FCC Form 481 - Carrier Annual Reporting Data Collection Form

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

<010>	Study Area Code	300656
<015>	Study Area Name	SHERWOOD MUTUAL TEL
<020>	Program Year	2018
<030>	Contact Name: Person USAC should contact with questions about this data	Gary Zingaretti
<035>	Contact Telephone Number: Number of the person identified in data line <030>	5703713527 ext.
<039>	Contact Email Address: Email of the person identified in data line <030>	gary@zingarettienterprises.com
	Form Type	54.313 and 54.422

(200) Service Outage Reporting (Voice)
Data Collection Form

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

<010>	Study Area Code	300656
<015>	Study Area Name	SHERWOOD MUTUAL TEL
<020>	Program Year	2018
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<035>	Contact Telephone Number - Number of person identified in data line <030>	5703713527 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	gary@zingarettienterprises.com

<210> For the prior calendar year, were there any reportable voice service outages? No

<220>

<a> NORS Reference Number	<b1> Outage Start Date	<b2> Outage Start Time	<b3> Outage End Date	<b4> Outage End Time	<c1> Number of Customers Affected	<c2> Total Number of Customers	<d> 911 Facilities Affected (Yes / No)	<e> Service Outage Description (Check all that apply)	<f> Did This Outage Affect Multiple Study Areas (Yes / No)	<g> Service Outage Resolution	<h> Preventative Procedures

(300) Unfulfilled Service Request
Data Collection Form

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

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<039>	Contact Email Address - Email Address of person identified in data line <030>	gary@zingarettienterprises.com

<300> Unfulfilled service request (voice) 0

<310> Detail on attempts (voice)

Name of Attached Document

<320> Unfulfilled service request (broadband) 0

<330> Detail on attempts (broadband)

Name of Attached Document

(400) Number of Complaints per 1,000 customers
Data Collection Form

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

<010>	Study Area Code	300656
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<020>	Program Year	2018
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<035>	Contact Telephone Number - Number of person identified in data line <030>	5703713527 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	gary@zingarettienterprises.com
<400>	Select from the drop-down list to indicate how you would like to report voice complaints (zero or greater) for voice telephony service in the prior calendar year for each service area in which you are designated an ETC for any facilities you own, operate, lease, or otherwise utilize.	Offered only fixed voice
<410>	Complaints per 1000 customers for fixed voice	0.0
<420>	Complaints per 1000 customers for mobile voice	
<430>	Select from the drop-down list to indicate how you would like to report end-user customer complaints (zero or greater) for broadband service in the prior calendar year for each service area in which you are designated an ETC for any facilities you own, operate, lease, or otherwise utilize.	Offered only fixed broadband
<440>	Complaints per 1000 customers for fixed broadband	0.0
<450>	Complaints per 1000 customers for mobile broadband	

(500) Compliance With Service Quality Standards and Consumer Protection Rules
Data Collection Form

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

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<030>	Contact Name - Person USAC should contact regarding this data	Gary Zingaretti
<035>	Contact Telephone Number - Number of person identified in data line <030>	5703713527 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	gary@zingarettienterprises.com
<500>	Certify compliance with applicable service quality standards and consumer protection rules	Yes
<510>	Descriptive document for Service Quality Standards & Consumer Protection Rules Compliance	300656OH510.pdf
<515>	Certify compliance with applicable minimum service standards	

(600) Functionality in Emergency Situations
Data Collection Form

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

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<035>	Contact Telephone Number - Number of person identified in data line <030>	5703713527 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	gary@zingarettienterprises.com
<600>	Certify compliance regarding ability to function in emergency situations	Yes
<610>	Descriptive document for Functionality in Emergency Situations	300656OH610.pdf

(700) Price Offerings including Voice Rate Data
Data Collection Form

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

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<035>	Contact Telephone Number - Number of person identified in data line <030>	5703713527 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	gary@zingarettienterprises.com

<701>	Residential Local Service Charge Effective Date	1/1/2017
<702>	Single State-wide Residential Local Service Charge	

<703>

<a1>	<a2>	<a3>	<b1>	<b2>	<b3>	<b4>	<b5>	<c>
State	**Exchange (ILEC)**	**SAC (CETC)**	**Rate Type**	**Residential Local Service Rate**	**State Subscriber Line Charge**	**State Universal Service Fee**	**Mandatory Extended Area Service Charge**	**Total per line Rates and Fees**

-- See attached worksheet --

(710) Broadbrand Price Offerings
Data Collection Form

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

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<020>	Program Year	2018
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<039>	Contact Email Address - Email Address of person identified in data line <030>	gary@zingarettienterprises.com

<711>

<a1>	<a2>	<b1>	<b2>	<c>	<d1>	<d2>	<d3>	<d4>
State	**Exchange (ILEC)**	**Residential Rate**	**State Regulated Fees**	**Total Rate and Fees**	**Broadband Service - Download Speed (Mbps)**	**Broadband Service - Upload Speed (Mbps)**	**Usage Allowance (GB)**	**Usage Allowance Action Taken When Limit Reached {*select*}**
			-- See attached worksheet --					

(800) Operating Companies
Data Collection Form

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

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<039>	Contact Email Address - Email Address of person identified in data line <030>	gary@zingarettienterprises.com

<810>	Reporting Carrier	Sherwood Mutual Telephone Association
<811>	Holding Company	Not Applicable
<812>	Operating Company	Sherwood Mutual Telephone Association

<813>	<a1>	<a2>	<a3>
	Affiliates	**SAC**	**Doing Business As Company or Brand Designation**

(900) Tribal Lands Reporting
Data Collection Form

FCC Form 481
OMB Control No. 3060-0986 /OMB Control No. 3060-0819
July 2013

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<039>	Contact Email Address - Email Address of person identified in data line <030>	gary@zingarettienterprises.com

<900> Does the filing entity offer tribal land services? (Y/N) No

<910> Tribal Land(s) on which ETC Serves

<920> Tribal Government Engagement Obligation

Name of Attached Document

If your company serves Tribal lands, please select (Yes,No, NA) for each these boxes to confirm the status described on the attached PDF, on line 920, demonstrates coordination with the Tribal government pursuant to § 54.313(a)(9) includes:

		Select Yes or No or Not Applicable
<921>	Needs assessment and deployment planning with a focus on Tribal community anchor institutions.	
<922>	Feasibility and sustainability planning;	
<923>	Marketing services in a culturally sensitive manner;	
<924>	Compliance with Rights of way processes	
<925>	Compliance with Land Use permitting requirements	
<926>	Compliance with Facilities Siting rules	
<927>	Compliance with Environmental Review processes	
<928>	Compliance with Cultural Preservation review processes	
<929>	Compliance with Tribal Business and Licensing requirements.	

(1000) Voice and Broadband Service Rate Comparability
Data Collection Form

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

<010>	Study Area Code	300656
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<039>	Contact Email Address - Email Address of person identified in data line <030>	gary@zingarettienterprises.com

<1000>	Voice services rate comparability certification	Yes
<1010>	Attach detailed description for voice services rate comparability compliance	300656OH1010.pdf Name of Attached Document
<1020>	Broadband comparability certification	Yes - Pricing is no more than the most recent applicable benchmark announced by the Wireline Competition Bureau
<1030>	Attach detailed description for broadband comparability compliance	300656OH1030.pdf Name of Attached Document

(1100) No Terrestrial Backhaul Reporting Data Collection Form

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

<010>	Study Area Code	300656
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<039>	Contact Email Address - Email Address of person identified in data line <030>	gary@zingarettienterprises.com

<1100> Certify whether terrestrial backhaul options exist (Y/N): Yes

<1130> Please select the appropriate response (Yes, No, Not Applicable) to confirm the reporting carrier offers broadband service of at least 1 Mbps downstream and 256 kbps upstream within the supported area pursuant to § 54.313(g).

(1200) Terms and Condition for Lifeline Customers
Lifeline
Data Collection Form

FCC Form 481
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July 2013

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<039>	Contact Email Address - Email Address of person identified in data line <030>	gary@zingarettienterprises.com

<1210> Terms & Conditions of Voice Telephony Lifeline Plans

300656OH1210.pdf

Name of Attached Document

<1220> Link to Public Website HTTP www.smta.cc

"Please check these boxes below to confirm that the attached document(s), on line 1210, or the website listed, on line 1220, contains the required information pursuant to § 54.422(a)(2) annual reporting for ETCs receiving low-income support, carriers must annually report:

<1221> Information describing the terms and conditions of any voice telephony service plans offered to Lifeline subscribers, ✔

<1222> Details on the number of minutes provided as part of the plan, ✔

<1223> Additional charges for toll calls, and rates for each such plan. ✔

(2005) Price Cap Carrier Additional Documentation
Data Collection Form
Including Rate-of-Return Carriers affiliated with Price Cap Local Exchange Carriers

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

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<030>	Contact Name - Person USAC should contact regarding this data	Gary Zingaretti
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Select the appropriate responses below (Yes, No, Not Applicable) to note compliance as a recipient of Incremental High Cost support, High Cost support to offset access charge reductions, and Connect America Phase II support as set forth in 47 CFR § 54.313(b),(c),(d),(e). The information reported on this form and in the documents attached below is accurate.

Incremental Connect America Phase I reporting

<2011> 3rd Year Certification 47 CFR §54.313(b)(1)(ii) - Note that for the July 2017 certification, this applies to Round 2 recipients of Incremental Support.

<2022> Recipient certifies, representing year three after filing a notice of acceptance of funding pursuant to 54.312(c), that the locations in question are not receiving support under the Broadband Initiatives Program or the Broadband Technology Opportunities Program for projects that will provide broadband with speeds of at least 4 Mbps/1Mbps - 54.313(b)(2)(i). Round 2 recipients only.

<2023> The attachment on line 2024 includes a statement of the total amount of capital funding expended in the previous year in meeting Connect America Phase I deployment obligations, accompanied by a list of census blocks indicating where funding was spent. This covers year three - 54.313(b)(2)(ii). Round 2 recipients only.

<2024A> Round 2 Recipient of Incremental Support?

<2024B> Attach list of census blocks indicating where funding was spent in year three - 54.313(b)(2)(ii). Round 2 recipients only.

Name of Attached Document Listing Required Information

<2025A> Round 2 Recipient of Incremental Support?

<2025B> Attach geocoded Information for Phase I milestone reports (Round 2 for year three) - Connect America Fund , WC Docket 10-90, Report and Order, FCC 13-73, paragraph 35 (May 22, 2013).

Name of Attached Document Listing Required Information

<2015> 2016 and future Frozen Support Certification 47 CFR § 54.313(c)(4)

(2005) Price Cap Carrier Additional Documentation
Data Collection Form
Including Rate-of-Return Carriers affiliated with Price Cap Local Exchange Carriers

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

Price Cap Carrier Connect America ICC Support {47 CFR § 54.313(d)}

<2016> Certification support used to build broadband

Connect America Phase II Reporting {47 CFR § 54.313(e)}

<2017A> Connect America Fund Phase II recipient?

<2017C> Total amount of Phase II support, if any, the price cap carrier used for capital expenditures in 2016.

<2018> Attach the number, names, and addresses of community anchor institutions to which the carrier newly began providing access to broadband service in the preceding calendar year - 54.313(e)(1)(ii)(A)

Name of Attached Document Listing Required Information

<2019> Recipient certifies that it bid on category one telecommunications and Internet access services in response to all FCC Form 470 postings seeking broadband service that meets the connectivity targets for the schools and libraries universal service support program for eligible schools and libraries located within any area in a census block where the carrier is receiving Phase II model-based support, and that such bids were at rates reasonably comparable to rates charged to eligible schools and libraries in urban areas for comparable offerings - 54.313(e)(1)(ii)(C)

(3005) Rate Of Return Carrier Additional Documentation
Data Collection Form

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OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

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Select from the drop down menu or check the boxes below to note compliance with 54.313(f)(1). Privately held carriers must ensure compliance with the financial reporting requirements set forth in 47 CFR 54.313(f)(2). I further certify that the information reported on this form and in the documents attached below is accurate.

