



Ohio Revised Code

Section 4927.10 Carrier's withdrawal or abandonment of basic local exchange service.

Effective: September 29, 2015

Legislation: House Bill 64 - 131st General Assembly

(A) Subject to division (B) of this section, if the federal communications commission adopts an order that allows an incumbent local exchange carrier to withdraw the interstate-access component of its basic local exchange service under 47 U.S.C. 214, neither of the following shall apply, beginning when the order is adopted, with regard to any exchange area in which an incumbent local exchange carrier withdraws that component:

(1) The prohibition contained in division (D) of section 4927.07 of the Revised Code against the withdrawal or abandonment of basic local exchange service by an incumbent local exchange carrier, provided that the carrier gives at least one hundred twenty days' prior notice to the public utilities commission and to its affected customers of the withdrawal or abandonment;

(2) The requirements contained in division (A) of section 4927.11 of the Revised Code.

(B) If a residential customer to whom notice has been given under this section will be unable to obtain reasonable and comparatively priced voice service upon the carrier's withdrawal or abandonment of basic local exchange service, the customer may file a petition with the public utilities commission not later than ninety days prior to the effective date of the withdrawal or abandonment. If a residential customer is identified by the collaborative process established under Section 749.10 of H.B. 64 of the 131st general assembly as a customer who will be unable to obtain reasonable and comparatively priced voice service upon the withdrawal or abandonment of basic local exchange service, that customer shall be treated as though the customer filed a timely petition under this division.

(1) The public utilities commission shall issue an order disposing of the petition not later than ninety days after the filing of the petition.

(a) If the public utilities commission determines after an investigation that no reasonable and



comparatively priced voice service will be available to the affected customer at the customer's residence, the public utilities commission shall attempt to identify a willing provider of a reasonable and comparatively priced voice service to serve the customer.

(b) If no willing provider is identified, the public utilities commission may order the withdrawing or abandoning carrier to provide a reasonable and comparatively priced voice service to the customer at the customer's residence.

(c) The willing provider or the carrier, as applicable, may utilize any technology or service arrangement to provide the voice service.

(2) Except as provided in division (B)(2) of this section, an order adopted under division (B)(1)(b) of this section shall not be in effect for more than twelve months after the date that it is issued. If an order is issued under division (B)(1)(b) of this section, the public utilities commission shall evaluate, during the twelve-month period in which the order is effective, whether an alternative reasonable and comparatively priced voice service is found to exist for the affected customer. If no such voice service is available, the public utilities commission may extend the order for one additional twelve-month period. If, at the end of the second twelve-month period, no alternative reasonable and comparatively priced voice service is available, the public utilities commission may order the withdrawing or abandoning carrier to continue to provide a reasonable and comparatively priced voice service to the affected customer at the customer's residence, utilizing any technology or service arrangement to provide the voice service.

(3) For purposes of this division, the public utilities commission shall define the term "reasonable and comparatively priced voice service" to include service that provides voice grade access to the public switched network or its functional equivalent, access to 9-1-1, and that is competitively priced, when considering all the alternatives in the marketplace and their functionalities.