

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4901:1-6-19
Rule Type: Rescission
Rule Title/Tagline: Lifeline requirements.
Agency Name: Public Utilities Commission of Ohio
Division: Utilities
Address: 180 East Broad Street Columbus OH 43215-3793
Contact: Jeff Jones **Phone:** 614-466-0463
Email: Jeffrey.Jones@puco.ohio.gov

I. Rule Summary

1. **Is this a five year rule review?** Yes
 - A. **What is the rule's five year review date?** 6/13/2023
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 the incorporation by reference of either sections of the Ohio Revised Code, sections of the United States Code, rules in the Ohio Administrative Code, or a regulation in the Code of Federal Regulations.

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? 0
 - B. How many existing regulatory restrictions do you propose removing from this rule? 115

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

4901:1-6-19(B): Incorporates three regulatory restrictions regarding what constitutes Lifeline service.

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4901:1-6-19(B)(1): Incorporates one regulatory restriction regarding what constitutes Lifeline service.

4901:1-6-19(B)(2): Incorporates one regulatory restriction regarding what constitutes Lifeline service.

4901:1-6-19(B)(3): Incorporates three regulatory restrictions regarding what constitutes Lifeline service.

4901:1-6-19(B)(3): Incorporates three regulatory restrictions regarding what constitutes Lifeline service.

4901:1-6-19(B)(3): Incorporates three regulatory restrictions regarding what constitutes Lifeline service.

4901:1-6-19(B)(4): Removes one regulatory restriction regarding what constitutes Lifeline service.

4901:1-6-19(B)(5): Incorporates one regulatory restriction regarding what constitutes Lifeline service.

4901:1-6-19(D): Incorporates two regulatory restrictions regarding the offering to Lifeline customers of special payment arrangements for past due bills and the provision of toll restricted service for those customers.

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4901:1-6-19(E): Incorporates six regulatory restrictions relative to the establishment of an annual marketing budget for the promotion of Lifeline service and performing related outreach.

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4901:1-6-19(F): Incorporates seven regulatory restrictions regarding large incumbent local exchange companies utilizing an advisory board for activities related to the marketing of and outreach regarding the offering of Lifeline service.

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4901:1-6-19(G): Incorporates four regulatory restrictions regarding the offering of Lifeline service being tariffed and consistent with federal requirements.

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4901:1-6-19(H): Incorporates one regulatory restriction regarding eligibility for Lifeline service being consistent with Federal Communications Commission (FCC) requirements.

4901:1-6-19(I): Incorporates one regulatory restriction requiring an incumbent local exchange company or eligible telecommunication carrier to comply with FCC enrollment verification requirements relative to income criteria.

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

4901:1-6-19(K): Incorporates four regulatory restrictions regarding an ILEC's de-enrollment of a Lifeline subscriber who no longer meets the eligibility criteria.

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4901:1-6-19(L): Incorporates two regulatory restrictions regarding an ILEC's de-enrollment of a Lifeline subscriber due to non-usage.

4901:1-6-19(L): Incorporates two regulatory restrictions regarding an ILEC's de-enrollment of a Lifeline subscriber due to non-usage.

4901:1-6-19(M): Incorporates four regulatory restrictions regarding de-enrollment due to failure to recertify.

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4901:1-6-19(N): Incorporates four regulatory restrictions regarding the requirements for an ILEC ETC to establish procedures to verify a subscriber's continuing eligibility for Lifeline service.

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4901:1-6-19(O): Removes two regulatory restrictions regarding recovery via a bill surcharge of any Lifeline discounts and expenses not recovered through federal or state funding.

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

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

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

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4901:1-6-19(R): Incorporates one regulatory restriction requiring an ILEC ETC to submit an annual report regarding the provisioning of Lifeline service.

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

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

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4901:1-6-19(T)(4): Incorporates one regulatory 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(T)(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- corrects a typographical error that included a regulatory restriction that should not have been included in original inventory of restrictions contained in this rule.

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- C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.**
- D. Please justify the adoption of the new regulatory restriction(s).**

Not Applicable