

4901:1-6-04

Suspensions.

- (A) Nothing contained within these rules shall in any way preclude the commission, legal director, deputy legal director, or attorney examiner from imposing a suspension of any process herein.
- (B) A full suspension occurs when the commission, legal director, deputy legal director, or attorney examiner, upon its own motion, suspends the automatic time clock and precludes an application from taking effect until such time as the commission takes further action. A full suspension may also be imposed after the automatic time frame has run if an ex post facto determination is made that a service previously automatically authorized may not be in the public interest or is in violation of commission rules and regulations. If the suspension involves a service previously automatically authorized, the telephone company may be required to discontinue providing the service subsequent to the suspension until such time as the commission takes further action.
- (C) Under partial suspension, which can be invoked by the commission, legal director, deputy legal director, or attorney examiner, the service in question is permitted to take effect under the proposed terms and conditions subject to continued review by the commission. The telephone company is put on notice that the commission, subsequent to its further review, may modify such terms and conditions. A partial suspension may also be imposed after the automatic time frame has run if an ex post facto determination is made that a service previously automatically authorized may not be in the public interest or is in violation of commission rules and regulations. If the suspension involves a service previously automatically authorized, the partial suspension may require the telephone company to refrain from obtaining new customers subsequent to the suspension until such time as the commission takes further action.
- (D) Once a case has been suspended, the application will be automatically approved sixty days from the date of suspension if all issues are resolved. If all issues are not resolved by the sixtieth day, the application will be dismissed by entry or suspended a second time. Any such second suspension shall be accompanied by notice to the applicant explaining the rationale for the additional suspension. If the application is suspended for a second time, the case cannot be approved without a commission entry or order.

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CERTIFIED ELECTRONICALLY

Certification

03/28/2003

Date

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