	Progress Report on 5 Year Plan		
(3009)	Carrier certifies to 54.313(f)(1)(iii)	Yes - Attach Certification	
(3010A)	Certification of Public Interest Obligations {47 CFR § 54.313(f)(1)(i)}		300656OH3010B.pdf
(3010B)	Please Provide Attachment	Name of Attached Document Listing Required Information	
(3012A)	Community Anchor Institutions {47 CFR § 54.313(f)(1)(ii)}	No - No New Community Anchors	
(3012B)	Please Provide Attachment	Name of Attached Document Listing Required Information	
(3013)	Is your company a Privately Held ROR Carrier {47 CFR § 54.313(f)(2)}	(Yes/No)	◉ ○
(3014)	If yes, does your company file the RUS annual report	(Yes/No)	○ ◉
	Please check these boxes to confirm that the attached PDF, on line 3017, contains the required information pursuant to § 54.313(f)(2) compliance requires:		
(3015)	Electronic copy of their annual RUS reports (Operating Report for Telecommunications Borrowers)		☐
(3016)	Document(s) with Balance Sheet, Income Statement and Statement of Cash Flows		☐
(3017)	If the response is yes on line 3014, attach your company's RUS annual report and all required documentation	Name of Attached Document Listing Required Information	
(3018)	If the response is no on line 3014, is your company audited?	(Yes/No)	◉ ○
	If the response is yes on line 3018, please check the boxes below to confirm your submission on line 3026 pursuant to § 54.313(f)(2), contains:		
(3019)	Either a copy of their audited financial statement; or (2) a financial report in a format comparable to RUS Operating Report for Telecommunications Borrowers		✔
(3020)	Document(s) for Balance Sheet, Income Statement and Statement of Cash Flows		✔
(3021)	Management letter and/or audit opinion issued by the independent certified public accountant that performed the company's financial audit.		✔
	If the response is no on line 3018, please check the boxes below to confirm your submission on line 3026 pursuant to § 54.313(f)(2), contains:		
(3022)	Copy of their financial statement which has been subject to review by an independent certified public accountant; or 2) a financial report in a format comparable to RUS Operating Report for Telecommunications Borrowers		☐
(3023)	Underlying information subjected to a review by an independent certified public accountant		☐
(3024)	Underlying information subjected to an officer certification.		☐
(3025)	Document(s) with Balance Sheet, Income Statement and Statement of Cash Flows		☐
(3026)	Attach the worksheet listing required information	Name of Attached Document Listing Required Information	300656OH3026.pdf

(3005) Rate Of Return Carrier Additional Documentation (Continued)

Data Collection Form

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

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<039>	Contact Email Address - Email Address of person identified in data line <030>	gary@zingarettienterprises.com

Financial Data Summary

(3027) Revenue

(3028) Operating Expenses

(3029) Net Income

(3030) Telephone Plant In Service(TPIS)

(3031) Total Assets

(3032) Total Debt

(3033) Total Equity

(3034) Dividends

[redacted]

Name of Attached Document Listing Required Information

(4005) Rural Broadband Experiment Additional Documentation Data Collection Form	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013

<010>	Study Area Code	300656
<015>	Study Area Name	SHERWOOD MUTUAL TEL
<020>	Program Year	2018
<030>	Contact Name - Person USAC should contact regarding this data	Gary Zingaretti
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<039>	Contact Email Address - Email Address of person identified in data line <030>	gary@zingarettienterprises.com

4005 Rural Broadband Experiment

Authorized Rural Broadband Experiment (RBE) recipients must address the certification for public interest obligations, provide a list of newly served community anchor institutions, and provide a list of locations where broadband has been deployed.

Public Interest Obligations – FCC 14-98 (paragraphs 26-29, 78)
Please address Line 4001 regarding compliance with the Commission's public interest obligations. All RBE participants must provide a response to Line 4001.

4001. Recipient certifies that it is offering broadband to the identified locations meeting the requisite public interest obligations consistent with the category for which they were selected, including broadband speed, latency, usage capacity, and rates that are reasonably comparable to rates for comparable offerings in urban areas?

Community Anchor Institutions – FCC 14-98 (paragraph 79)

4003a. RBE participants must provide the number, names, and addresses of community anchor institutions to which they newly deployed broadband service in the preceding calendar year. On this line, please respond (yes – attach new community anchors, no – no new anchors) to indicate whether this list will be provided.

If yes to 4003A, please provide a response for 4003B.

4003b. Provide the number, names and addresses of community anchor institutions to which the recipient newly began providing access to broadband service in the preceding calendar year. Name of Attached Document Listing Required Information _____

Broadband Deployment Locations – FCC 14-98 (paragraph 80)

4004a. Attach a list of geocoded locations to which broadband has been deployed as of the June 1st immediately preceding the July 1st filing deadline for the FCC Form 481. Name of Attached Document Listing Required Information _____

4004b. Attach evidence demonstrating that the recipient is meeting the relevant public service obligations for the identified locations. Materials must at least detail the pricing, offered broadband speed and data usage allowances available in the relevant geographic area. Name of Attached Document Listing Required Information _____

Certification - Reporting Carrier Data Collection Form	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013

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<039>	Contact Email Address - Email Address of person identified in data line <030>	gary@zingarettienterprises.com

TO BE COMPLETED BY THE REPORTING CARRIER, IF THE REPORTING CARRIER IS FILING ANNUAL REPORTING ON ITS OWN BEHALF:

Certification of Officer as to the Accuracy of the Data Reported for the Annual Reporting for CAF or LI Recipients

I certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the annual reporting requirements for universal service support recipients; and, to the best of my knowledge, the information reported on this form and in any attachments is accurate.

Name of Reporting Carrier: SHERWOOD MUTUAL TEL

Signature of Authorized Officer: CERTIFIED ONLINE Date 06/28/2017

Printed name of Authorized Officer: Richard Rostorfer

Title or position of Authorized Officer: General Manager

Telephone number of Authorized Officer: 4198992121 ext.9209

Study Area Code of Reporting Carrier: 300656 Filing Due Date for this form: 07/03/2017

Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.

Form 481 Certification Confirmation

Congratulations. Your filing has been successfully certified.

Filing Number: 1

Certification Date and Time: Wed Jun 28 11:04:12 EDT 2017

Filing Created By: rickrostorfer@smta.cc

SAC: 300656

498 ID: 143001677

Carrier: SHERWOOD MUTUAL TEL

Program Year: 2018

Certification - Agent / Carrier Data Collection Form	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013

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<039>	Contact Email Address - Email Address of person identified in data line <030>	gary@zingarettienterprises.com

TO BE COMPLETED BY THE REPORTING CARRIER, IF AN AGENT IS FILING ANNUAL REPORTS ON THE CARRIER'S BEHALF:

Certification of Officer to Authorize an Agent to File Annual Reports for CAF or LI Recipients on Behalf of Reporting Carrier

I certify that (Name of Agent)_____ is authorized to submit the information reported on behalf of the reporting carrier. I also certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the annual data reporting requirements provided to the authorized agent; and, to the best of my knowledge, the reports and data provided to the authorized agent is accurate.

Name of Authorized Agent:

Name of Reporting Carrier:

Signature of Authorized Officer: Date:

Printed name of Authorized Officer:

Title or position of Authorized Officer:

Telephone number of Authorized Officer:

Study Area Code of Reporting Carrier: Filing Due Date for this form:

Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.

TO BE COMPLETED BY THE AUTHORIZED AGENT:

Certification of Agent Authorized to File Annual Reports for CAF or LI Recipients on Behalf of Reporting Carrier

I, as agent for the reporting carrier, certify that I am authorized to submit the annual reports for universal service support recipients on behalf of the reporting carrier; I have provided the data reported herein based on data provided by the reporting carrier; and, to the best of my knowledge, the information reported herein is accurate.

Name of Reporting Carrier:

Name of Authorized Agent Firm:

Signature of Authorized Agent or Employee of Agent: Date:

Name of Authorized Agent Employee:

Title or position of Authorized Agent or Employee of Agent

Telephone number of Authorized Agent or Employee of Agent:

Study Area Code of Reporting Carrier: Filing Due Date for this form:

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Attachments

(700) Price Offerings including Voice Rate Data
Data Collection Form

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

<010>	Study Area Code	300656
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<035>	Contact Telephone Number - Number of person identified in data line <030>	5703713527 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	gary@zingarettienterprises.com

<701>	Residential Local Service Charge Effective Date	1/1/2017
<702>	Single State-wide Residential Local Service Charge	

<703>

<a1>	<a2>	<a3>	<b1>	<b2>	<b3>	<b4>	<b5>	<c>
State	**Exchange (ILEC)**	**SAC (CETC)**	**Rate Type**	**Residential Local Service Rate**	**State Subscriber Line Charge**	**State Universal Service Fee**	**Mandatory Extended Area Service Charge**	**Total per line Rates and Fees**
OH	Sherwood		FR	18.0	0.0	0.0	0.0	18.0

(710) Broadband Price Offerings
Data Collection Form

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

<010>	Study Area Code	300656
<015>	Study Area Name	SHERWOOD MUTUAL TEL
<020>	Program Year	2018
<030>	Contact Name - Person USAC should contact regarding this data	Gary Zingaretti
<035>	Contact Telephone Number - Number of person identified in data line <030>	5703713527 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	gary@zingarettienterprises.com

<711>

<a1>	<a2>	<b1>	<b2>	<c>	<d1>	<d2>	<d3>	<d4>
State	**Exchange (ILEC)**	**Residential Rate**	**State Regulated Fees**	Total Rates and Fees	**Broadband Service - Download Speed (Mbps)**	Broadband Service -Upload Speed (Mbps)	Usage Allowance (GB)	Usage Allowance Action Taken When Limit Reached {select}
OH	Sherwood	29.95	0.0	29.95	1.0	0.256	100	Overage Charge
OH	Sherwood	39.95	0.0	39.95	2.0	0.384	150	Overage Charge
OH	Sherwood	49.95	0.0	49.95	3.0	0.512	250	Overage Charge
OH	Sherwood	59.95	0.0	59.95	5.0	1.0	350	Overage Charge
OH	Sherwood	69.95	0.0	69.95	10.0	1.0	400	Overage Charge
OH	Sherwood	89.95	0.0	89.95	1000.0	1000.0	999999	Other, No other actions

RATES AND RATE STABILITY

New customers are provided rate information at the time they order service. The rate information is prepared based on tariffs which are on file with the state public utility commission and available for inspection at our office. In addition rates are available on the company website. Notices of rate changes proposed by the Company are communicated to the customers through a bill notice or other comparable means. The Company complies with all state and federal rules applicable to rate changes.

PROVIDE SPECIFIC DISCLOSURES IN ADVERTISING

In advertising of prices for service plans the Company will disclose material charges and conditions related to the advertised prices and services. This notice will provide the potential customer with , including if applicable and to the extent the advertising medium reasonably allows: (1) whether nonrecurring installation charges would apply; (2) the monthly fee associated with the service; (3) whether any additional taxes, fees or surcharges apply; (3) the terms and conditions related to receiving a product or service for "free;" and (4) whether prices or benefits apply only for a limited time or promotional period and, if so, whether any different fees or charges will apply for the remainder of the contract term.

TRUTH-IN-BILLING

The Company has long maintained compliance with the FCC's Truth-in-Billing rules as set forth in 47 CFR 64.2401. In part, this requires the Company's telephone bill must: (1) be accompanied by a brief, clear, non-misleading plain language description of the service or services rendered; (2) identify the service provider associated with each charge; (3) clearly and conspicuously identify any change in

service provider; (4) contain full and non-misleading descriptions of charges; (5) identify those charges for which failure to pay will not result in disconnection of the customer's basic local service; and (6) provide a toll free number for customers to call in order to lodge a complaint or obtain information.

Customers' bills will distinguish (1) monthly charges for service and features, and other charges collected and retained by the carrier, from (2) taxes, fees and other charges collected by the carrier and remitted to federal state or local governments. The Company will not label cost recovery fees or charges as taxes.

PROVIDE READY ACCESS TO CUSTOMER SERVICE

Customers and potential customers may access customer service by visiting the Company's office or by using a toll-free telephone number during normal business hours. Customer service contact information is available at our business office with regular hours posted on the storefront. In addition, this information is available online and on the monthly invoice rendered by the company.

ABIDE BY POLICIES FOR PROTECTION OF CUSTOMER PRIVACY

The Company complies with all state and federal rules regarding the privacy of customer information. Certification of this compliance is provided annually to the FCC.

RESPONSE TO CONSUMER INQUIRIES AND COMPLAINTS RECEIVED FROM GOVERNMENT AGENCIES

The Company will respond in writing to state or federal administrative agencies within 30 days of receiving written consumer complaints from any such agency. Should the agency require a shorter interval for response, the Company will use its best efforts to expedite the review of the complaint to provide a response which meets the agency-provided target date.

TERMINATION OF SERVICE

The Company follows the state public utility commission's rules for termination of service. Service cannot be terminated without advance notice to the customer. If service is being terminated for non-payment, the customer will have the option to establish a payment plan. So long as the customer adheres to the payment plan, service will not be disconnected.

Customers may terminate service at any time and for any reason. The Company does not assess any termination penalty and the customer is simply required to pay for the services which were used while the service was provided.

Chapter 4901:1-6 Retail Telecommunication Services

4901:1-6-01 Definitions.

As used within this chapter, these terms denote the following:

(A) "Alternative operator services (AOS)" means any intrastate operator-assisted services, other than inmate operator services (IOS), in which the customer and the end user are totally separate entities. The AOS provider contracts with the customer to provide the AOS; however, the AOS provider does not directly contract with the billed party to provide the services even though it is the billed party who actually pays for the processing of the operator-assisted calls. AOS does not include coin-sent calls.

(B) "Alternative provider" includes a telephone company, including a wireless service provider, a telecommunications carrier, and a provider of internet-protocol enabled services, including voice over internet protocol.

(C) "Basic local exchange service" (BLES) shall have the meaning set forth in division (A)(1) of section 4927.01 of the Revised Code.

(D) "Bundle or package of services" shall have the meaning set forth in division (A)(2) of section 4927.01 of the Revised Code.

(E) "Carrier access" shall have the meaning set forth in division (A)(3) of section 4927.01 of the Revised Code.

(F) "Commission" means the public utilities commission of Ohio.

(G) "Competitive eligible telecommunications carrier (CETC)" means a carrier, other than an incumbent local exchange carrier, designated by a state commission as an eligible telecommunications carrier.

(H) "Competitive emergency services telecommunications carrier (CESTC)" means a telephone company that is a 9-1-1 system service provider that with respect to a service area, that was not an incumbent 9-1-1 system service provider on or after the date of enactment of the Telecommunications Act of 1996 (1996 act) or its successor or assignee of an incumbent local exchange.

(I) "Competitive local exchange carrier (CLEC)" means, with respect to a service area, any facilities-based and nonfacilities-based local exchange carrier that was not an incumbent local exchange carrier on the date of enactment of the 1996 act or is not an entity that, on or after such date of enactment, became a successor or assignee of an incumbent local exchange carrier.

