

Rule Summary and Fiscal Analysis (Part A)**Public Utilities Commission**

Agency Name

Utilities

Division

Paul Duffy

Contact

180 East Broad St. Columbus OH 43215 - 3793

Agency Mailing Address (Plus Zip)

614-466-0122

Phone

Fax

4901:1-6-08

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Competitive operations of all incumbent LECs.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **No**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **111.15**

4. Statute(s) authorizing agency to adopt the rule: **4901.13**

5. Statute(s) the rule, as filed, amplifies or implements: **4901.13, 4927.03**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

This rule is being filed in order to codify the Commission's procedures regarding the provision of retail telecommunication services by telephone companies subject to Commission regulation.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

This rule adopts affiliate transaction and financial reporting requirements for the out-of-territory competitive local exchange operations of incumbent local exchange

telephone companies.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

The telephone companies impacted by this rule must abide by the provisions of federal law (47 U.S.C.) and federal regulations (47 C.F.R.). Consequently, the affected companies already have or are reasonably able to acquire copies of the referenced materials.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

The reference or incorporated materials are sections of the U.S.C. and regulations adopted in the C.F.R. Accordingly, pursuant to section 121.75 of the Revised Code, and because the referenced or incorporated materials are intelligible to those persons affected, the commission need not file the text or other material electronically.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

Not Applicable.

12. 119.032 Rule Review Date:

(If you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: At time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date

not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

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N/A

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

N/A

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

There will be costs of compliance for all telephone companies filing pursuant to these rules. The costs of compliance will vary by company and by case filing. Therefore, the exact costs cannot be calculated at this time.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**