



## Ohio Administrative Code

### Rule 4901:1-6-09 Eligible telecommunications carriers.

Effective: August 31, 2023

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[Comment: For dates of references to a section of either the United States Code or a regulation in the code of federal regulations see rule 4901:1-6-02 of the Administrative Code.]

#### (A) Competitive eligible telecommunication carrier (CETC)

Pursuant to 47 U.S.C. 214(e), upon request and consistent with the public interest, convenience, and necessity, the commission may, upon application, designate a CETC where that applicant meets the requirements of 47 U.S.C. 214, 47 C.F.R. 54.201(d) and 47 C.F.R. 54.202. The commission may subject such designation of CETC authority to additional conditions consistent with the public interest, convenience, and necessity.

(B) In order to be designated a CETC pursuant to 47 U.S.C. 214(e), an entity has to provide the following:

(1) An application with the commission demonstrating its compliance with all federal and state CETC and lifeline requirements pursuant to 47 C.F.R. 54.201 to 209, rule 4901:6-19 of the Administrative Code, where applicable, and this rule.

(2) The most up-to-date telecommunications filing form and include all completed exhibits as required by the filing form. Commission staff will maintain a current, updated copy of the CETC filing form with the list of CETC required exhibits. The most recent version of the form will be posted on the commission's website. An application for CETC designation is filed as a TP-UNC case purpose code which is not subject to an automatic approval process. Rather, a CETC designation can be granted only by a commission order approving such request.

#### (C) Eligible telecommunications carrier (ETC) reporting requirements

Compliance by all ETCs, i.e., incumbent local exchange carrier ETCs and CETCs with the following



annual reporting requirements is necessary in order to be eligible for federal universal service funding in any given year:

(1) No later than August thirty-first of each year, an ETC receiving high cost funding files an affidavit with the commission stating that all federal high-cost support provided to the carrier for service areas in Ohio will be used only for the provision, maintenance, and upgrading of facilities and services for which the support was intended pursuant to 47 U.S.C. 254(e).

(2) No later than January thirty-first of each year, or a date otherwise designated by the universal service administration company (USAC), an ETC receiving lifeline support files a completed copy of the federal communications commission (FCC) annual lifeline certification and verification affidavit, that is submitted to USAC, with the commission.

(D) Revocation or relinquishment of ETC designation

(1) The commission may revoke, consistent with commission and FCC rules and regulations, an ETC designation if it finds that the company has failed to comply with any state or federal ETC requirements, including the failure to pay all corresponding assessments.

(2) An ETC may seek to relinquish its ETC designation for an area pursuant to 47 C.F.R. 54.205 through the filing of a nonautomatic application with the commission under the case purpose code TP-UNC. An ETC will not be relieved of its ETC designation until the commission issues an order granting the request.