(J) "Customer" means any person, firm, partnership, corporation, municipality, cooperative organization, government agency, etc., that agrees to purchase a telecommunications service and is responsible for paying charges and for complying with the rules and regulations of the telephone company. For purposes of this chapter, customer means a retail customer except where the term is specifically designated within a rule to mean a wholesale customer of the telephone company.

(K) "Eligible telecommunications carrier (ETC)" means a carrier designated by a state commission as defined in subpart C of FCC 47 C.F.R. 54.201.

(L) "Exchange area" means a geographical service area established by an incumbent local exchange carrier and approved by the commission, which embraces a city, town, or village and a designated surrounding or adjacent area. There are currently seven hundred thirty eight exchanges in the state.

(M) "Facilities-based CLEC" means, with a respect to a service area, any local exchange carrier that uses facilities it owns, operates, manages or controls to provide basic local exchange services to consumers on a common carrier basis; and that was not an incumbent local exchange carrier on the date of the enactment of the 1996 act. Such carrier may partially or totally own, operate, manage or control such facilities. Carriers not included in such classification are carriers providing service(s) solely by resale of the incumbent local exchange carrier's local exchange services.

(N) "Federal poverty level" shall have the meaning set forth in division (A)(4) of section 4927.01 of the Revised Code.

(O) "Flat rate" service means unlimited number of local calls at a fixed charge.

(P) "Incumbent local exchange carrier (ILEC)" shall have the meaning set forth in division (A)(5) of section 4927.01 of the Revised Code.

(Q) "Inmate operator services (IOS)" means any intrastate telecommunications service initiated from an inmate telephone, i.e., a telephone instrument set aside by authorities of a secured correctional facility for use by inmates or juvenile offenders.

(R) "Internet protocol-enabled services" shall have the meaning set forth in division (A)(6) of section 4927.01 of the Revised Code.

(S) "Large ILEC" means any ILEC serving fifty thousand or more access lines in Ohio.

(T) "Local exchange carrier" shall have the meaning set forth in division (A)(7) of section 4927.01 of the Revised Code.

(U) "Local service area" shall have the meaning set forth in division (A)(8) of section 4927.01 of the Revised Code.

(V) "Nonresidential service" means a telecommunication service primarily used for business, professional, institutional or occupational use.

(W) "Postmark" means a mark, including a date, stamped or imprinted on a bill or a piece of mail which serves to record the date of its mailing, which in no event shall be earlier than the date on which the item is actually deposited in the mail. The postmark of a bill that is sent electronically must appear on the electronic bill and shall in no event be earlier than the date which it is electronically sent.

(X) "Preferred carrier freeze" (PCF) means a service that prevents a change in a customer's preferred carrier selection, unless the customer gives consent for such change to the carrier from whom the freeze was requested.

(Y) "Provider of last resort" means an ILEC or successor telephone company that is required to provide basic local exchange service on a reasonable and non-discriminatory basis to all persons or entities in its service area requesting that service as set forth in section 4927.11 of the Revised Code.

(Z) "Public safety answering point" (PSAP) means a facility to which 9-1-1 system calls for a specific territory are initially routed for response and where personnel respond to specific requests for emergency service by directly dispatching the appropriate emergency service provider, relaying a message to the appropriate provider, or transferring the call to the appropriate provider.

(AA) "Regulated service" means service under the jurisdiction of the commission.

(BB) "Residential service" means a telecommunications service provided primarily for household use.

(CC) "Small business" shall have the meaning set forth in division (A)(9) of section 4927.01 of the Revised Code.

(DD) "Tariff" means a schedule of rates, tolls, rentals, charges, classifications, and rules applicable to services and equipment provided by a telephone company that has been filed or posted in such places or in such manner as the commission orders.

(EE) "Telecommunications" shall have the meaning set forth in division (A)(10) of section 4927.01 of the Revised Code.

(FF) "Telecommunications carrier" shall have the meaning set forth in division (A)(11) of section 4927.01 of the Revised Code.

(GG) "Telecommunications relay service (TRS)" means intrastate transmission services that provide the ability for an individual who has a hearing or speech impairment to engage in a communication by wire or radio with a hearing individual in a manner that is functionally equivalent to the ability of an individual, who does not have a hearing or speech impairment, to communicate using voice communication services by wire or radio. TRS includes services that enable two-way communication between an individual who uses a telecommunications device for the deaf or other nonvoice terminal device and an individual who does not use such a device.

(HH) "Telecommunications service" shall have the meaning set forth in division (A)(12) of section 4927.01 of the Revised Code.

(II) "Telephone company" shall have the meaning set forth in division (A)(13) of section 4927.01 of the Revised Code.

(JJ) "Telephone exchange service" shall have the meaning set forth in division (A)(14) of section 4927.01 of the Revised Code.

(KK) "Telephone toll service" shall have the meaning set forth in division (A)(15) of section 4927.01 of the Revised Code.

(LL) "Traditional service area" means the area in which an ILEC provided basic local exchange service on the date of enactment of the Telecommunications Act of 1996, 110 Stat. 60, 47 U.S.C. 153, and includes any commission-approved changes to an ILEC's traditional service area after that date.

(MM) "Voice over internet protocol service" (VoIP) shall have the meaning set forth in division (A)(16) of section 4927.01 of the Revised Code.

(NN) "Wireless service shall have the meaning set forth in division (A)(17) of section 4927.01 of the Revised Code.

(OO) "Wireless service provider" shall have the meaning set forth in division (A)(18) of section 4927.01 of the Revised Code.

Replaces: 4901:1-6-01

Effective: 01/20/2011
R.C. 119.032 review dates: 11/30/2015
Promulgated Under: 111.15
Statutory Authority: 4901.13, 4905.84, 4927.03
Rule Amplifies: 4927.01
Prior Effective Dates: 9/18/07, 4/8/03, 12/29/05, 12/4/08

4901:1-6-02 Purpose and scope.

(A) The rules set forth in Chapter 4901:1-6 of the Administrative Code, apply to all incumbent local exchange carriers (ILECs), competitive local exchange carriers (CLECs), and other providers of telecommunication services, unless otherwise specified in this chapter or commission order.

(B) A wireless service provider and a reseller of wireless service are exempt from all rules in Chapter 4901:1-6 except rules 4901:1-6-24 of the Administrative Code (wireless service provisions), 4901:1-6-09, eligible telecommunications carrier (ETC), 4901:1-6-19, lifeline requirements for ETCs (where the wireless service provider or reseller of wireless service has attained ETC status), and 4901:1-6-36, telecommunications relay service.

(C) A provider of interconnected voice over internet protocol-enabled service is exempt from all rules in Chapter 4901:1-6, of the Administrative Code except for rule 4901:1-6-36 (TRS).

(D) A provider of any telecommunications service that is not commercially available as of September 13, 2010, and that employs technology that became available for commercial use only after September 13, 2010, is exempt from all rules set forth in Chapter 4901:1-6 of the Administrative Code, except for rule 4901:1-6-36 (TRS), in the event such provider is subsequently required under federal law to provide to its customers access to telecommunications relay service.

(E) The commission may, upon application or upon a motion filed by a party, waive any requirement of this chapter, for good cause shown, other than a requirement mandated by statute from which no waiver is permitted.

(F) Any telephone company seeking a waiver(s) of rules contained in this chapter shall specify the period of time for which it seeks such a waiver(s), and a detailed justification in the form of a motion filed in accordance with rule 4901-1-12 of the Administrative Code.

(G) Waiver requests are not deemed to be granted unless approved by order of the commission. Waiver requests made in proceedings which have an automatic approval time frame will toll any automatic approval time frames set forth in rule 4901:1-6-05 of the Administrative Code.

(H) Each citation contained within this chapter that is made either to a section of the United States Code or a regulation in the code of federal regulation is intended, and shall serve, to incorporate by reference the particular version of the cited matter that was effective on September 13, 2010.

Replaces: 4901:1-6-02

Effective: 01/20/2011
R.C. 119.032 review dates: 11/30/2015
Promulgated Under: 111.15
Statutory Authority: 4901.13, 4927.03
Rule Amplifies: 4905.04, 4927.03
Prior Effective Dates: 4/8/03, 9/18/07

4901:1-6-03 Investigation and monitoring.

Consistent with applicable law, nothing contained within this chapter, shall in any way preclude the commission or its staff from:

(A) Requiring a telephone company to furnish additional information necessary to carry out its authority under Title 49 of the Revised Code.

(B) Monitoring a telephone company's compliance with the law or any of the commission's rules and orders.

(C) Initiating an investigation into a telephone company's compliance with the law or any of the commission's rules and orders.

Replaces: 4901:1-6-03

Effective: 01/20/2011
R.C. 119.032 review dates: 11/30/2015
Promulgated Under: 111.15
Statutory Authority: 4901.13, 4927.03
Rule Amplifies: 4927.20, 4927.21
Prior Effective Dates: 4/8/03, 9/18/07

4901:1-6-04 Application and notice filings.

(A) For all applications required to be filed under this chapter, a telephone company shall use the most up-to-date telecommunications filing form for telephone-related applications and notice filings. This form may change from time-to-time without further commission entry. Commission staff will maintain a current, updated copy to provide to applicants. The most recent version of the form will be posted on the commission's web site.

(B) The applicant shall complete the telecommunications filing form in its entirety and supply all required attachments and affidavits as outlined on the form.

(C) The telecommunications filing form shall be signed by counsel for the applicant, an officer of the applicant, or an authorized agent of the applicant, and shall identify any agents or employees authorized to make filings on behalf of the applicant before the commission.

(D) Failure to utilize the current telecommunications filing form for any initial filing as well as failure to include the required attachments as outlined on the form may result in immediate dismissal of the application. The commission, the legal director, the deputy legal director, or an attorney examiner has the authority to issue the entry dismissing an application under this rule.

(E) All amendments, motions, and other supplemental pleadings to an open case under these rules need not use the telecommunications filing form, but must clearly state the case number such filings are in reference to.

Replaces: 4901:1-6-04, 4901:1-6-20, 4901:1-6-22

Effective: 01/20/2011
R.C. 119.032 review dates: 11/30/2015
Promulgated Under: 111.15
Statutory Authority: 4901.13, 4927.03
Rule Amplifies: 4927.03 , 4927.15
Prior Effective Dates: 4/8/03, 9/18/07

4901:1-6-05 Automatic approval and notice filing process.

(A) Many filings pursuant to the rules adopted in this chapter are subject to an automatic approval process or a notice filing. With the exception of zero-day notices, an automatic time frame will begin on the day after a filing is made with the commission's docketing division. Furthermore, under an automatic approval process, if the commission does not take action before the expiration of the filing's applicable time frame, the filing shall be deemed approved and become effective on the following day, or later date if requested by the company. For example, a filing subject to a thirty-day process will, absent suspension or other commission action, become effective on the thirty-first day after the initial filing is made with the commission. Unless otherwise ordered, any motions not ruled upon by the commission during the filing's applicable timeframe are deemed to be denied.

(B) A filing subject to the zero-day notice procedure will be effective on the same day the filing is made with the commission. Notice filings are not considered to be commission-approved.

Replaces: 4901:1-6-08

Effective: 01/20/2011
R.C. 119.032 review dates: 11/30/2015
Promulgated Under: 111.15
Statutory Authority: 4901.13, 4927.03
Rule Amplifies: 4927.03 , 4927.15
Prior Effective Dates: 4/8/03, 9/18/07

4901:1-6-06 Suspensions.

(A) Unless otherwise provided in law, the commission, legal director, deputy legal director, or attorney examiner may impose a full or partial suspension of any automatic approval process, notice filing, or tariff approved pursuant to this chapter, if such filing is contrary to law or the rules of the commission.

(B) Under this rule, if a tariff filing is contrary to law or the rules of the commission, the commission may require a telephone company to discontinue provision of the affected tariffed telecommunications service(s) or, under partial suspension, cease offering the affected tariffed telecommunications service(s) to new customers, or take other actions with regard to the affected service(s) as the commission may require.

(C) Unless the law specifically precludes suspension of an automatic approval process, a pending application under full or partial suspension will be automatically approved sixty days from the date of suspension if all issues are resolved. If all issues are not resolved by the sixtieth day, the application will be either dismissed by entry or suspended a second time. Any such second suspension shall be accompanied by notice to the applicant explaining the rationale for the additional suspension. Applications under a second suspension cannot be approved without a commission entry or order.

(1) Under this paragraph, an application under full suspension is entirely precluded from taking effect.

(2) Under this paragraph, an application under partial suspension is permitted to take effect, in part or in its entirety, under the proposed terms and conditions, subject to further review by the commission. The applicant is put on notice that the commission, subsequent to further review, may modify the rates and/or terms and conditions of tariffed telecommunications service(s) affected by the application.

(D) A full or partial suspension of tariffed telecommunications services may also be imposed, after an application has been approved under the automatic approval process or is subject to a zero-day notice filing, if an ex post facto determination is made that the tariff may not be in the public interest, or is in violation of law or commission rules.

Replaces: 4901:1-6-07

Effective: 01/20/2011
R.C. 119.032 review dates: 11/30/2015
Promulgated Under: 111.15
Statutory Authority: 4901.13, 4927.03
Rule Amplifies: 4927.03 , 4927.15
Prior Effective Dates: 4/8/03, 9/18/07

4901:1-6-07 Customer notice requirements.

