

4901:1-6-06

Suspensions.

- (A) Unless otherwise provided in law, the commission, legal director, deputy legal director, or attorney examiner may impose a full or partial suspension of any automatic approval process, notice filing, or tariff approved pursuant to this chapter, if such filing is contrary to law or the rules of the commission.
- (B) Under this rule, if a tariff filing is contrary to law or the rules of the commission, the commission may require a telephone company to discontinue provision of the affected tariffed telecommunications service(s) or, under partial suspension, cease offering the affected tariffed telecommunications service(s) to new customers, or take other actions with regard to the affected service(s) as the commission may require.
- (C) Unless the law specifically precludes suspension of an automatic approval process, a pending application under full or partial suspension 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 either 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. Applications under a second suspension cannot be approved without a commission entry or order.
- (1) Under this paragraph, an application under full suspension is entirely precluded from taking effect.
- (2) Under this paragraph, an application under partial suspension is permitted to take effect, in part or in its entirety, under the proposed terms and conditions, subject to further review by the commission. The applicant is put on notice that the commission, subsequent to further review, may modify the rates and/or terms and conditions of tariffed telecommunications service(s) affected by the application.
- (D) For-profit ILEC BLES pricing flexibility applications, filed pursuant to rule 4901:1-6-14(C)(1)(c) of the Administrative Code, are subject to one full suspension of the automatic approval process and must be approved or denied not later than ninety days after the date of suspension. Under this paragraph, an application under full suspension is entirely precluded from taking effect.
- ~~(D)~~(E) A full or partial suspension of tariffed telecommunications services may also be imposed, after an application has been approved under the automatic approval process or is subject to a zero-day notice filing, if an ex post facto determination is made that the tariff may not be in the public interest, or is in violation of law or commission rules.

Effective:

Five Year Review (FYR) Dates: 3/2/2023

Certification

Date

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