

TO BE RESCINDED

4901:1-7-14 **Compensation for intrastate ~~switched~~ access reciprocal compensation 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)~~ILEC and CLEC intrastate ~~switched~~ access tariffs, ~~including all reciprocal compensation rates, terms, and conditions established~~ pursuant to case nos. 83-464-TP-COI and 00-127-TP-COI, shall be capped used by ILECs for compensation for ~~termination and~~ origination of ~~switched~~ access telecommunications traffic ~~originated from and/or~~ terminated by other telephone companies at the December 29, 2011, level until the commission rules otherwise. Any change in the ILEC or CLEC intrastate switched access reciprocal compensation 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~~ 4901:1-6-08 of the Administrative Code.

(C) The prevailing ILEC and CLEC terminating intrastate switched access reciprocal compensation rates established pursuant to case nos. 83-464-TP-COI and 00-127-TP-COI, shall be transitioned to a default bill-and-keep compensation consistent with 47 C.F.R. 51.903-913, as effective in paragraph (A) of rule 4901:1-7-02 of the Administrative Code.

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

- ~~(D)~~(E) A facilities-based CLEC filing for certification, an ILEC's affiliate filing for holding a CLEC certification, or an ILEC proposing to operate ~~operating~~ outside its ILEC service area, shall ~~cap~~ establish their initial access reciprocal compensation rates, at a level that does not exceed the current rates of the ILEC providing service in the CLEC's service area, for the termination and origination of intrastate ~~switched~~ access reciprocal compensation traffic, unless the CLEC is a rural CLEC competing with a nonrural ILEC and its rates are capped at national exchange carrier association access reciprocal compensation rates. Once initial access reciprocal compensation rates are established, it shall be subject to requirements set forth in paragraphs (B) and (C) of this rule.
- ~~(E)~~(F) A facilities-based CLEC, an ILEC's affiliate CLEC, or an ILEC operating outside its ILEC service area's ~~carrier-to-carrier~~ intrastate ~~switched~~ access reciprocal compensation tariff not filed as part of its certification process pursuant to rule ~~4901:1-6-10~~ 4901:1-6-8 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~~ 4901:1-6-05 of the Administrative Code and requirements set forth in paragraph (E) of this rule.

Effective: 03/02/2013

R.C. 119.032 review dates: 11/19/2012

CERTIFIED ELECTRONICALLY

Certification

02/20/2013

Date

Promulgated Under: 111.15
Statutory Authority: 4901.13
Rule Amplifies: 4901.13
Prior Effective Dates: 11/30/2007