(A) Except for notices for abandonment or withdrawal of telecommunications service pursuant to rules 4901:1-6-26and 4901:1-6-25 of the Administrative Code, respectively, and upward alterations of basic local exchange service(BLES) rates pursuant to rule 4901:1-6-14 of the Administrative Code, a telephone company shall provide at least fifteen days advance notice to its affected customers, of any material change in the rates, terms, and conditions of a service and any change in the company's operations that are not transparent to customers and may impact service. Customer notice is not required for a decrease in rates.

(B) For abandonment or withdrawal of telecommunications service and upward alterations of BLES rates, a telephone company shall provide at least thirty days advance notice to its affected customers in accordance with rules 4901:1-6-26, 4901:1-6-25, and 4901:1-6-14 of the Administrative Code, respectively.

(C) For every customer notice, a telephone company shall provide to the commission a copy of the actual customer notice and an affidavit verifying that the customer notice was provided to affected customers. A copy of the applicable customer notice must be provided to commission staff no later than the date it is provided to customers by emailing the text of the customer notice to a commission-provided electronic mailbox at: Telecomm-Rule07@puc.state.oh.us.

(D) Every customer notice shall identify the name of the company or brand name familiar to the customer (i.e. the company's "doing business as" name) and the company's customer service toll-free telephone number and web site (if one exists), along with a clear description of the impact on the customer. If the notice is informing a customer of a material change in the rates, terms, or conditions of service, the notice shall also name the service offering being changed, a description of the change including any increase in rate(s), the effective date of the change, and the company's contact information.

(E) Notice shall be provided to affected customers in any reasonable manner, including bill insert, bill message, direct mail, or, if the customer consents, electronic means.

(F) For change in operation applications filed pursuant to rule 4901:1-6-29 of the Administrative Code, the customer notice must explain how the customer will be directly impacted by the application and what customer action, if any, is necessary as a result of such application.

(G) At a minimum, the notice for a withdrawal or abandonment of service should provide the proposed effective date of the service withdrawal, instructions to the customers on how they may obtain replacement service(s), and the commission's toll-free and TTY-TDD telephone numbers.

(H) In the event that the commission staff determines that a notice provided to customers is not consistent with the law or commission rules, the commission staff may require the company to re-notice customers.

Replaces: part of 4901:1-6-11, 4901:1-6-12, 4901:1-6-17

Effective: 01/20/2011
R.C. 119.032 review dates: 11/30/2015
Promulgated Under: 111.15
Statutory Authority: 4901.13, 4927.03
Rule Amplifies: 4927.17
Prior Effective Dates: 4/8/03, 9/18/07

4901:1-6-08 Telephone company certification.

(A) Any telephone company desiring to offer telecommunication services in Ohio shall file an application for certification (ACE) with the commission using the most up-to-date telecommunications filing form available from the commission's web site. The telecommunications filing form shall be signed by counsel for the applicant, an officer of the applicant, or an authorized agent of the applicant and shall identify any agents or employees authorized to make filings on behalf of the applicant before the commission. The form serves to identify the

specific types of telecommunication services the applicant wishes to offer, and to verify the applicant's commitment to comply with all applicable commission rules and regulations.

(B) Paragraph (A) of this rule does not apply to any incumbent local exchange carrier (ILEC) with respect to its geographic service area as that area existed on September 13, 2010. An ILEC or its holding company seeking to operate outside of its geographic service area as that area existed on September 13, 2010 shall file an application for certification.

(C) Certificate timeline

(1) Interested persons who can show good cause why such application should not be granted must file with the commission a written statement detailing the reasons, as well as a motion to intervene, within fifteen calendar days after the application is docketed. The applicant may respond to any motion to intervene no later than seven calendar days after the filing and service of the motion.

(2) Absent full or partial suspension, applications seeking certification as a telephone company will be approved in accordance with the thirty-day automatic approval process described in rule 4901:1-6-05 of the Administrative Code.

(D) The commission's docketing division will assign a tariff filing (TRF) docket number, if applicable, and inform the applicant of that number within fourteen days of filing so that the applicant may finalize its tariff and price lists prior to the automatic approval date of the ACE. Failure to file all necessary tariff revisions requested by commission staff prior to the thirtieth day from initial filing of the ACE application will result in suspension or dismissal of the application. Final tariffs, where applicable, must be filed in the ACE case as well as in the applicant's TRF docket no later than ten days after the automatic approval date.

(E) Minimum information required to be filed by all applicants seeking certification as a telephone company to operate in the state of Ohio shall include:

(1) A certificate of good standing and a certificate to operate as an out-of-state entity issued by the Ohio secretary of state and, if applicable, fictitious name authorization.

(2) The company's name and address, and if available, e-mail address and web site.

(3) The name of a contact person and that person's contact information.

(4) A general description and list of the types of telecommunications service(s) proposed to be offered and a description of the general geographic area served (maps are not required).

(5) Verification that the applicant will follow federal communications commission (FCC) accounting requirements, if applicable.

(6) Documentation attesting to the applicant's satisfactory technical expertise relative to the proposed service offering(s).

(7) Documentation indicating the applicant's satisfactory corporate structure, managerial expertise, and ownership.

(8) Information pertaining to any similar operations provided by the applicant in other states.

(9) Evidence of notice to the Ohio department of taxation, public utilities tax division, of the applicant's intent to provide service.

(10) Any waivers sought by the applicant, submitted pursuant to rule 4901:1-6-02 of the Administrative Code.

(11) Documentation attesting to the applicant's financial viability, including, at a minimum, an actual and pro forma income statement and balance sheet.

(12) For competitive local exchange carriers (CLECs), a notarized affidavit signed by an authorized employee and accompanied by the bona fide request for interconnection letter sent to the ILEC that verifies that the applicant has entered into negotiations to establish an interconnection and/or transport and termination agreements with, at a minimum, the ILEC(s) serving the geographic area(s) where the applicant will be providing its services. If the agreements(s) have already been filed with the commission for approval, the specific case numbers should be stated. To the extent the agreements have not been filed, the applicant should state the estimated

timeframe for such filing. An applicant that intends to provide service to customers by solely reselling the retail services of an underlying facilities-based CLEC is exempt from this requirement. A CLEC shall not start providing service before it files with the commission, for the commission's approval, an interconnection and/or transport and termination agreement with the ILEC and/or a resale agreement with another CLEC as required pursuant to this rule.

(F) Additional requirements to be submitted by a telephone company seeking to offer basic local exchange service (BLES) or other services required to be tariffed under Chapter 4927. of the Revised Code and rule 4901:1-6-11 of the Administrative Code include:

(1) Proposed tariffs, including a full description of proposed services and operations as well as all relevant terms and conditions for BLES and other retail services set forth in rule 4901:1-6-11 of the Administrative Code if offered to customers. Tariffs may incorporate by reference the exchanges of an ILEC if the applicant is proposing to mirror the ILEC's local service areas in its entirety. If an applicant is a facilities-based CLEC, it must provide a carrier-to-carrier tariff, which at a minimum includes an access tariff. Other wholesale services set forth in rule 4901:1-6-11 of the Administrative Code, if offered to wholesale customers, must also be tariffed in its carrier-to-carrier tariff.

(2) A list of the ILECs in whose territory the applicant intends to serve. If the applicant is not mirroring an ILEC's entire local service area, the CLEC shall specifically define its local service area.

(3) Nothing precludes the staff of the commission from requiring additional information consistent with this chapter.

(G) Scope of operating authority

(1) The commission shall grant statewide operating authority to a telephone company seeking to offer telecommunications services provided that the company meets the associated certification requirements.

(2) A CLEC shall update its certification if it seeks to expand its operation within its statewide authorization subsequent to certification. To do so, the CLEC must file in its TRF case a notarized affidavit signed by an authorized employee verifying that the CLEC has an interconnection and/or transport and termination traffic agreement with the ILEC serving the territory into which the CLEC intends to expand and identifying the specific case numbers in which the agreements were filed. The CLEC must also file any tariff update, if applicable.

(H) The commission may suspend or reject the certification application of a telephone company if it finds, within thirty days after filing and based on the information provided in the application, that the applicant lacks financial, technical, or managerial ability sufficient to provide adequate service to the public consistent with law.

(I) Suspension or revocation of certificate

Nothing contained within these rules precludes the commission, after reasonable notice and an opportunity to be heard, from suspending, rescinding or conditionally rescinding the certification of a telephone company upon a demonstration that the company has engaged in a pattern of conduct in violation of Ohio law. This includes the failure to comply with the rules of the commission, including the failure to file the requisite annual reports and the failure to pay all corresponding assessments.

Replaces: 4901:1-6-05, 4901:1-6-08, 4901:1-6-10

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Statutory Authority: 4901.13, 4927.03
Rule Amplifies: 4927.05
Prior Effective Dates: 4/8/03, 9/18/07

4901:1-6-09 Eligible telecommunications carriers.

(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), a facilities-based telephone company must:

(1) File 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) Telephone companies not previously designated as a CETC and requesting CETC authority, shall file the application for CETC designation with the commission using the most up-to-date telecommunications filing form and must include all completed exhibits as required by the filing form. Commission staff will maintain a current, updated copy of the 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 shall be filed under a TP-UNC case purpose code and shall not be 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

In order to be eligible for federal universal service funding in any given year, all ETCs, i.e., incumbent local exchange carrier ETCs and CETCs, must comply with the following annual reporting requirements:

(1) No later than August thirty-first of each year, an ETC receiving high cost funding must file 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 August thirty-first of each year, or a date otherwise designated by the universal service administration company (USAC), an ETC receiving lifeline support must file 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.

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4901:1-6-10 Competitive emergency services telecommunications carrier certification.

(A) An applicant seeking authority as a competitive emergency services telecommunications carrier (CESTC) in the state of Ohio, must submit an application for certification (ACE) with the items set forth in paragraph (E) of rule 4901:1-6-08 of the Administrative Code and any additional items requested by commission staff. A competitive local exchange carrier, or an incumbent local exchange carrier operating outside of its traditional service area, seeking to offer CESTC service, subsequent to initial certification, shall file a thirty-day ACE seeking CESTC authority with a proposed CESTC tariff and any additional items requested by commission staff.

(B) Certificate timeline

(1) Interested entities who can show good cause why such application should not be granted must file with the commission a written statement detailing the reasons, as well as a motion to intervene, within fifteen calendar

days after the application is docketed. The applicant shall respond to any motion to intervene within seven calendar days after the filing and service of the motion.

(2) Absent full or partial suspension, applications seeking certification as a CESTC will be approved in accordance with the thirty-day automatic approval process described in rule 4901:1-6-05 of the Administrative Code.

(C) A CESTC may not operate as a 9-1-1 system service provider until such time as the county has amended its 9-1-1 plan to identify that carrier as the 9-1-1 carrier of choice for a public safety answering point (PSAP)(s) serving end users in that county for the designated telecommunications traffic.

(D) A CESTC authorized to act as a 9-1-1 system service provider to a PSAP must carry all calls for that PSAP for those services designated to it by the PSAP. In addition to the ILEC, there may be no more than one CESTC designated by the PSAP as set forth in the approved county plan.

(E) Once the county plan has been amended, a CESTC shall update its tariff to reflect the PSAP(s) served by the CESTC and which type of telecommunications traffic will be provided to that PSAP. Contracts between a CESTC and all individual counties for the provision of emergency service to a PSAP(s) within that county shall be submitted to the state of Ohio's 9-1-1 coordinator.

(F) A CESTC shall interconnect with each PSAP in a county and adjacent 9-1-1 systems across county lines to ensure transferability of all 9-1-1/E9-1-1 calls.

(G) The commission shall grant a CESTC, statewide operating authority provided the company meets the associated certification requirements. As a CESTC seeks to expand its operation within its statewide authorization, it must update its tariff by filing, in its TRF case, an up-to-date list of the counties in which the CESTC is actually provisioning service.

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Rule Amplifies: 4927.15

4901:1-6-11 Tariff services.

(A) Services required to be tariffed

(1) The rates, terms, and conditions for 9-1-1 service provided in this state by a telephone company or a telecommunications carrier, and for each of the following provided by a telephone company, shall be approved and tariffed by the commission and shall be subject to all applicable laws, including rules or regulations adopted and orders issued by the commission or the federal communications commission, and including, as to 9-1-1 service, sections 4931.40 to 4931.70 and 4931.99 of the Revised Code:

(a) Basic local exchange service (BLES), including BLES installation and reconnection fees and lifeline service rates or discounts.

(b) Carrier access.

(c) N-1-1 service.

(d) Pole attachments and conduit occupancy under section 4905.71 of the Revised Code.

(e) Pay telephone access lines.

(f) Toll presubscription.

(g) Excess construction charges.

(h) Inmate operator services.

(i) Telecommunications relay service.

(2) All other telecommunications services offered by a telephone company shall not be included in tariffs filed with the commission, but shall still be subject to commission oversight and regulation as provided in Chapter

4927. of the Revised Code and Chapter 4901:1-6 of the Administrative Code.

(B) Tariffing requirements

All tariffs for services required to be tariffed under paragraph (A) of this rule, shall include both the appropriate issued (the date the tariff was filed with the commission) and effective (the date the service(s) will be offered) dates. All tariffs shall include, at a minimum, the following elements:

(1) A title page and a table of contents.

(2) A description of all services offered along with all terms and conditions associated with the provision of each service.

(3) For BLES, a description of the actual BLES local service area in which a customer may complete a call without incurring a toll charge. Any change to a local service area must be reflected in the tariff on file with the commission.

(4) A complete list of rates, relative to the provision of each service.

