

## TO BE RESCINDED

4901:1-6-11            **Abandonment.**

- (A) A local exchange carrier (LEC) seeking to abandon its entire operations, including its 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) With the exception set forth in paragraph (A)(9) of this rule, 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) of this rule, as well as the list pursuant to paragraph (A)(11) of this rule.
  - (2) At least ninety days prior to abandoning operations, a LEC shall provide written notice of its intent to cease providing service to each incumbent local exchange carrier (ILEC) in whose certified territory the LEC operates.
  - (3) At least ninety days prior to abandoning operations, a LEC shall provide written notice of its intent to abandon service to its customers. 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 of competent jurisdiction orders otherwise.
  - (6) If the commission does not act upon the application within ninety days of the filing date, a CLEC's application will be approved in accordance with the ninety-day automatic approval process described in rule 4901:1-6-08 of the Administrative Code.
  - (7) An ILEC abandonment application is not subject to an automatic approval process under this chapter.
  - (8) An abandoning LEC may not discontinue services provided to any customer or telephone company until the abandonment application has been approved by

the commission.

- (9) An abandoning CLEC with no customers shall file an abandonment application at least thirty days prior to the effective date that the CLEC will discontinue service. Customer notice is not required with such applications. If the commission does not act upon the application within thirty days of the filing date, a CLEC's application will be approved in accordance with the thirty-day automatic process described in rule 4901:1-6-08 of the Administrative Code.
  - (10) No telephone company may discontinue services provided to an abandoning LEC until the abandonment application has been approved by the commission.
  - (11) The LEC shall provide a list of its assigned area code prefix(es) or thousands block(s) including any proposed dates or timelines, due to its abandonment proceedings, wherein the LEC's area code prefix(es) 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 (CTS), except for commercial mobile radio service 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 CTS will cease providing regulated services. The application shall include copies of any notices provided pursuant to paragraph (B)(2) of this rule, as well as the list pursuant to paragraph (B)(7) of this rule.
  - (2) At least fourteen days prior to abandoning operations, a provider of CTS 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 the commission's toll-free and TTY-TDD telephone numbers.
  - (3) A provider of CTS 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 CTS 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 CTS that has an abandonment application filed with the commission until the abandonment application has been approved by the commission.
- (7) Where applicable, a provider of CTS shall provide a list of its assigned area code prefix(es) or thousands block(s) including any proposed dates or timelines, due to its abandonment proceedings, wherein the provider's area code prefix(es) 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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CERTIFIED ELECTRONICALLY

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Certification

01/10/2011

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Date

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