Ohio Administrative Code

Rule 4901:1-7-12 Compensation for the transport and termination of non-access telecommunications traffic.

Effective: June 30, 2023

[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 4901:1-7-02 of the Administrative Code.]

(A) Compensation principles

(1) Reciprocal compensation

(a) All telephone companies have the duty to establish reciprocal compensation arrangements for the transport and termination of telecommunications traffic pursuant to 47 U.S.C. 251(b)(5), regardless of the network technology utilized by the telephone company to transport or terminate that traffic.

(b) Transport is the transmission, and any necessary tandem switching of telecommunications traffic subject to 47 U.S.C. 251(b)(5), from the interconnection point between the two telephone companies to the terminating telephone company's end office switch that directly serves the called party, or equivalent facility provided by a telephone company other than an incumbent local exchange telephone company (ILEC).

(c) Termination is the switching of the non-access telecommunications traffic at the terminating telephone company's end office switch, or equivalent facility, and delivery of such traffic to the called party's premises.

(2) Eligibility

Telephone companies are entitled to compensation for the use of network facilities they own or obtain by leasing from an ILEC (i.e., through purchasing unbundled network elements) to provide transport and terminate non-access telecommunications traffic originated on the network facilities of other telephone companies pursuant to 47 C.F.R. 51.703. Nonfacilities-based, local exchange carriers (LECs) are not eligible for the transport and termination of non-access telecommunications traffic compensation.

(B) Traffic measurement and identification

(1) All telephone companies exchanging non-access reciprocal compensation traffic and switched access reciprocal compensation traffic will measure minutes-of-use for compensation purposes if technically and economically feasible, unless they mutually agree to a different arrangement in an interconnection agreement.

(2) All telephone companies exchanging telecommunications traffic, where technically and economically feasible, as the provider of originating or transiting intrastate telecommunications traffic that is transported and/or terminated on the network of another telephone company, shall comply with the signaling information delivery requirements outlined in 47 C.F.R. 64.1601(a). This obligation is applicable to all telephone companies exchanging telecommunications traffic regardless of the network technology utilized by the telephone company to transport or terminate that traffic.

(C) The following types of traffic are subject to non-access reciprocal compensation:

(1) Telecommunications traffic exchanged between LECs that originates and terminates within the boundary of an ILEC's local calling area. The local calling area of the ILEC shall include non-optional extended area service (EAS) approved by the commission while excluding optional EAS arrangements.

(2) Telecommunications traffic exchanged between a LEC and a wireless service provider that, at the beginning of the call, originates and terminates within the same major trading area as defined in 47 C.F.R. 24.202(a), is subject to non-access reciprocal compensation.

(3) Telecommunications traffic exchanged between a LEC and another telephone company in time division multiplexing (TDM) format that originates and/or terminates in internet protocol (IP) format and that otherwise meets the definitions in paragraph (C)(1) or (C)(2) of this rule. Telecommunications traffic originates and/or terminates in IP format if it originates from and/or terminates to an end-user customer of a service that requires internet protocol compatible customer premises equipment.

(D) Non-access reciprocal compensation arrangements

(1) Rates, terms, and conditions for the transport and termination of non-access reciprocal compensation traffic are subject to a bill and keep arrangement pursuant to 47 C.F.R. 51.705 and 51.713.

(2) Symmetrical non-access reciprocal compensation is to be addressed consistent with 47 C.F.R. 51.711.

(3) Rate structure

(a) Rates for transport and termination of symmetrical non-access reciprocal compensation traffic are to be structured consistent with the manner that telephone companies incur those costs pursuant to paragraph (B) of rule 4901:1-7-17 of the Administrative Code.

(b) LECs shall offer flat-rate compensation to other telephone companies for dedicated facilities purchased for the transport of non-access reciprocal compensation traffic.

(c) The rate of a telephone company providing transmission facilities dedicated to the transmission of non-access reciprocal compensation traffic between two telephone companies' networks may recover only the costs of the portion of that trunk capacity used by an interconnecting telephone company to send traffic that will terminate on the providing telephone company's network. Such proportion may be measured during peak periods.

(d) Non-access reciprocal compensation for telecommunication traffic exchanged between rate-of-return regulated rural telephone company as defined in 47 C.F.R. 51.5, and wireless service provider are to be set pursuant to 47 C.F.R. 51.709(c).

(E) This section should not be construed to preclude telephone companies from negotiating and voluntarily agreeing to other interconnection and compensation arrangements.