(5) For BLES, a statement informing customers that all telephone companies offering BLES are subject to the commission's service requirements for BLES found in rule 4901:1-6-12 of the Administrative Code.

(6) For tariffs filed requiring prior commission approval, each final tariff sheet must exhibit the commission authority by designating the case number in which the tariff was approved, the automatic date of effectiveness or commission order date, the effective date of the tariff sheet, the name of the telephone company, and the name of an officer of the telephone company. This information should be included in a header, a footer, or a combination thereof.

(7) For tariffs filed pursuant to a zero-day notice filing, each final tariff sheet should include the effective date of the tariff sheet, the name of the telephone company, and the name of an officer of the telephone company. This information should be included in a header, a footer, or a combination thereof.

(C) Tariff filing (TRF) docket

(1) The commission shall maintain and designate for each telephone company offering tariffed telecommunications services a TRF docket for the filing of final tariffs and filings subject to a zero-day notice procedure.

(2) The docketing division will assign a TRF docket number when a telephone company seeks to obtain initial certification.

(3) For applications in which new or revised tariff pages are involved, such tariff page(s) shall be filed in final form in the TRF docket and include the appropriate application purpose code, where applicable. For filings subject to a zero-day notice procedure, such notice shall include a filing form, description of filing request, final tariff pages, and, if applicable, a customer notice. For nonautomatic applications and those applications subject to an automatic approval process (other than the zero-day notice process), final tariff pages must be filed within ten calendar days after the approval date. The effective date on the tariffs shall be a date no sooner than the date the final tariffs are filed with the commission.

Replaces: 4901:1-6-06

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4901:1-6-12 Service requirements for BLES.

(A) A local exchange carrier (LEC) providing basic local exchange service (BLES) shall conduct its operations so as to ensure that the service is available, adequate, and reliable consistent with applicable industry standards.

(B) The fact that a LEC providing BLES fails to comply with any provision(s) within this chapter, or with other applicable federal or state telecommunications law, does not by itself constitute inadequate service as a matter of law. Rather, the question as to whether BLES is legally inadequate requires a formal determination by the commission, preceded by a hearing pursuant to section 4927.21 of the Revised Code unless the hearing is waived by the complainant and the respondent.

(C) A LEC shall provide BLES pursuant to the following standards:

(1) BLES shall be installed within five business days of the receipt by a telephone company of a completed application for new access line service, unless the customer requests or agrees to a later date.

(2) The requirement to install BLES in paragraph (C)(1) of this rule is not applicable where any of the following exist:

(a) A customer or applicant has not met pertinent tariff requirements.

(b) The need for special equipment or service.

(c) Military action, war, insurrection, riot, or strike.

(d) The customer misses an installation appointment.

(3) A LEC shall make reasonable efforts to repair a BLES outage within twenty-four hours, excluding Sundays and legal holidays, after the outage is reported to the telephone company.

(4) A BLES service outage or service-affecting problem shall be repaired within seventy-two hours after it is reported to the telephone company.

(5) If a BLES outage is reported to the telephone company and lasts more than seventy-two hours, the LEC shall credit every affected BLES customer, of which the LEC is aware, in the amount of one month's charges for BLES.

(6) The customer credit in paragraph (C)(5) of this rule is not applicable if the condition or failure to repair occurs as a result of any of the following:

(a) A customer's negligent or willful act.

(b) Malfunction of customer-owned telephone equipment or inside wire.

(c) Military action, war, insurrection, riot, or strike.

(d) Customer missing a repair appointment.

(7) No LEC shall establish a due date for payment earlier than fourteen consecutive days after the date the bill is postmarked for a bill for BLES provided to customers. The postmark date may appear on the bill rather than on the envelope, as long as the postmark date is never earlier than the date the bill actually enters the mail.

(8) A LEC may disconnect BLES for nonpayment of any amount past due on a billed account not earlier than fourteen days after the due date of the customer's bill, provided that the customer is given notice of the disconnection seven days before the disconnection.

(9) Such notice of disconnection may be included on the customer's next bill, provided the bill is postmarked at least seven days prior to the date of disconnection of service reflected on the bill, and provided that the disconnection language is clearly highlighted such that it stands apart from the customer's regular bill language. The notice shall identify the total dollar amount that must be paid to maintain BLES, the earliest date disconnection may occur, and the following statement:

"If you have a complaint in regard to this disconnection notice that cannot be resolved after you have called (name of the utility), or for general utility information, residential and business customers may contact the public utilities commission of Ohio (PUCO) for assistance at 1-800-686-7826 (toll free) from eight a.m. to five p.m. weekdays, or at http://www.puco.ohio.gov. Hearing or speech inpaired customers may contact the PUCO via 7-1-1 (Ohio relay service)."

For residential disconnection notices, the text shall also include:

" The Ohio consumers' counsel (OCC) represents residential utility customers in matters before the PUCO. The OCC can be contacted at 1-877-742-5622 (toll free) from eight a.m. to five p.m. weekdays, or athttp://www.pickocc.org."

(10) A LEC may require a deposit, not to exceed two hundred thirty percent of a reasonable estimate of one month's service charges, for the installation of BLES for any person that it determines, in its discretion, is not creditworthy.

(11) A LEC shall, unless prevented from doing so by circumstances beyond the telephone company's control or unless the customer requests otherwise, reconnect a customer whose basic local exchange service was disconnected for nonpayment of past due charges not later than one business day after the day the earlier of the following occurs:

(a) The receipt by the LEC of the full amount of past due charges.

(b) The receipt by the LEC of the first payment under a mutually agreed upon payment arrangement.

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Rule Amplifies: 4927.08, 4911.021
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4901:1-6-13 Warm line service.

Every telephone company providing telephone exchange service shall maintain access to 9-1-1 service on a residential customer's line for a minimum of fourteen consecutive days immediately following any disconnection for nonpayment of a customer's telephone exchange service.

Replaces: 4901:1-5-10

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4901:1-6-14 BLES pricing parameters.

(A) Rates for basic local exchange service (BLES) offered by a local exchange company (LEC) shall be subject to the tariff requirements and pricing constraints set forth in this rule.

(B) BLES regulatory framework

(1) BLES shall only be offered by LECs pursuant to approved tariffs on file with the commission. A LEC offering BLES shall maintain a complete, up-to-date tariff on file at the offices of the commission at all times.

(2) The tariff for BLES shall contain all rates, terms, and conditions for BLES and installation and reconnection fees for BLES.

(3) The BLES pricing flexibility for ILECs set forth in this rule shall be applied to the monthly recurring rates for the network access line component or equivalent of a single residential BLES line or a primary small business BLES line.

(4) BLES is considered BLES for purposes of these rules regardless of what other a la carte services and features to which a customer may subscribe.

(5) A bundle or package of telecommunications services which includes telephone exchange service is not subject to the pricing constraints contained in paragraph (C) of this rule and section 4927.12 of the Revised Code and may be priced at market-based rates.

(6) An incumbent local exchange carrier (ILEC) offering BLES outside of its traditional service area or a competitive local exchange carrier (CLEC) affiliate of an ILEC offering BLES within or outside of that ILEC's traditional service area shall follow all BLES rules in this chapter that are applicable to CLECs offering BLES.

(C) For-profit ILEC BLES pricing flexibility

(1) Upon not less than thirty day's notice, pursuant to paragraph (F)(5) of this rule, a for-profit ILEC may increase its rates for BLES:

(a) If the ILEC, within twelve months prior to September 13, 2010, increased the ILECs' rates for BLES for the exchange area, both of the following apply:

(i) The ILEC may not alter its rates for BLES for the exchange area upward by any amount during the period that ends twelve months after the date of the last increase of the rates for BLES.

(ii) In no event may the ILEC during the twelve-month period that begins immediately after the end date of the period described in paragraph (C)(1)(a)(i) of this rule, and during any subsequent twelve-month period, alter the ILEC's monthly rates for BLES upward for an exchange area by more than one dollar and twenty-five cents.

(b) If the ILEC did not, within twelve months prior to September 13, 2010, increase the ILEC's rates for BLES for an exchange area, and if the commission has made a prior determination that the exchange area qualified for alternative regulation of BLES under Chapter 4901:1-4 of the Administrative Code, as that chapter existed on September 13, 2010, in no event may the ILEC, during the twelve-month period that begins on September 13, 2010, and during any subsequent twelve-month period, alter the ILEC's monthly rates for BLES upward for the exchange area by more than one dollar and twenty-five cents.

(c) If the commission has not made a prior determination that the exchange area qualified for alternative regulation of BLES under Chapter 4901:1-4, of the Administrative Code, as that chapter existed on September 13, 2010, an ILEC may not alter its rates for BLES upward for that exchange area unless the ILEC first applies to the commission and the commission determines that the application demonstrates that two or more alternative providers offer, in the exchange area, competing service to the BLES offered by the ILEC in the exchange area, regardless of the technology and facilities used by the alternative provider, the alternative provider's location, and the extent of the alternative provider's service area within the exchange area.

(i) Upon the filing of an application under paragraph (C)(1)(c) of this rule pursuant to a BLS case purpose code, the commission shall be deemed to have found that the application meets the requirements of that paragraph unless the commission, within thirty days after the filing of an application, issues an order finding that the requirements have not been met.

(ii) In no event may an ILEC that applies to the commission under paragraph (C)(1)(c) of this rule, during the twelve-month period that begins on the thirty-first day after the company files the application, and during any subsequent twelve-month period, alter the carrier's monthly rates for BLES upward for the exchange area to which the application applies by more than one dollar and twenty-five cents.

(2) Banking

Any rate increase allowed by this rule that is not used during a twelve-month period by a for-profit ILEC may not be used in any subsequent year.

(D) Not-for profit ILEC pricing flexibility.

At any time, and upon no less than thirty days' notice pursuant to paragraph (F)(5) of this rule, a not-for-profit mutual ILEC may increase its rates for BLES by any amount.

(E) In no event may an ILEC, before January 1, 2012, alter its rates for BLES upward for a customer receiving lifeline service.

(F) ILEC BLES application, process, and notice

(1) If the commission has not made a prior determination that the exchange area qualified for alternative regulation of BLES under Chapter 4901:1-4 of the Administrative Code, as that chapter existed on September 13, 2010, a for-profit ILEC must file an application seeking approval to obtain BLES pricing flexibility as set forth in paragraph (C)(1)(c)(i) of this rule, using the most up-to-date telecommunications filing form, under the case purpose code TP-BLS.

(2) A for-profit ILEC shall establish or maintain a tariffed rate cap for BLES consistent with paragraphs (C)(1)(a)(ii), (C)(1)(b), and (C)(1)(c)(ii) of this rule. Such ILECs shall file an updated tariff, for each exchange area with BLES pricing flexibility, at the end of each exchange's twelve-month period, to reflect the new anniversary date and, as necessary, the new tariffed rate cap for BLES. Such tariff shall be filed as a zero-day tariff amendment (ZTA).

(3) A for-profit ILEC's BLES price change(s) below its annual tariffed cap for BLES is subject to a zero-day notice filing under the company's tariff filing (TRF) docket.

(4) A not-for-profit ILEC's BLES rates may be established and changed in its tariff pursuant to a zero-day notice filing under the company's tariff filing (TRF) docket.

(5) Increases in an ILEC's BLES rates pursuant to paragraphs (C) and (D) of this rule require customer notice, consistent with the requirements of rule 4901:1-6-07 of the Administrative Code, to all affected customers, including OCC if residential BLES is involved, not less than thirty days prior to the rate increase. A copy of the applicable customer notice must be provided to commission staff no later than the date it is provided to customers by emailing the text of the customer notice to a commission-provided electronic mailbox at:Telecomm-Rule07@puc.state.oh.us.

(G) CLEC BLES pricing flexibility, process, and notice:

(1) CLECs may establish the tariffed rate(s) for any BLES offerings based on the marketplace.

(2) A CLEC's BLES rate change(s) is subject to a zero-day notice filing under the company's tariff filing (TRF) docket.

(3) A CLEC may increase its BLES rates on no less than thirty days' written notice to affected customers, including OCC if residential BLES is involved. Such increases require customer notice consistent with the requirements of rule 4901:1-6-07 of the Administrative Code. A copy of the applicable customer notice must be provided to commission staff no later than the date it is provided to customers by emailing the text of the customer notice to a commission-provided electronic mailbox at:

Telecomm-Rule07@puc.state.oh.us.

(H) New services, change in terms and conditions and expansion of local service area

(1) In order to introduce BLES or for an expansion of a local service area, a LEC must docket a zero-day notice filing (ZTA) with the commission to amend its tariff, in accordance with the process set forth in rule 4901:1-6-04 of the Administrative Code. The ZTA will take effect in accordance with paragraph (B) of rule 4901:1-6-05 of the Administrative Code.

(2) Material changes in terms and conditions of an existing BLES by a LEC, including the introduction of a nonrecurring service charge, surcharge or fee to BLES by a CLEC, shall be filed through a thirty-day application for tariff amendment (ATA) filing. A standard of reasonableness will be applied to these charges including, but not limited to, a comparison with similar charges previously approved by the commission and similar charges assessed by other providers. Such application requires a customer notice to be filed in accordance with rule 4901:1-6-07 of the Administrative Code.

(I) BLES late payment charges

Late payment charges for BLES may be introduced or increased through a thirty-day ATA filing. A standard of reasonableness will be applied to late payment charges including, but not limited to, a comparison with similar charges previously approved by the commission and similar charges assessed by non-regulated providers. Such application requires a customer notice to be filed in accordance with rule 4901:1-6-07 of the Administrative Code.

