

**Rule Summary and Fiscal Analysis (Part A)****Public Utilities Commission of Ohio**

Agency Name

**Utilities**

Division

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**4901:1-7-26**

Rule Number

**NEW**

TYPE of rule filing

Rule Title/Tag Line

**Competition safeguards.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **No**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **111.15**

4. Statute(s) authorizing agency to adopt the rule: **4901.13**

5. Statute(s) the rule, as filed, amplifies or implements: **4901.13**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

This rule is being filed in order to codify the commission's procedures regarding the provision of carrier-to-carrier services by telephone companies.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

Sets forth requirements for the purpose of establishing competition safeguards.

8. If the rule incorporates a text or other material by reference and the agency

claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

Telephone companies impacted by this rule must abide by the provisions of federal law and federal regulations. Consequently, the affected companies already have or are reasonably able to acquire copies of the referenced materials.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

Pursuant to section 121.75 of the Revised Code, state that sections 121.71 to 121.74 do not apply. Therefore, section 121.73 of the R.C., does not apply and the commission is not required to file the incorporated text.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

*Not Applicable.*

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

Revised to correct a typographical error in the citation to 47 U.S.C. 222. The reference now properly reflects 47 U.S.C. 222(h)(1) and (h)(3) in lieu of 47 U.S.C. 222(f)(1) and (f)(3).

12. 119.032 Rule Review Date:

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

**FISCAL ANALYSIS**

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

0

n/a

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

n/a

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

There are no new costs for complying with this rule.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**