Rule Summary and Fiscal Analysis
<u>Part A</u> - General Questions

Rule Number: 4901:1-7-20

Rule Type: Amendment

Rule Title/Tagline: Cost study requirements.

Agency Name: Public Utilities Commission of Ohio

Division: Utilities

Address: 180 East Broad Street Columbus OH 43215-3793

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I. <u>Rule Summary</u>

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?** 4901.13, 4927.03

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 the cost study requirements for local exchange carriers. The rule is amended to reduce unnecessary regulatory restrictions and the addition of clarifying language.

9. **Does the rule incorporate material by reference?** No

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.**

    Not Applicable

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? 29

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4901:1-7-20(D) Removed one regulatory restriction requiring that papers must be organized so that a person unfamiliar with the study will be able to work from the initial investment, expense and demand data to the final cost estimate.

4901:1-7-20(C) Removed one regulatory restriction requiring that papers must set forth all significant assumptions and identify all source documents used in preparing the cost estimate.

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4901:1-7-20(D) Removed one regulatory restriction requiring that every number used in developing the study must be clearly identified in the work papers as to what it represents.

4901:1-7-20(E) Removed one regulatory restriction requiring that any input expressed as "dollars per minute," "dollars per foot," "dollars per loop," "dollars per port," and the like must be traceable back to the original source documents containing the number of dollars, minutes, feet, loops, ports and the like from which these figures are calculated.

4901:1-7-20(E) Removed one regulatory restriction requiring that any input expressed as "dollars per minute," "dollars per foot," "dollars per loop," "dollars per port," and the like must be traceable back to the original source documents containing the number of dollars, minutes, feet, loops, ports and the like from which these figures are calculated.

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4901:1-7-20(D) Removed one regulatory restriction requiring that papers must be organized so that a person unfamiliar with the study will be able to work from the initial investment, expense and demand data to the final cost estimate.

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