(J) BLES installation and reconnection fees

Any ILEC nonrecurring service charges for installation and reconnection of a single residential or primary business BLES line shall be included in the BLES tariff and will continue to be capped at the tariffed rates for such charges in existence as of September 13, 2010.

Replaces: 4901:1-4-11

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4901:1-6-15 Directory information.

(A) A local exchange carrier (LEC) providing basic local exchange service (BLES) shall make available to its customers at no additional charge a telephone directory in any reasonable format, including but not limited to a printed directory, an electronic directory accessible on the internet or available on a computer disc, or free directory assistance. The telephone directory shall include all published telephone numbers in current use within the ILEC local calling area, including numbers for an emergency such as 9-1-1, the local police, the state highway patrol, the county sheriff and fire departments, the Ohio relay service, operator service, and directory assistance.

(B) Upon customer request, a LEC providing BLES shall make available to BLES customers the option to have a printed directory at no additional charge.

(C) A LEC providing BLES shall also provide its BLES customers with a free listing in that directory, with reasonable accommodations made for private listings.

Replaces: 4901:1-5-03

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4901:1-6-16 Unfair or deceptive acts and practices.

(A) Telephone companies shall not commit any unfair or deceptive act or practice in connection with the offering or provision of any telecommunications service in this state.

(B) A failure to comply with any of the following requirements in connection with the offering or provision of any telecommunications service shall constitute an unfair or deceptive act or practice by a telephone company:

(1) Any communication by a telephone company, including but not limited, to solicitations, offers, contract terms and conditions, or customer agreements, as well as any other communications whether written or oral, shall be truthful, clear, conspicuous, and accurate in:

(a) Disclosing applicable information, including but not limited to: material terms and conditions, material limitations, contract length, prices, fees, features, rates, termination fees or penalties, discretionary charges, government mandated charges, and estimated taxes for services offered.

(b) Identifying, in written or printed advertising or promotional literature, any material exclusions, reservations, limitations, modifications, or conditions, which must be located in close proximity to the operative words in the solicitation, offer, or marketing materials.

(2) Telephone companies shall disclose the company's name and contact information on any written service solicitation, marketing material, offer, contracts, or agreement, as well as on any written response to a service-related inquiry or complaint the company receives from a customer or others.

(3) Local exchange carriers (LECs) shall inform customers calling the company to report a service outage or service problem of their rights and responsibilities concerning the repair and maintenance of customer-owned equipment, inside wire, and the use of a network interface device (NID) to test for service problems. During such call, the LEC must notify the customer of any charges that the company imposes for a diagnostic visit.

(4) In the event a NID is not in place, the LEC shall inform a customer calling to report a service outage or service problem that the LEC is required to visit the customer premise at no charge to diagnose whether service

difficulties exist with network wire or inside wire.

(5) As applicable, and in any reasonable manner, a LEC shall provide customers a description of the NID. That description shall include: all customer options for repairing inside wire; the function and probable location of a NID; and an explanation as to how to use a NID to test for service problems. The explanation shall also detail the customer's rights and responsibilities concerning NID installation if a NID is not present on the premise and the customer's responsibility to utilize a NID to diagnose service problems or risk a service fee.

(C) Nothing in this rule precludes the commission from finding additional acts or practices, in addition to those identified in paragraph (B) of this rule, to constitute an unfair or deceptive act or practice in connection with the offering or provision of telecommunications service in this state either through rulemaking under section 4927.03 of the Revised Code or through an adjudication under section 4927.21 of the Revised Code. The commission shall provide notice to all telephone companies of such adjudications. No telephone company is liable for damages or forfeitures for engaging in any act, practice, or omission for which it does not have prior notice either under paragraph (B) of this rule, or through another rulemaking under section 4927.03 of the Revised Code, or an adjudication under section 4927.21 of the Revised Code, that engaging in such act or practice is an unfair or deceptive act. This does not preclude the commission, however, from ordering an appropriate customer credit or remedy for a complainant in the context of an adjudication of an individual complaint, if the commission determines that the company has committed an unfair or deceptive act or practice against that complainant. In the absence of prior notice that an act or practice is unfair or deceptive under paragraph (B) of this rule, or through rulemaking under section 4927.03 of the Revised Code, or an adjudication under section 4927.21 of the Revised Code, the commission shall allow the company adequate time to implement any procedures or practices the commission determines appropriate to remedy the violation.

(D) Telephone companies shall upon request of any applicant or customer, either inform the applicant or customer of, or make available at no charge, a copy of its credit and deposit policies.

(E) Telephone companies in possession of customer proprietary network information shall protect customer information in accordance with 47 U.S.C. 222 and in accordance with the rules and procedures prescribed by the federal communications commission at 47 C.F.R. 64.2001 to 47 C.F.R. 64.2011.

(F) Telephone companies that furnish credit information acquired from their own experiences with customers to consumer reporting agencies must comply with the federal Fair Credit Reporting Act.

(G) Telephone companies that provide alternative operator services (AOS) shall provide the same consumer information and protections to intrastate callers or billed parties as required for interstate AOS in accordance with 47 C.F.R. 64.703. A failure of a telephone company to do so shall constitute an unfair or deceptive act or practice.

Replaces: 4901:1-5-03, 4901:1-5-04, 4901:1-5-05

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4901:1-6-17 Truth in billing requirements.

(A) Every telephone company shall comply with the federal communications commission's truth in billing requirements in 47 C.F.R. 64.201 and shall, in conformance with those requirements, accurately identify on every bill all services rendered, the providers of those services, and all billed charges, fees, and taxes so that they are clear and not misleading.

(B) Every customer's bill shall include a statement that customers with bill questions or complaints should contact the telephone company first, as well as the following text:

"If your complaint is not resolved after you have called (name of the utility), or for general utility information, residential and business customers may contact the Public Utilities Commission of Ohio (PUCO) for assistance at 1-800-686-7826 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or atwww.puco.ohio.gov. Hearing or speech imparied customers may contact the PUCO via 7-1-1 (Ohio Relay Service)."

For residential bills the text shall also include:

" The Ohio Consumers' Counsel (OCC) represents residential utility customers in matters before the PUCO. The OCC can be contacted at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at www.pickocc.org."

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4901:1-6-18 Slamming and preferred carrier freezes.

(A) Providers of telecommunications service, in the course of submitting or executing a change on behalf of a subscriber in the selection of a telephone company, shall obtain authorization from the subscriber and verification of that authorization in accordance with the rules and procedures prescribed by the federal communications commission (FCC) at 47 C.F.R. 64.1100 to 47 C.F.R. 64.1170. For purposes of this rule, the term "subscriber" has the same meaning as it does within the context of the rules and procedures prescribed by the FCC.

(B) The submitting provider of telecommunications service shall maintain and preserve records of verification of a subscriber's authorized switch of provider of telecommunications service in accordance with the rules and procedures prescribed by the FCC.

(C) Any provider of telecommunications service that is informed by a subscriber or the commission of an unauthorized provider change shall follow the commission's informal complaint procedures and the remedies prescribed by the FCC for the resolution of informal complaints of unauthorized changes of providers of telecommunications service.

(D) The commission, upon complaint by any person or its own initiative, has jurisdiction under sections 4905.73 and 4905.26 of the Revised Code concerning any violation of this rule and may order remedies as delineated under the rules and procedures prescribed by the FCC and in effect at the time of the violation, as well as enforce the duties and remedies provided for under sections 4905.72 and 4905.73 of the Revised Code.

(E) A provider of telecommunications service shall offer a preferred carrier freeze (PCF), only in accordance with the rules and procedures prescribed by the FCC.

(F) All telecommunications providers that offer PCFs shall be required to refrain from attempting to retain a customer's account during the process of changing a customer's preferred carrier selection, or otherwise to provide such information to its marketing staff or any affiliate.

Replaces: 4901:1-5-09

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Rule Amplifies: 4905.231
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4901:1-6-19 Lifeline requirements.

(A) An incumbent local exchange carrier (ILEC) that is an eligible telecommunications carrier (ETC) under 47 C.F.R. 54.201 shall implement lifeline service throughout the ILEC ETC's traditional service area for its eligible residential customers.

(B) Lifeline service shall be a flat-rate, monthly, primary access line service with touch-tone service and shall provide all of the following:

(1) A recurring discount to the monthly basic local exchange service rate that provides for the maximum contribution of federally available assistance;

(2) Not more than once per customer at a single address in a twelve-month period, a waiver of all nonrecurring service order charges for establishing service;

(3) Free blocking of toll service, 900 service, and 976 service;

(4) A waiver of the federal universal service fund end user charge;

(5) A waiver of the telephone company's service deposit requirement.

(C) The ILEC ETC may offer to lifeline service customers any other services and bundles or packages of service at the prevailing prices, less the lifeline discount.

(D) The ILEC ETC also shall offer special payment arrangements to lifeline service customers that have past due bills for regulated local service charges, with the initial payment not to exceed twenty-five dollars before service is installed, and the balance for regulated local service charges to be paid over six, equal monthly payments. Lifeline service customers with past due bills for toll service charges shall have toll restricted service until the past due toll service charges have been paid or until the customer establishes service with another toll provider.

(E) Every large ILEC required to implement lifeline service shall establish an annual marketing budget for promoting lifeline service and performing outreach regarding lifeline service. Every large ILEC shall work with the advisory board established in paragraph (F) to reach consensus, where possible, regarding an appropriate budget for promoting lifeline and performing outreach and regarding how the budget will be spent. All funds allocated to this budget shall be spent for the promotion and marketing of lifeline service and outreach regarding lifeline service and only for those purposes and not for any administrative costs of implementing lifeline service.

(F) All activities relating to the promotion of, marketing of, and outreach regarding lifeline service provided by the large ILECs shall be coordinated through a single advisory board composed of staff of the public utilities commission, the office of the consumers' counsel (OCC), consumer groups representing low income constituents, two representatives from the Ohio association of community action agencies, and every large ILEC. The commission staff shall provide active leadership in the initial organization of the statewide board and the development of procedures and bylaws under which the board will operate. Commission staff shall, with the assistance of the office of the consumers' counsel, work with the advisory board to reach consensus on the organization of the board and all activities relating to the promotion of, marketing of, and outreach regarding lifeline service. However, where consensus is not possible, the commission's staff shall make the final determination. Decisions on the organization of the board and decisions of the advisory board including decisions on how the lifeline marketing, promotion, and outreach activities are implemented are subject to commission review.

(G) All other aspects of an ILEC ETC's state-specific lifeline service shall be consistent with federal requirements. The rates, terms, and conditions for the ILEC's lifeline service shall be tariffed in accordance with rule 4901:1-6-11 of the Administrative Code.

(H) Eligibility for lifeline service under this rule shall be based on either of the following criteria:

(1) An individual's verifiable participation in any federal or state low-income assistance program that limits assistance based on household income. These programs include:

(a) Medical assistance under Chapter 5111. of the Revised Code (medicaid) or any state program that might supplant medicaid;

(b) Supplemental nutritional assistance program (SNAP/food stamps);

(c) Supplemental security income (SSI) under Title XVI of the Social Security Act;

(d) Social security disability insurance - blind and disabled (SSDI);

(e) Federal public housing assistance, or section 8;

(f) Home energy assistance programs (HEAP, LIHEAP, E-HEAP);

(g) National school lunch program's free lunch program (NSL);

(h) Temporary assistance for needy families (TANF/Ohio works); or

(i) General assistance, including disability assistance (DA).

The commission may add or remove programs from this list as required by federal or state law.

(2) Other verification that an individual's household income is at or below one hundred fifty per cent of the federal poverty level. ILEC ETC's may use any reasonable method of verification. Consistent with federal law, examples of acceptable documentation include the following:

(a) State or federal income tax return;

(b) Current income statement or W-2 from an employer;

(c) Three consecutive months of current pay stubs;

(d) Social security statement of benefits;

(e) Retirement/pension statement of benefits;

(f) Unemployment/workmen's compensation statement of benefits;

(g) Any other legal document that would show current income (such as a divorce decree or child support document).

(I) All ILEC ETCs must verify customer eligibility consistent with the federal communications commission's (FCC) requirements in 47 C.F.R. 54, to enroll customers into lifeline assistance who qualify through household income-based requirements.

(J) The commission shall work with the appropriate state agencies that administer federal or state low-income assistance programs and with carriers to negotiate and acquire information necessary to verify an individual's eligibility and the data necessary to automatically enroll eligible persons for lifeline service.

(K) To the extent that appropriate state agencies are able to accommodate automatic enrollment, every ILEC ETC shall automatically enroll customers into lifeline assistance who participate in a qualifying program.

(L) An ILEC ETC shall provide written notification if the carrier determines that an individual is not eligible for lifeline service enrollment and shall provide the person an additional thirty days to prove eligibility.

(M) An ILEC ETC shall provide written customer notification if a customer's lifeline service benefits are to be terminated due to failure to submit acceptable documentation for continued eligibility for that assistance and shall provide the customer an additional sixty days to submit acceptable documentation of continued eligibility or dispute the carrier's findings regarding termination of the lifeline service.

(N) Commission staff will maintain on the commission's website a copy of boilerplate customer notices that are compliant with the FCC's requirements. Any ILEC ETC choosing to create and use its own customer notice shall submit its proposed notice to commission staff for approval.

