

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4901:1-6-19

Rule Type: New

Rule Title/Tagline: Lifeline requirements.

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?** 4927.04, 4927.13
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) for state agencies to reduce the total number of regulatory restrictions by thirty percent by June 30, 2025.
8. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

Establishes the Lifeline requirements for incumbent local exchange companies and competitive eligible telecommunications carriers.

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? 47
- 4901:1-6-19(A): Incorporates one regulatory restriction regarding implementing Lifeline service.
- 4901:1-6-19(C): Incorporates six regulatory restrictions regarding large incumbent local exchange companies' activities related to the marketing of and outreach regarding the offering of Lifeline service.
- 4901:1-6-19(C): Incorporates six regulatory restrictions regarding large incumbent local exchange companies' activities related to the marketing of and outreach regarding the offering of Lifeline service.

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4901:1-6-19(D): Incorporates one regulatory restriction regarding the utilization of automatic enrollment of Lifeline customers by incumbent local exchange companies.

4901:1-6-19(E)(1): Incorporates five regulatory restrictions regarding the process to establish a customer billing surcharge to non-Lifeline customers.

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4901:1-6-19(E)(2): Incorporates five regulatory restrictions regarding the process for recovery of expenses not covered in (O)(1).

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4901:1-6-19(F): Incorporates two regulatory restrictions regarding the location of a Lifeline surcharge on a subscriber's bill.

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4901:1-6-19(G): Incorporates eight regulatory restrictions regarding reporting requirements related to customer billing surcharges related to Lifeline service.

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4901:1-6-19(H): Incorporates two regulatory restrictions regarding the requirement for Lifeline providers to provide additional information upon request of the Commission Staff.

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901:1-6-19(I)(2): Incorporates five regulatory restrictions regarding the requirement that a competitive eligible telecommunications carrier provide additional information upon request of the Commission Staff.

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4901:1-6-19(I)(3): Incorporates one regulatory restrictions requiring that competitive eligible telecommunications carriers with a defined local calling area establish a toll-free number to address service concerns.

4901:1-6-19(I)(4): Incorporates one regulator restriction requiring that competitive eligible telecommunications carriers that do not have a local calling area shall not deduct minutes for customer service-related calls.

4901:1-6-19(I)(5): Incorporates two regulatory restrictions that competitive eligible telecommunications carriers shall at a minimum accept customer service and repair calls at their customer service number during normal business hours.

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4901:1-6-19(A): Incorporates one new regulatory restriction regarding implementing Lifeline service.

4901:1-6-19(B): Incorporates two regulatory restrictions regarding applicable waivers.

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4901:1-6-19(C): Incorporates six regulatory restrictions regarding large incumbent local exchange companies' activities related to the marketing of and outreach regarding the offering of Lifeline service.

4901:1-6-19(E)(2): Incorporates a regulatory restriction regarding the process for recovery of expenses not covered in (O)(1).

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4901:1-6-19(I)(5): Incorporates two regulatory restrictions that competitive eligible telecommunications carriers shall at a minimum accept customer service and repair calls at their customer service number during normal business hours.

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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.

4901:1-6-19 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. A new regulatory restriction was added

in 4901:1-6-19(A) that incorporates one regulatory restriction regarding implementing Lifeline service.