

4901:1-6-19**Lifeline requirements.**

[Comment: For dates of references to a section of either the United States Code or a regulation in the code of federal regulations, see rule 4901:1-6-02 of the Administrative Code.]

(A) An incumbent local exchange carrier (ILEC) that is an eligible telecommunications carrier (ETC) under 47 C.F.R. 54.201 shall implement lifeline service consistent with section 4927.13 of the Revised Code and 47 C.F.R. 54.400, et seq., as applicable, throughout the ILEC ETC's traditional service area for its eligible residential customers.

(B) An ILEC ETC's lifeline service shall provide for a waiver of the federal universal service fund end user charge and; a waiver of the telephone company's service deposit requirement.

(C) Commission staff shall, with the assistance of the office of the consumers' counsel, work with the advisory board established by section 4927.13(A)(3)(a) of the Revised Code to reach consensus on the organization of the board and all activities relating to the promotion of, marketing of, and outreach regarding lifeline service. However, where consensus is not possible, the commission's staff shall make the final determination. Decisions on the organization of the board and decisions of the advisory board including decisions on how the lifeline marketing, promotion, and outreach activities are implemented are subject to commission review. Every large ILEC shall work with the advisory board to reach consensus, where possible, regarding an appropriate lifeline budget for promoting lifeline and promoting outreach and regarding how the budget will be spent.

(D) To the extent that an ILEC ETC is the only service provider in a particular exchange, the ILEC ETC where possible, may provide automatic enrollment at its election. ILEC ETCs electing to enroll subscribers via automatic enrollment shall take all necessary steps to ensure that there is no duplication of lifeline service for a specific subscriber.

(E) The customer billing surcharge authorized by section 4927.13(D) of the Revised Code may be established through one of the following means:

(1) An ILEC ETC that chooses to establish a customer billing surcharge to non-lifeline customers, to recover lifeline service discounts and expenses identified in this paragraph shall file a thirty-day application for tariff amendment (ATA). Such application may request recovery of lifeline service discounts that are not recovered through federal or state funding such as federal universal service fund end user charges, service connection charges, blocking of 900/976, recurring discount maximizing the contribution of federally available assistance, and recurring retail price differences between the frozen lifeline service rate and

residential BLES rates, as well as lifeline service expenses that are not recovered through federal or state funding such as administrative expenses for the sole purpose of verifying the eligibility and enrolling of lifeline customers. An applicant must provide documentation to support its proposed surcharge and its compliance with this rule. Absent suspension or other commission action, the application shall be deemed approved and become effective on the thirty-first day or later date if requested by the company.

(2) An ILEC ETC requesting recovery of any expenses not specified in paragraph (F)(1) of this rule shall file an application with the commission, using the most up-to-date telecommunications filing form, under the TP-UNC case purpose code. An applicant must provide documentation to support its proposed customer billing surcharge and its compliance with this rule including further support of its request for recovery of any expenses not specified in paragraph (F)(1) of this rule with a detailed supporting memorandum. Absent suspension or commission action, the application shall be deemed approved and become effective on the one hundred twenty-first day or later date if requested by the company.

(F) If an ILEC ETC chooses to establish a customer billing surcharge to recover its lifeline expenses under paragraph (F)(1) or (F)(2) of this rule, the lifeline surcharge shall not appear in the section of the bill reserved for taxes and government-mandated charges as set forth in 47 C.F.R. 64.2400 to 64.2401.

(G) An ILEC ETC that is authorized to establish a customer billing surcharge under either paragraph (F)(1) or (F)(2) of this rule shall annually file with the commission a report that identifies actual amounts recovered and the actual lifeline service discounts and any other lifeline service expenses incurred for the prior period. The company shall provide such data as necessary to enable the commission to validate such amounts to ensure that the company did not over recover its approved expenses from customers. The commission shall establish for each such company the time frame for filing this report when the commission approves any such billing surcharge. The annual filing may be contained in a request to adjust the billing surcharge in accordance with paragraph (F)(1) or (F)(2) of this rule, but shall be provided via a separate filing and docketed in a generic case number to be established by the commission, if no adjustment to the billing surcharge is sought. Any over-recovery or under-recovery shall be offset against or added to the next year's recovery.

(H) Upon request of commission staff, additional information regarding customer subscription to and disconnection of lifeline service shall be provided to commission staff in accordance with rule 4901:1-6-30 of the Administrative Code.

(I) Competitive eligible telecommunication carriers (CETCs) lifeline requirements.

- (1) The lifeline requirements found in paragraphs (A), (B), (D), and (H) of this rule apply to the lifeline service offered by any CETC, as applicable to that CETC's service offerings.
 - (2) A CETC shall provide to commission staff, upon request, information regarding the number of its lifeline customers and any additional information regarding customer subscription to and disconnection of lifeline service in the manner and time frame determined by commission staff.
 - (3) CETCs that offer lifeline services that include a defined local calling area shall establish a toll-free or local customer service number in order that customers can raise customer service concerns free of charge.
 - (4) CETCs that offer lifeline services that do not have a defined local calling area shall not deduct minutes for customer service-related calls.
 - (5) CETCs shall, at a minimum, accept customer service and repair calls at their respective customer service number during normal business hours.
- (J) The payment of financial incentives by ILEC ETCs and CETCs to community organizations for client referrals is permitted provided the payments are non-tiered and the arrangements are nonexclusive.

Effective: 8/31/2023

Five Year Review (FYR) Dates: 02/29/2024

CERTIFIED ELECTRONICALLY

Certification

08/18/2023

Date

Promulgated Under: 111.15
Statutory Authority: 4901.13, 4927.03
Rule Amplifies: 4927.04, 4927.13