

4901:1-6-24

Wireless service provisions.

[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) The commission has authority over wireless service and wireless service providers to the extent set forth in this rule and section 4927.03 of the Revised Code.

(B) Registration

No wireless service provider shall operate in the state of Ohio without first registering with the commission. Every wireless service provider desiring to offer wireless service in Ohio shall file a zero-day registration notice in a radio common carrier (RCC) filing with the commission utilizing the telecommunications filing form discussed in rule 4901:1-6-04 of the Administrative Code and providing all of the following:

- (1) The company's name.
- (2) The company's address.
- (3) The name of a contact person and that person's contact information.
- (4) A service description, including the general geographic areas served (no maps are required).
- (5) Evidence of registration with the Ohio secretary of state.
- (6) Evidence of notice to the Ohio department of taxation, public utilities tax division, of its intent to provide service.

(C) Change in operations

Every wireless service provider shall keep its registration information up-to-date by notifying the commission of any changes in its operations (i.e., mergers, abandonment, transfers, name changes, and changes in ownership) by submitting a zero-day notice to the commission for identification purposes utilizing an up-to-date version of the commission's telecommunications filing form under its original RCC case designation code established during the wireless service provider's registration process.

(D) Assessment report

The requirements of sections 4905.10, 4905.14, and 4911.18 of the Revised Code apply to wireless service providers. Wireless service providers are required to submit, at the time and in the manner prescribed by the commission, an annual ~~assessment~~ report for fiscal assessment and to pay the prescribed annual assessment for the maintenance of the commission. A copy of the form is available on the commission's web site or from the commission's fiscal division.

(E) Jurisdiction authorized by federal law and regulations.

The commission has such power and jurisdiction with respect to wireless service providers, consistent with divisions (B) of section 4927.03 and divisions (A) to (D) and (F) of section 4927.04 of the Revised Code, to perform the obligations authorized by or delegated to it under federal law, including federal regulations, which obligations include performing the acts of a state commission as defined in the Communications Act of 1934, 48 Stat. 1064, 47 U.S.C. 153, as amended, with respect to all of the following:

- (1) The rights and obligations under section 251 of the Telecommunications Act of 1996.
- (2) Mediation and arbitration of disputes and approval of agreements under section 252 of the ~~Telecommunications Act of 1996~~act.
- (3) Administration of telephone numbers and number portability.
- (4) Certification of telecommunications carriers eligible for universal service funding.
- (5) Administration of federal regulations on customer proprietary network information.

(F) Telecommunications relay service, eligible telecommunications carrier and lifeline requirements, 9-1-1, and universal service:

The commission has authority over wireless service, resellers of wireless service, or wireless service providers as set forth in section 4905.84 of the Revised Code and rule 4901:1-6-36 of the Administrative Code, as well as, ~~sections 4931.40 to 4931.70 and~~section 4931.99 of the Revised Code. The commission has authority over wireless service providers with respect to addressing carrier access policy and creating and administering mechanisms for carrier access reform as set forth in division (C) of section 4927.15 of the Revised Code. To the extent that a wireless service provider or reseller of wireless service seeks certification in Ohio as a telecommunications carrier eligible for universal service funding under 47 U.S.C. 214(e), the commission has authority to consider such application under rule 4901:1-6-09 of the Administrative Code and to impose requirements with respect to

lifeline service under rule 4901:1-6-19 of the Administrative Code if the carrier seeks to withdraw funds from the universal service fund for the provision of lifeline service.

(G) Compliance and enforcement

The commission has such authority over wireless service providers under section 4927.20 of the Revised Code as is necessary to enforce compliance with every order, direction, and requirement of the commission made under authority of this rule, consistent with division (B) of section 4927.03 of the Revised Code. The commission has authority to adjudicate any dispute between telephone companies and wireless service providers or between wireless service providers that is within the commission's jurisdiction under section 4927.21 of the Revised Code.

(H) Wireless resellers

The commission has such authority over resellers of wireless service as set forth in division (B) of section 4927.03 of the Revised Code.

Replaces: 4901:1-6-15
Effective: 5/24/2018
Five Year Review (FYR) Dates: 3/2/2018 and 05/14/2023

CERTIFIED ELECTRONICALLY

Certification

05/14/2018

Date

Promulgated Under: 111.15
Statutory Authority: 4901.13, 4905.84, 4927.03
Rule Amplifies: 4927.03, 4905.84
Prior Effective Dates: 12/4/08, 1/20/11