

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4901:1-6-16

Rule Type: New

Rule Title/Tagline: Unfair or deceptive acts and practices.

Agency Name: Public Utilities Commission of Ohio

Division: Utilities

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I. Rule Summary

1. Is this a five year rule review? No
 - A. What is the rule's five year review date?
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 111.15
4. What statute(s) grant rule writing authority? 4901.13, 4927.03
5. What statute(s) does the rule implement or amplify? 4927.06
6. Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires? No
 - A. If so, what is the citation to the federal law or rule? Not Applicable
7. What are the reasons for proposing the rule?

To comply with the requirements of R.C. 121.95(A)(1) for state agencies to reduce their total number of regulatory restrictions by 30 percent by June 30, 2025.
8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

This rule protects consumers against unfair or deceptive acts and practices by telephone companies. Language is being added to (F) in order to further clarify the requirements regarding applicable obligations pertaining to customer notices and responding to questions and complaints.

- 9. Does the rule incorporate material by reference? Yes**
- 10. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

Exemption exists due to incorporation by reference of either sections of the Ohio Revised Code, rules in the Ohio Administrative Code, sections of the United States Code, or rules in the Code of Federal Regulations. The referenced materials are readily available online.

- 11. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

Not Applicable

II. Fiscal Analysis

- 12. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

0

Not Applicable

- 13. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

Not Applicable

- 14. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**

- 15. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

16. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not Applicable

III. Common Sense Initiative (CSI) Questions

17. Was this rule filed with the Common Sense Initiative Office? Yes

18. Does this rule have an adverse impact on business? No

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No
- B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No
- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No
- D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

IV. Regulatory Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).

19. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes

- A. How many new regulatory restrictions do you propose adding to this rule? 63

4901:1-6-16(A)(1) Incorporated a regulatory restriction regarding restriction regarding obligations related to telephone company communications.

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4901:1-6-16(D) Incorporated a regulatory restriction regarding the Commission's authority regarding additional acts that constitute unfair or deceptive acts and the adjudicatory process that may result from such authority.

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4901:1-6-16(E) Incorporated a regulatory restriction regarding the obligation of telephone companies to disclose its credit and deposit policies.

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B. How many existing regulatory restrictions do you propose removing from this rule? 0

C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.

4901:1-6-16 Rescinded

D. Please justify the adoption of the new regulatory restriction(s).

The additions are restrictions that remain in the amended rule, however, as there was more than 50% change in language, the ERF filing requirement to Rescind/New was enacted. Three regulatory restrictions in section (F) previously existed in the language of rescinded rule 4901:1-6-17 in order to further clarify the requirements regarding applicable obligations pertaining to customer notices and responding to questions and complaints.