

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).
- (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.
- (3) "Switched access reciprocal compensation" shall have the meaning set forth in 47 C.F.R. 51.903(h).

- (B) The prevailing ILEC and CLEC intrastate switched access reciprocal compensation rates established pursuant to case nos. 83-464-TP-COI and 00-127-TP-COI, shall be capped for compensation for origination of switched access telecommunications traffic terminated by other telephone companies at the December 29, 2011, level until the commission rules otherwise. The exception to this capping requirement of originating intrastate switched access reciprocal compensation shall be to those ILECs regulated on a rate-of-return basis by the Federal Communications Commission. 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 4901:1-6-05 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.
- (D) When filing for certification under rule 4901:1-6-08 of the Administrative Code, a facilities-based 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.

- (E) A facilities-based CLEC filing for certification, an ILEC's affiliate filing for a CLEC 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 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 switched access reciprocal compensation rates. Once initial switched access reciprocal compensation rates are established, the rates shall be subject to requirements set forth in paragraphs (B) and (C) of this rule.
- (F) A facilities-based CLEC, an 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 its certification process pursuant to rule 4901:1-6-08 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 4901:1-6-05 of the Administrative Code and requirements set forth in paragraph (E) of this rule.

Replaces: 4901:1-7-14

Five Year Review (FYR) Dates: 07/14/2017

WITHDRAWN ELECTRONICALLY

Certification

07/18/2017

Date

Promulgated Under: 111.15
Statutory Authority: 4901.13, 4927.03
Rule Amplifies: 4901.13, 4927.04
Prior Effective Dates: 11/30/2007, 3/2/2013