(O) An ILEC ETC shall establish procedures to verify an individual's continuing eligibility for both program and income-based criteria consistent with the FCC's requirements in 47 C.F.R. 54.409 to 47 C.F.R. 54.410. ILEC ETCs shall maintain records to document compliance with these requirements and shall attest, as part of the periodic ETC certification process by the commission, that they comply with the FCC's requirements.

(P) An ILEC ETC may recover through a customer billing surcharge on retail customers of the ILEC's telecommunications service other than lifeline service customers, any lifeline service discounts and any other lifeline service expenses that are not recovered through federal or state funding and that are approved by the commission under this paragraph. The surcharge may not include recovery of expenses related to the marketing and promotion of lifeline service. The surcharge may be established through one of the following means:

(1) An ILEC ETC that chooses to establish a customer billing surcharge to non-lifeline customers, to recover lifeline service discounts and expenses identified in this paragraph shall file a thirty-day application for tariff amendment (ATA). Such application may request recovery of lifeline service discounts that are not recovered through federal or state funding such as federal universal service fund end user charges, service connection charges, blocking of 900/976, recurring discount maximizing the contribution of federally available assistance, and recurring retail price differences between the frozen lifeline service rate and residential BLES rates, as well as lifeline service expenses that are not recovered through federal or state funding such as administrative expenses for the sole purpose of verifying the eligibility and enrolling of lifeline customers. An applicant must provide documentation to support its proposed surcharge and its compliance with this rule. Absent suspension or

other commission action, the application shall be deemed approved and become effective on the thirty-first day or later date if requested by the company.

(2) An ILEC ETC requesting recovery of any expenses not specified in paragraph (P)(1) of this rule shall file an application with the commission, using the most up-to-date telecommunications filing form, under the TP-UNC case purpose code. An applicant must provide documentation to support its proposed customer billing surcharge and its compliance with this rule and must further support its request for recovery of any expenses not specified in paragraph (P)(1) of this rule with a detailed supporting memorandum. Absent suspension or commission action, the application shall be deemed approved and become effective on the one hundred twenty-first day or later date if requested by the company.

(Q) If an ILEC ETC chooses to establish a customer billing surcharge to recover its lifeline expenses under paragraph (P)(1) or (P)(2) of this rule, the lifeline surcharge shall not appear in the section of the bill reserved for taxes and government-mandated charges as set forth in 47 C.F.R. 64.2400 to 47 C.F.R. 64.2401.

(R) An ILEC ETC that is authorized to establish a customer billing surcharge under either paragraph (P)(1) or (P)(2) of this rule shall annually file with the commission a report that identifies actual amounts recovered and the actual lifeline service discounts and any other lifeline service expenses incurred for the prior period. The company shall provide such data as necessary to enable the commission to validate such amounts to ensure that the company did not over recover its approved expenses from customers. The commission shall establish for each such company the timeframe for filing this report when the commission approves any such billing surcharge. The annual filing may be contained in a request to adjust the billing surcharge in accordance with paragraph (P)(1) or (P)(2) of this rule, but shall be provided via a separate filing and docketed in a generic case number to be established by the commission, if no adjustment to the billing surcharge is sought. Any over-recovery or under-recovery shall be offset against or added to the next year's recovery.

(S) Every ILEC ETC shall file with the commission in its annual assessment report the number of its customers who receive, at the time of filing of the report, lifeline service.

(T) Upon request of commission staff, additional information regarding customer subscription to and disconnection of lifeline service shall be provided to commission staff in accordance with rule 4901:1-6-30 of the Administrative Code.

(U) Competitive eligible telecommunication carriers (CETCs) lifeline requirements.

(1) The lifeline requirements found in paragraphs (B), (C), (D), (G), (H), (I), (L), (M), (N), and (O) of this rule apply to the lifeline service offered by any CETC, as applicable to that CETC's service offerings.

(2) A CETC shall provide to commission staff, upon request, information regarding the number of its lifeline customers and any additional information regarding customer subscription to and disconnection of lifeline service in the manner and timeframe determined by commission staff.

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Rule Amplifies: 4927.03

4901:1-6-20 Discounts for persons with communications disabilities.

(A) In accordance with section 4927.14of the Revised Code, telephone companies that provide toll service shall, upon written application and certification of their disabled status by a residential disabled customer or a disabled member of a customer's household, offer one of the following applicable discounts to persons with communication disabilities:

(1) No less than a straight seventy per cent discount off the basic message toll service (MTS) current price list day rates on a twenty-four hour a day basis.

(2) A forty per cent discount off the intrastate, interexchange, customer-dialed, station-to-station calls occurring between eight a.m. and four fifty-nine p.m. Monday to Friday; a sixty per cent discount off of the intrastate, interexchange, customer-dialed, station-to-station calls occurring between five p.m. and ten fifty-nine p.m. Sunday to Friday, and New Year's day, Independence day, Labor day, Thanksgiving, and Christmas; and a seventy per cent discount off the intrastate, interexchange, customer-dialed, station-to-station calls occurring

between eleven p.m. and seven fifty-nine a.m. any day; and eight a.m. and four fifty-nine p.m. Sunday, and all day Saturday.

(3) For MTS which is offered similar to the mileage-banded rate structure established in the commission's April 9, 1985 opinion and order in case No. 84-944-TP-COI, with the traditional day, evening, and night/weekend discounts: the "evening" discount off the intrastate, interexchange, customer-dialed, station-to-station calls placed during the "day" period Monday to Friday; and the "night/weekend" discount off the intrastate, interexchange, customer-dialed, station-to-station calls placed during the "evening" period Sunday to Friday, New Year's day, Independence day, Labor day, Thanksgiving, and Christmas. Furthermore, the "night/weekend" discount plus an additional discount equivalent to no less than ten per cent of the company's current price list day rates for basic MTS shall be made available for intrastate, interexchange, customer-dialed, station-to-station calls placed during the "night/weekend" period any day, the "day" period Sunday, and all day Saturday.

(B) Certification of disabled status can be evidenced by either a certificate from a physician, health care official, state agency, or diploma from an accredited educational institution for the disabled.

(C) The aforementioned discounts are also applicable to all MTS and directory assistance calls placed through the telecommunications relay service. The discounts shall not apply to sponsor charges associated with calls placed to pay-per-call services, such as 900, 976, or 900-like calls. Additionally, certified disabled individuals who utilize telebraille devices are eligible to receive free access to local and intrastate long distance directory assistance. Lines maintained by nonprofit organizations and governmental agencies are also eligible to receive a discount off of their MTS rates upon written application and verification that such lines are maintained for the benefit of the disabled.

Replaces: 4901:1-6-05

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Rule Amplifies: 4927.14
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4901:1-6-21 Termination of community voicemail pilot program.

The commission shall require the chosen vendor(s), as part of the competitive bidding process for the community voicemail service pilot program, to address in their competitive bids the manner in which recipients of services under the community voicemail service pilot program will be notified or educated of the program's termination. The commission will, upon selecting a vendor, establish the manner in which recipients of services under the community voicemail service pilot program will be notified or educated of the program's termination.

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Statutory Authority: 4901.13
Rule Amplifies: SB162, Sec. 6
Prior Effective Dates: 4/8/05, 12/29/05 9/18/07

4901:1-6-22 Inmate operator service.

(A) The maximum rate of any usage sensitive charge that may be applied by an inmate operator service (IOS) provider to any intrastate IOS call shall not exceed thirty-six cents per minute of use. The maximum amount of any operator assistance charge or call set up fee that may be applied by an IOS provider to any intrastate IOS call shall not exceed two dollars and seventy-five cents.

(B) Notice of any change in IOS rates, whether upward or downward, must be filed by the IOS provider with the commission in the form of a new pricing list in the IOS provider's TRF docket.

(C) All IOS providers must furnish, on all intrastate IOS calls, at the beginning of the call before the billed party incurs any charges, immediate and full rate disclosures that quote the actual intrastate price lists rates for all components of the call. However, IOS providers may allow a billed party an opportunity to affirmatively decline receiving the required rate quote.

(D) IOS providers may not charge a billed party surcharges in addition to the IOS service charges set forth in their commission-approved tariff which, in turn, must comply with the per-minute and per-call rate caps set forth in paragraph (A) of this rule. This restriction means that no surcharges, including, but not limited to, bill rendering charges, nonsubscriber charges, property imposed fees, and any additional charge which the entity contracting for the IOS service may request the IOS provider to bill a billed party, may be levied by the IOS provider on the billed party. Any surcharges imposed by an entity contracting with the IOS provider are to be levied separately by the entity contracting with the IOS provider.

(E) IOS providers may not charge for uncompleted calls.

(F) Each IOS provider must include in its contract with each of its customers language requiring that the customer permit the IOS provider to take whatever steps are necessary to ensure that the IOS provider is in compliance with all of the established requirements and restrictions pertaining to IOS.

(G) Upon request, each IOS provider must provide, as directed by the commission or its staff, information concerning its operations.

(H) On all intrastate IOS calls, the IOS provider must allow the billed party to terminate at no charge before the call is connected.

Replaces: 4901:1-6-18

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Rule Amplifies: 4927.18,SB162, Sec. 3
Prior Effective Dates: 7/6/91, 12/27/08

4901:1-6-23 Pay telephone access lines.

(A) Upon request, an incumbent local exchange carrier (ILEC) must provide a pay telephone access line and local usage on the pay telephone access line to payphone service providers, within the ILEC's normal installation intervals.

(1) The rates, terms, and conditions for pay telephone access lines shall be tariffed and shall be filed through a thirty-day application for tariff amendment (ATA) filing in accordance with rule 4901:1-6-05 of the Administrative Code.

(2) All ILECs' currently tariffed pay telephone access line rates are deemed reasonable, unless the commission determines otherwise through another commission proceeding.

(3) Subsequent increases in rates and changes to the terms and conditions, for tariffed pay telephone access lines, shall be filed through a thirty-day ATA filing in accordance with rule 4901:1-6-05 of the Administrative Code. Such applications require supporting documentation including, but not limited to, documentation showing that the rate is in compliance with the federal communications commission's (FCC) new services test for pay telephone access lines, if applicable.

(B) Provisioning of pay telephone access lines including the rates, terms, and conditions of such lines is subject to the applicable laws, including rules or regulations adopted and orders issued by the commission or the FCC.

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Rule Amplifies: 4927.15

4901:1-6-24 Wireless service provisions.

(A) The commission has authority over wireless service and wireless service providers to the extent set forth in this rule and section 4927.03 of the Revised Code.

(B) Registration

No wireless service provider shall operate in the state of Ohio without first registering with the commission. Every wireless service provider desiring to offer wireless service in Ohio shall file a zero-day registration notice in a radio common carrier (RCC) filing with the commission utilizing the telecommunications filing form discussed in rule 4901:1-6-04 of the Administrative Code and providing all of the following:

(1) The company's name.

(2) The company's address.

(3) The name of a contact person and that person's contact information.

(4) A service description, including the general geographic areas served (no maps are required).

(5) Evidence of registration with the Ohio secretary of state.

(6) Evidence of notice to the Ohio department of taxation, public utilities tax division, of its intent to provide service.

(C) Change in operations

Every wireless service provider shall keep its registration information up-to-date by notifying the commission of any changes in its operations (i.e., mergers, abandonment, transfers, name changes, and changes in ownership) by submitting a zero-day notice to the commission for identification purposes utilizing an up-to-date version of the commission's telecommunications filing form under its original RCC case designation code established during the wireless service provider's registration process.

(D) Assessment report

The requirements of sections 4905.10, 4905.14, and 4911.18 of the Revised Code apply to wireless service providers. Wireless service providers are required to submit, at the time and in the manner prescribed by the commission, an annual assessment report and to pay the prescribed annual assessment for the maintenance of the commission. A copy of the form is available on the commission's web site or from the commission's fiscal division .

(E) Jurisdiction authorized by federal law and regulations.

The commission has such power and jurisdiction with respect to wireless service providers, consistent with division (B) of section and divisions (A) to (D) and (F) of section 4927.04 of the Revised Code, to perform the obligations authorized by or delegated to it under federal law, including federal regulations, which obligations include performing the acts of a state commission as defined in the Communications Act of 1934, 48 Stat. 1064, 47 U.S.C. 153, as amended, with respect to all of the following:

(1) The rights and obligations under section 251 of the Telecommunications Act of 1996.

(2) Mediation and arbitration of disputes and approval of agreements under section 252 of the Telecommunications Act of 1996.

(3) Administration of telephone numbers and number portability.

(4) Certification of telecommunications carriers eligible for universal service funding.

(5) Administration of federal regulations on customer proprietary network information.

(F) Telecommunications relay service, eligible telecommunications carrier and lifeline requirements, 9-1-1, and universal service:

The commission has authority over wireless service, resellers of wireless service, or wireless service providers as set forth in section 4905.84 of the Revised Code and rule 4901:1-6-36 of the Administrative Code, as well as, sections 4931.40 to 4931.70 and 4931.99 of the Revised Code. The commission has authority over wireless service providers with respect to addressing carrier access policy and creating and administering mechanisms for carrier access reform as set forth in division (C) of section 4927.15 of the Revised Code. To the extent that a wireless service provider or reseller of wireless service seeks certification in Ohio as a telecommunications carrier eligible for universal service funding under 47 U.S.C. 214(e), the commission has authority to consider such application under rule 4901:1-6-09 of the Administrative Code and to impose requirements with respect to

lifeline service under rule 4901:1-6-19 of the Administrative Code if the carrier seeks to withdraw funds from the universal service fund for the provision of lifeline service.

