

4901:1-7-14

Compensation for intrastate switched access traffic and carrier-to-carrier tariff.

(A) For purposes of this rule:

(1) "Nonrural incumbent local exchange carrier" (nonrural ILEC) shall mean an incumbent local exchange carrier that is not a "rural telephone company" under 47 U.S.C. 153(37), as effective in paragraph (A) of rule 4901:1-7-02 of the Administrative Code.

(2) "Rural competitive local exchange carrier" (rural CLEC) shall mean a CLEC that does not serve (i.e., terminate traffic to or originate traffic from) any customers located within either:

(a) An incorporated place of fifty thousand inhabitants or more based on the most recently available population statistics of the census bureau.

(b) An urbanized area, as defined by the census bureau.

(B) The current prevailing incumbent local exchange carrier (ILEC) intrastate switched access tariffs, including all rates, terms, and conditions pursuant to case nos. 83-464-TP-COI and 00-127-TP-COI, shall be used by ILECs for compensation for termination and origination of switched access telecommunications traffic originated from and/or terminated by other telephone companies until the commission rules otherwise. Any change in the ILEC intrastate switched access tariffs shall be filed as an ATA case and shall be subject to the thirty-day approval procedure set forth in rule 4901:1-6-08 of the Administrative Code.

(C) When filing for certification under rule 4901:1-6-10 of the Administrative Code, facilities-based competitive local exchange carriers (CLEC) shall tariff the rates, terms, and conditions for compensation for the termination and origination of intrastate switched access traffic originated and/or terminated by other telephone companies.

(D) A facilities-based CLEC, an ILEC's affiliate holding a CLEC certification, or an ILEC operating outside its ILEC service area, shall cap their rates, at the current rates of the ILEC providing service in the CLEC's service area, for the termination and origination of intrastate switched access traffic, unless the CLEC is a rural CLEC competing with a nonrural ILEC and its rates are capped at national exchange carrier association access rates.

(E) A facilities-based CLEC carrier-to-carrier intrastate switched access tariff not filed as part of its certification process pursuant to rule 4901:1-6-10 of the Administrative Code, shall be filed as an ATA case and shall be subject to the thirty-day approval procedure set forth in rule 4901:1-6-08 of the Administrative Code.

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CERTIFIED ELECTRONICALLY

Certification

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Date

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