

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4901:1-7-14

**Rule Type:** Amendment

**Rule Title/Tagline:** Compensation for intrastate switched access reciprocal compensation traffic and carrier-to-carrier tariff.

**Agency Name:** Public Utilities Commission of Ohio

**Division:** Utilities

**Address:** 180 East Broad Street Columbus OH 43215-3793

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#### I. Rule Summary

1. **Is this a five year rule review?** Yes
  - A. **What is the rule's five year review date?** 4/10/2023
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?** 4927.03, 4901.13
5. **What statute(s) does the rule implement or amplify?** 4901.13, 4927.04
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 satisfy the five year review requirement and to comply with the requirements of R.C. 121.95(A) for state agencies to reduce the total number of regulatory restrictions by 30 percent by June 30, 2025.

- 8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The rule addresses compensation for intrastate switched access reciprocal compensation traffic and carrier-to-carrier tariffs. The rule is amended to reduce unnecessary regulatory restrictions. 4901:1-7-14(C) - Adds clarifying language.

- 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 incorporation by reference of either sections of the Ohio Revised Code, rules in the Ohio Administrative Code, regulation in the Code of Federal Regulations, or sections of the United States Code. References to the incorporated materials are readily available online.

- 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.

n-a

n-a

- 13. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

n-a

- 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.

n-a

### **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? 34

4901:1-7-14(A)(1) Removed an unnecessary regulatory restriction from the definition set forth in the rule.

4901:1-7-14(A)(2)(a) Removed an unnecessary regulatory restriction from the definition set forth in the rule.

4901:1-7-14(A)(3) Removed an unnecessary regulatory restriction from the definition set forth in the rule.

4901:1-7-14(B) Removed an unnecessary regulatory restriction regarding the capping of intrastate switched access rates.

4901:1-7-14(B) Removed an unnecessary regulatory restriction requiring that any change in the incumbent local exchange company or competitive local exchange company shall be filed as an ATA and shall be subject to the thirty-day approval procedure set forth in Ohio Adm.Code 4901:1-6-05.

4901:1-7-14(B) Removed an unnecessary regulatory restriction requiring that any change in the incumbent local exchange company or competitive local exchange company shall be filed as an ATA and shall be subject to the thirty-day approval procedure set forth in Ohio Adm.Code 4901:1-6-05.

4901:1-7-14(C) Removed an unnecessary regulatory restriction and other language from the rule. Adds clarifying language.

4901:1-7-14(C) Removed an unnecessary regulatory restriction requiring that ILEC and CLEC terminating intrastate switched access reciprocal compensation rates established pursuant to Case No. 83-464-TP-COI and 00-127-TP-COI shall be transitioned to a default bill and keep.

4901:1-7-14(E) Removed an unnecessary regulatory restriction requiring that a facilities-based CLEC filing for certification, or an ILEC proposing to operate outside its ILEC service area shall establish their initial switched 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 organization of intrastate traffic, unless the CLEC is a rural CLEC with its rates capped, as specified in the rule.

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4901:1-7-14(E) Removed an unnecessary regulatory restriction requiring that once initial switched access reciprocal compensation rates are established, they are subject to requirements set forth in paragraphs (B) and (C) of the rule.

4901:1-7-14(F) Removed an unnecessary regulatory restriction requiring that a facilities-based CLEC, and ILEC's affiliate CLEC, or an ILEC operating outside its ILEC service area's intrastate switched access reciprocal compensation tariff not filed as part of the certification process pursuant to Ohio Adm.Code 4901:1-6-08, shall be filed as an ATA case and shall be subject to the thirty-day approval process set for in Ohio Adm.Code 4901:1-6-05 and the requirements set forth in paragraph (E) of the 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