeking a waiver(s) of rules contained in this chapter shall specify the period of time for which it seeks such a waiver(s), and a detailed justification in the form of a motion filed in accordance with rule 4901-1-12 of the Administrative Code.
- (G) Waiver requests are not deemed to be granted unless approved by order of the commission. Waiver requests made in proceedings which have an automatic approval

time frame will toll any automatic approval time frames set forth in rule 4901:1-6-05 of the Administrative Code.

- (H) Each citation contained within this chapter that is made either to a section of the United States Code or a regulation in the code of federal regulation is intended, and shall serve, to incorporate by reference the particular version of the cited matter that was effective on ~~September 13, 2010~~ October 1, 2016.

Replaces: 4901:1-6-02

Effective:

Five Year Review (FYR) Dates: 3/2/2018

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Certification

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Date

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