

4901:1-6-10

Abandonment.

(A) This rule applies when a LEC intends to discontinue the LECs' entire operations and to cancel the company's tariff and certificate of public convenience and necessity. A LEC shall not abandon its entire operations under a certificate without filing an abandonment application and obtaining commission approval.

- (1) Abandonment applications shall be filed at least ninety days prior to the effective date that the LEC will cease providing service. The application shall include copies of any notices provided pursuant to paragraphs (A)(2) to (A)(4) as well as the list pursuant to (A)(10) of this rule.
- (2) At least ninety days prior to abandoning operations, a LEC shall provide written notice to each ILEC in whose certified territory the LEC operates of its intent to cease providing service.
- (3) At least ninety days prior to abandoning operations, a LEC shall provide written notice to its customers of its intent to abandon service. At a minimum, the notice should provide the proposed effective date of the abandonment, instructions to the customers on how they may obtain replacement service(s), and identify the commission's toll free and TTY-TDD telephone numbers.
- (4) The LEC shall also provide notice of its abandonment on each billing statement rendered to customers beginning at least ninety days prior to the effective date of the abandonment and continue to provide such notice on all subsequent billing statements until the service is abandoned.
- (5) A LEC abandoning operations shall return all deposits, including applicable interest, to its customers no later than ninety days after filing its abandonment application unless a court orders otherwise.
- (6) If the commission does not act upon the application within ninety days of the filing date, a CLECs' application will be approved in accordance with the ninety-day automatic approval process described in rule 4901:1-6-05 of the Administrative Code. An ILEC abandonment application is not subject to an automatic approval process under these rules.
- (7) An abandoning LEC may not discontinue services provided to any customer or telephone company until the abandonment application has been approved by the commission.
- (8) No telephone company may discontinue services provided to an abandoning LEC until the abandonment application has been approved by the commission.
- (9) Approval of an application to abandon, whether by commission order or by operation of the automatic approval process, effects a forfeiture of the right to provide regulated telecommunication services in Ohio.

(10) The LEC shall provide a list of their assigned (NPA) NXX's or thousands block(s) including any proposed dates or timelines, due to its abandonment proceedings, wherein the LECs' (NPA) NXXs or thousands block(s) would be reassigned to another carrier and/or returned to the North American numbering plan administrator or pooling administrator.

(B) A provider of competitive telecommunication services other than basic local exchange service, except for CMRS providers, seeking to abandon the company's entire operations, including the company's tariff and certificate of public convenience and necessity, shall not abandon the service(s) it provides under a certificate without filing an abandonment application and obtaining commission approval.

(1) Abandonment applications shall be filed at least fourteen days prior to the effective date that the provider of competitive telecommunication services will cease providing regulated services. The application shall include copies of any notices provided pursuant to paragraphs (B)(2) to (B)(4) of this rule.

(2) At least fourteen days prior to abandoning operations, a provider of competitive telecommunication services shall provide written notice to its customers of its intent to abandon service. At a minimum, the notice should provide the proposed effective date of the abandonment, instructions to the customers on how they may obtain replacement service(s), and identify the commission's toll-free and TTY-TDD telephone numbers.

(3) A provider of competitive telecommunication services abandoning service shall return all deposits, including applicable interest, to its customers no later than fourteen days after filing its abandonment application.

(4) If the commission does not act upon the application within fourteen days of the filing date, the application shall be deemed automatically approved on the fourteenth day, and effective no sooner than the fifteenth day.

(5) An abandoning provider of competitive telecommunication services may not discontinue services provided to any customer or telephone company until the abandonment application has been approved by the commission.

(6) No LEC may discontinue services provided to any provider of competitive telecommunication services that has an abandonment application filed with the commission until the abandonment application has been approved by the commission.

(7) Approval of an application to abandon, whether by commission order or by operation of the automatic approval process, effects a forfeiture of the right to provide regulated telecommunication services in Ohio.

(8) Where applicable, a provider of competitive telecommunication services shall provide a list of their assigned (NPA) NXX's or thousands block(s) including any proposed dates or timelines, due to its abandonment proceedings, wherein the providers (NPA) NXXs or thousands block(s) would be reassigned to another carrier and/or returned to the North American numbering plan administrator or pooling administrator.

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Certification

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