

4901:1-6-09

Eligible telecommunications carriers.**(A) Competitive eligible telecommunication carrier (CETC)**

Pursuant to 47 U.S.C. 214(e), upon request and consistent with the public interest, convenience, and necessity, the commission may, upon application, designate a CETC where that applicant meets the requirements of 47 U.S.C. 214, 47 C.F.R. 54.201(d) and 47 C.F.R. 54.202. The commission may subject such designation of CETC authority to additional conditions consistent with the public interest, convenience, and necessity.

(B) In order to be designated a CETC pursuant to 47 U.S.C. 214(e), a facilities-based telephone company must:

(1) File an application with the commission demonstrating its compliance with all federal and state CETC and lifeline requirements pursuant to 47 C.F.R. 54.201-209, rule 4901:6-19 of the Administrative Code, where applicable, and this rule.

(2) Telephone companies not previously designated as a CETC and requesting CETC authority, shall file the application for CETC designation with the commission using the most up-to-date telecommunications filing form and must include all completed exhibits as required by the filing form. Commission staff will maintain a current, updated copy of the filing form with the list of CETC required exhibits. The most recent version of the form will be posted on the commission's website. An application for CETC designation shall be filed under a TP-UNC case purpose code and shall not be subject to an automatic approval process. Rather, a CETC designation can be granted only by a commission order approving such request.

(C) Eligible telecommunications carrier (ETC) reporting requirements

In order to be eligible for federal universal service funding in any given year, all ETCs, i.e., incumbent local exchange carrier ETCs and CETCs, must comply with the following annual reporting requirements:

(1) No later than August 31 of each year, an ETC receiving high cost funding must file an affidavit with the commission stating that all federal high-cost support provided to the carrier for service areas in Ohio will be used only for the provision, maintenance, and upgrading of facilities and services for which the support was intended pursuant to 47 U.S.C. 254(e).

(2) No later than August 31 of each year, or a date otherwise designated by the universal service administration company (USAC), an ETC receiving lifeline support must file a completed copy of the federal communications commission (FCC) annual lifeline certification and verification affidavit, that is submitted to USAC, with the commission.

(D) Revocation or relinquishment of ETC designation

(1) The commission may revoke, consistent with commission and FCC rules and regulations, an ETC designation if it finds that the company has failed to comply with any state or federal ETC requirements, including the failure to pay all corresponding assessments.

(2) An ETC may seek to relinquish its ETC designation for an area pursuant to 47 C.F.R. 54.205 through the filing of a nonautomatic application with the commission under the case purpose code TP-UNC. An ETC will not be relieved of its ETC designation until the commission issues an order granting the request.

Effective:

R.C. 119.032 review dates:

Certification

Date

Promulgated Under: 111.15
Statutory Authority: 4901.13, 4927.03
Rule Amplifies: 4927.13