

Rule Summary and Fiscal Analysis (Part A)**Public Utilities Commission of Ohio**

Agency Name

Utilities

Division

Paul Duffy

Contact

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4901:1-6-23

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Alternative operator services including secured inmate facility services.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **No**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **111.15**

4. Statute(s) authorizing agency to adopt the rule: **4901.13**

5. Statute(s) the rule, as filed, amplifies or implements: **4901.13, 4927.03**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

To update and clarify the service parameters for alternative operator services and inmate operator services.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

This rule sets out service parameters for alternative operator services (AOS) and inmate operator services (IOS). Among other things, the rule establishes a new

uniform ceiling on the rates and charges that may be applied on intrastate AOS calls, but also allows AOS providers to be exempt from those price restraints, on a per call basis, so long as they observe certain consumer disclosure guidelines. Essentially, such rate flexibility is allowed when the AOS provider chooses to both: (1) provide the end user a detailed rate quote to at the beginning of the call before any charge is incurred, and (2) retain an audio-recorded verification of those portions of the call during which the rate disclosure is made, the end user's identity is established, and the end user accepts the quoted rate. Otherwise, under the rule, a \$0.45 per-minute usage rate cap applies on all intrastate AOS calls and a \$2.75 ceiling applies on any operator assisted charge or call set up fee that may be applied on an AOS call. Meanwhile, without exception, the rule applies a \$0.36 per-minute usage rate cap on all intrastate IOS calls and a \$2.75 ceiling on any operator assisted charge or call set up fee that may be applied on an IOS call.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

Not Applicable.

12. 119.032 Rule Review Date:

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

0

n/a

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

n/a

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

There will be costs of compliance for all alternative operator service providers and inmate operator service providers. The costs of compliance will vary by company. Therefore, the exact costs cannot be calculated.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**

