

TO BE RESCINDED

4901:1-7-26 **Competition safeguards.**

(A) Code of conduct

(1) Disclosure of information

(a) Definitions

- (i) For the purpose of this rule, "customer proprietary network information" (CPNI) shall be defined in accordance with 47 U.S.C. 222(h)(1), as effective on December 10, 2007.
- (ii) For the purpose of this rule, "subscriber list information" shall be defined in accordance with 47 U.S.C. 222(h)(3), as effective on December 10, 2007.

(b) Customer proprietary network information (CPNI)

- (i) The use of CPNI by any telephone company must comply with 47 U.S.C. 222, and 47 C.F.R. 64.2001 to 64.2011, as effective on December 10, 2007.
- (ii) No local exchange carrier (LEC) shall access or use the CPNI held by either an interconnecting LEC or a LEC reselling its services for the purpose of marketing its services to either the interconnecting LEC's customers or reselling LEC's customers.

(c) To the extent a telephone company makes subscriber list information available to affiliated competitors within its service territory for purposes other than the publishing of directories, it must, upon request, also do so on a nondiscriminatory basis with all unaffiliated competitors certified to provide service in its service territory.

- (i) This provision does not apply to customer-specific information, obtained with proper authorization, necessary to fulfill the terms of a contract, or information relating to the provision of general and administrative support services.
- (ii) This provision does not apply to information subject to a customer request to either release or withhold information.

(2) Records

All telephone companies shall maintain information, consistent with federal communications commission (FCC) requirements, to enable the commission to determine whether they have satisfied paragraph (A) of this rule.

(B) Separate accounting

(1) Each incumbent local exchange carrier (ILEC) shall maintain its books, records, and accounts in accordance with the FCC's accounting requirements, as appropriate to the categorization of the ILEC, and as revised from time to time.

(2) Unless otherwise directed by the commission, all ILECs shall follow class B uniform system of accounts for annual reporting purposes.

(C) Financial arrangements

The financial arrangements of an ILEC are subject to section 4905.40 of the Revised Code, except as the commission may otherwise approve.

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CERTIFIED ELECTRONICALLY

Certification

02/20/2013

Date

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