

TO BE RESCINDED

4901:1-6-14 **Telephone company procedures for notifying the commission of changes in operations.**

(A) Procedures for notifying the commission of certain changes in operations by providers of competitive telecommunication services.

(1) All providers of competitive telecommunication services, except local exchange carriers (LEC) and commercial mobile radio service providers, shall file the telecommunications application form and required attachments when notifying the commission of a change in operations (CIO):

(a) For a change in ownership which is transparent to end users.

(b) For an application to transfer a certificate and/or conduct a sale or lease of property, plant, customer base, or business which may affect the operating authority of a party(ies) to the transaction.

(c) For an application by two or more non-LEC providers to merge pursuant to section 4905.242 or 4905.49 of the Revised Code.

(d) For an application to change the name of a non-LEC provider.

(2) A CIO application is subject to a zero-day notice filing process as described in rule 4901:1-6-08 of the Administrative Code.

(3) Customer notification

Unless the changes in operations identified by this rule are completely transparent to its customers, the telephone company must give notice to each affected customer (e.g., direct mail, bill insert, or bill notation) in accordance with rule 4901-1-6-16 of the Administrative Code, and file a copy of its notice with the commission concurrent with the filing of the application at the commission. In the alternative, a telephone company subject to the notification procedures set forth in 47 C.F.R. 63.71, effective in accordance with paragraph (G) of rule 4901:1-6-02 of the Administrative Code, may submit evidence of a customer notice already provided for the purpose of informing subscribers of a change in operations consistent with the requirements of the federal communications commission.

(B) LEC procedures for notifying the commission of changes in operations.

- (1) A LEC shall file an application notifying the commission of the following changes in its operations:
 - (a) ACO - A change in ownership pursuant to sections 4905.402 and 4905.04 to 4905.06 of the Revised Code.
 - (b) ATC - An application to transfer a certificate to a preselected transferee pursuant to section 4905.48 of the Revised Code.
 - (c) ATR - An application to conduct a transaction involving one or more LECs for the purchase, sale, or lease of property, plant, or business which may affect the operating authority of a party to the transaction pursuant to section 4905.48 of the Revised Code.
 - (d) AMT - An application by two or more LECs to merge pursuant to section 4905.242 or 4905.49 of the Revised Code.
 - (e) ACN - An application to change the name of a LEC.

(2) Time frames

All applications filed pursuant to this rule are subject to thirty-day automatic approval process unless suspended by the commission.

(3) Notifications

Unless the changes in operations identified by this rule are completely transparent to its customers, the LEC must give notice to each affected customer (e.g., direct mail, bill insert, or bill notation) and file a copy of its notice with the commission concurrent with the filing of the application at the commission. In the alternative, a telephone company subject to the notification procedures set forth in 47 C.F.R. 63.71, effective in accordance with paragraph (G) of rule 4901:1-6-02 of the Administrative Code, may submit evidence of a customer notice already provided for the purpose of informing subscribers of a change in operations consistent with the requirements of the federal communications commission.

- (C) A competitive local exchange carrier and a provider of competitive telecommunication services may issue stocks, bonds, notes, and other evidences of indebtedness pursuant to sections 4905.40 and 4905.41 of the Revised Code, without notifying or requesting approval from the commission.

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Certification

01/10/2011

Date

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