(G) Compliance and enforcement

The commission has such authority over wireless service providers under section 4927.20 of the Revised Code as is necessary to enforce compliance with every order, direction, and requirement of the commission made under authority of this rule, consistent with division (B) of section 4927.03 of the Revised Code. The commission has authority to adjudicate any dispute between telephone companies and wireless service providers or between wireless service providers that is within the commission's jurisdiction under section 4927.21 of the Revised Code.

(H) Wireless resellers

The commission has such authority over resellers of wireless service as set forth in division (B) of section 4927.03 of the Revised Code.

Replaces: 4901:1-6-15

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4901:1-6-25 Withdrawal of telecommunications services.

(A) Except as provided in paragraphs (B), (D), and (E) of this rule, a telephone company may cease offering any telecommunications service, by providing a notice of withdrawal of such service or services.

(1) Notice, consistent with rule 4901:1-6-07 of the Administrative Code, shall be provided to all affected customers, and the chief of the telecommunications division of the utilities department and the chief of the reliability and service analysis division of the service monitoring and enforcement department at least thirty days prior to the effective date that the telephone company will cease providing a specific telecommunications service.

(2) At least thirty days prior to withdrawal of a specific telecommunications service, a telephone company shall provide written notice of its intent to cease providing service to its wholesale customers and to any telephone company wholesale provider of its services, if applicable.

(B) Withdrawal of basic local exchange service (BLES)

(1) A competitive local exchange carrier (CLEC) shall not discontinue offering BLES within an exchange(s) without filing a zero-day notice filing (ZTA) to withdraw such service or services from its tariff. CLECs must include with the notice filing the actual customer notice and an affidavit verifying that this customer notice has been provided to affected customers at least thirty days prior to the effective date that the CLEC will cease providing BLES.

(2) A CLEC ceasing to offer BLES shall return all deposits, including applicable interest, to its customers who do not convert to another service with the CLEC, no later than ninety days after filing its withdrawal notice filing unless a court of competent jurisdiction orders otherwise.

(3) At least thirty days prior to withdrawal of BLES, a CLEC shall provide written notice of its intent to cease providing service, to any telephone company from which the applicant obtains wholesale services, if applicable.

(4) An incumbent local exchange carrier shall not discontinue providing BLES without complying with the provisions of rule 4901:1-6-27 of the Administrative Code.

(C) A local exchange carrier proposing to withdraw telecommunications service(s) within an exchange or other geographical area shall provide a list of its assigned area code prefix(es) or thousand block(s). Such information shall also include any proposed dates or timelines, due to its withdrawal of such telecommunications service(s), wherein the telephone company's area code prefix(es) or thousand block(s) would be reassigned to another carrier and/or returned to the North American numbering plan administrator or pooling administrator. This requirement does not apply where the telecommunications service(s) to be withdrawn does not require the

assignment of telephone numbers, or the use of such telephone numbers will continue to be required for other services provided by the local exchange carrier.

(D) Withdrawal of tariffed services other than BLES

A telephone company may not cease offering any services required to be tariffed pursuant to paragraphs (A)(1)(b) to (A)(1)(i) of rule 4901:1-6-11 of the Administrative Code, without first filing an application to withdraw such service(s) from its tariff, using the most up-to-date telecommunications filing form, and without obtaining prior commission approval. Such an application shall be designated under a TP-UNC case purpose code and shall not be subject to an automatic approval process.

(E) Interconnection and resale agreements approved under the Telecommunications Act of 1996 are subject to the terms of the agreements, federal law, and Chapter 4901:1-7 of the Administrative Code.

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Rule Amplifies: 4927.07

4901:1-6-26 Abandonment.

(A) A telephone company seeking to abandon entirely telecommunications service in this state, including its tariff and certificate of public convenience and necessity, shall not abandon the service(s) it provides under a certificate without filing an abandonment application (ABN) to abandon service and to cancel its certificate of operation.

(B) Abandonment applications shall be filed at least thirty days prior to the effective date that the telephone company will cease providing service. The application shall include copies of any notices provided pursuant to paragraphs (C) to (D) of this rule, as well as an affidavit verifying that the customer notice was provided to affected customers, and shall include the list pursuant to paragraph (J) of this rule.

(C) At least thirty days prior to abandoning operations, a telephone company shall provide written notice of its intent to cease providing service to any telephone company from which the applicant obtains wholesale services.

(D) At least thirty days prior to abandoning operations, a telephone company shall provide written notice of its intent to abandon service to its retail customers and wholesale customers, and to any telephone company wholesale provider of its services, if applicable, consistent with rule 4901:1-6-07 of the Administrative Code. If the telephone company does not have any retail customers at the time it seeks to abandon service and cancel its certificate, customer notice to retail customers is not required with its application.

(E) A telephone company abandoning operations shall return all deposits, including applicable interest, to its customers no later than ninety days after filing its abandonment application unless a court of competent jurisdiction orders otherwise.

(F) If the commission does not act upon the application within thirty days of the filing date, a telephone company's application will be approved in accordance with the thirty-day automatic approval process described in rule 4901:1-6-05 of the Administrative Code and its certificate of public convenience and necessity will be canceled.

(G) This rule does not apply to basic local exchange service provided by an incumbent local exchange carrier.

(H) An abandoning telephone company may not discontinue services provided to any customer or telephone company until the abandonment application has been approved by the commission.

(I) No telephone company may discontinue services provided to a local exchange carrier (LEC) that has filed an application to abandon service prior to the commission ruling on such application to abandon service.

(J) Where applicable, the LEC abandoning operations shall provide a list of its assigned area code prefix(es) or thousands block(s) including any proposed dates or timelines, due to its abandonment proceedings, wherein the LEC's area code prefix(es) or thousands block(s) would be reassigned to another carrier and/or returned to the North American numbering plan administrator or pooling administrator.

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Statutory Authority: 4927.03
Rule Amplifies: 4927.07

4901:1-6-27 Provider of last resort (POLR).

(A) Except as otherwise provided in this rule, an incumbent local exchange carrier (ILEC) shall provide basic local exchange service (BLES) to all persons or entities in its service area requesting that service, and that service shall be provided on a reasonable and nondiscriminatory basis.

(B) An ILEC is not obligated to construct facilities and provide BLES, or any other telecommunications service, to the occupants of multitenant real estate, including, but not limited to, apartments, condominiums, subdivisions, office buildings, or office parks, if the owner, operator, or developer of the multitenant real estate does any of the following to the benefit of any other provider of telecommunications service:

(1) Permits only one provider of telecommunications service to install its facilities or equipment during the construction or development phase of the multitenant real estate;

(2) Accepts or agrees to accept incentives or rewards that are offered by a provider of telecommunications service to the owner, operator, developer, or occupants of the multitenant real estate and are contingent on the provision of telecommunications service by that provider to the occupants, to the exclusion of services provided by other providers of telecommunications service; or

(3) Collects from the occupants of the multitenant real estate any charges for the provision of telecommunications service to the occupants, including charges collected through rents, fees, or dues.

(C) An ILEC not obligated to construct facilities and provide BLES pursuant to paragraph (B) of this rule shall notify the commission of that fact within one hundred twenty days of receiving knowledge thereof. Such notification shall be filed in a zero-day notice under a ZTA case caption including, where applicable, any necessary tariff revisions outlining the geographic boundaries of the ILEC's service area to which the notification would apply. In addition, the notice shall specify the circumstances under which the company qualifies to invoke paragraph (B) of this rule.

(D) An ILEC that receives a request from any person or entity to provide BLES under the circumstances described in paragraph (B) of this rule shall, within fifteen days of receipt of such request, provide notice to the requesting person or entity specifying whether the ILEC will provide the requested service. If the ILEC provides notice that it will not serve the person or entity, the notice shall:

(1) Explain the reason for not offering the requested BLES; and

(2) Describe the person's or entity's right to file a complaint with the commission under section 4927.21 of the Revised Code within thirty days after receipt of the notice.

(E) In resolving any complaint under paragraph (D) of this rule, the commission's determination shall be limited to whether any circumstance described in paragraphs (B)(1) to (B)(3) of this rule exists. Upon a finding by the commission that such a circumstance exists, the complaint shall be dismissed. Upon a finding that such circumstances do not exist, the person's or entity's sole remedy shall be provision by the ILEC of the requested service within a reasonable time, as determined by the commission.

(F) When the circumstances described in paragraph (B) of this rule cease to exist, and a person or entity subsequently requests that the ILEC provide BLES, the ILEC shall be required to provide BLES to such real estate, unless the ILEC files with the commission a request for waiver pursuant to paragraph (G) of this rule and such request is granted. In the event that the commission determines that the ILEC should not be required to provide BLES, the commission will initiate a commission proceeding for determining a successor telephone company.

(G) An ILEC may apply to the commission for a waiver from compliance with paragraph (A) of this rule in circumstances other than those listed in paragraph (B) of this rule, through an application for waiver (WVR) filing.

(1) The application for waiver of the ILEC's obligation under paragraph (A) of this rule shall include, at the minimum, all of the following:

(a) A clear and detailed description of the geographic boundary of the ILEC's service area to which the requested waiver would apply;

(b) The requested effective date of the waiver;

(c) A clear identification of class of customer impacted by the waiver, if any customer-class limitation of waiver is requested, and the number of persons or entities who would be impacted by the requested waiver;

(d) A clear explanation of the rationale behind the requested waiver, including an unusual technical limitation or an economic analysis demonstrating a financial hardship to provide BLES in the requested geographic area and an identification of any available alternative providers of telecommunications service;

(e) A proposed newspaper customer notice, consistent with paragraph (G)(2) of this rule;

(f) A clear explanation as to whether the requested waiver would apply only to prospective customers or to the entire customer-base in the requested geographic area;

(g) A clear explanation of how customers would otherwise have access to BLES or alternative service offerings that are just and reasonable; and

(h) A clear explanation of how the requested waiver would be just, reasonable, and not contrary to the public interest.

(2) The ILEC applying for the waiver shall provide, with its application, a draft copy of its proposed customer notice to be published one time in a newspaper of general circulation throughout the service area identified in the application. In addition, the ILEC shall also provide any other notice required by the commission in the waiver proceeding to any affected persons who are or would be potentially impacted by the requested waiver. For purposes of this rule, affected persons shall include, at a minimum, any existing customers of the requesting ILEC within the geographic boundary of the ILEC's service area to which the requested waiver would apply. Upon the filing of a waiver application filed under this paragraph, the commission, attorney examiner, or legal director shall issue an entry which addresses customer notice content and service, establishes a reasonable opportunity for comment, schedules a hearing as set forth in paragraph (G)(3) of this rule, and addresses any other procedural matters.

(3) The Commission shall order a public hearing in the service area(s) identified in the application pursuant to paragraph (G)(1)(a) of this rule.

(4) No later than one hundred twenty days after the filing of a complete application pursuant to paragraph (G) of this rule, the commission either shall issue an order granting the waiver if, upon investigation, it finds the waiver to be just, reasonable, and not contrary to the public interest, and that the applicant demonstrates a financial hardship or an unusual technical limitation, or shall issue an order denying the waiver based on a failure to meet those standards and specifying the reasons for the denial.

(H) A waiver application filed under paragraph (G) of this rule that does not contain all of the information required by paragraph (G)(1) of this rule will be considered deficient and will not trigger the one hundred twenty-day review period in paragraph (G)(4) of this rule until the date that a complete application has been filed by the applicant. The commission, the legal director, or an attorney examiner has the authority to issue an entry either dismissing the application or establishing the date that the application is complete and begin the one hundred twenty-day review period.

Effective: 01/20/2011
R.C. 119.032 review dates: 11/30/2015
Promulgated Under: 111.15
Statutory Authority: 4927.03
Rule Amplifies: 4927.11

4901:1-6-28 Bankruptcy.

A telephone company seeking bankruptcy protection from any jurisdiction under Chapter 7 or 11 of the United States bankruptcy code shall notify the commission by serving notice of the bankruptcy filing on the chief of the

telecommunications section of the utilities department. The notification shall include a copy of any and all notices or pleadings filed in the bankruptcy court, specifically setting forth the date and type of bankruptcy, the name and address of the bankruptcy court, the name and address of the bankruptcy attorney, and the name and address of a person at the company who can provide additional information regarding Ohio customers.

Effective: 01/20/2011
R.C. 119.032 review dates: 11/30/2015
Promulgated Under: 111.15
Statutory Authority: 4901.13, 4927.03
Rule Amplifies: 4927.05

4901:1-6-29 Telephone company procedures for notifying the commission of changes in operations.

(A) Every telephone company shall update its certification authority if there is any change in its operations as identified in this rule.

(B) Procedures for notifying the commission of updates to certification authority and certain changes in operations by a local exchange carrier (LEC) providing basic local exchange service (BLES).

(1) A LEC providing BLES shall file a telecommunications filing form pursuant to paragraph (A) of rule 4901:1-6-04 of the Administrative Code and the required attachments as set forth on that form for an application notifying the commission of the following changes in its operations in the appropriate application listed in this paragraph:

(a) ATC - An application to transfer a certificate to a preselected transferee.

(b) ATR - An application to conduct a transaction involving one or more LECs providing BLES for the purchase, sale, or lease of property, plant, or business which may affect the operating authority of a party to the transaction.

(c) ACN - An application to change the name of a LEC providing BLES.

(2) All applications filed pursuant to paragraph (B)(1) of this rule are subject to a thirty-day automatic approval process as described in rule 4901:1-6-05 of the Administrative Code.

(C) Procedures for notifying the commission of updates to certification authority and certain changes in operations by telephone companies.

(1) All telephone companies, except LECs providing BLES, shall file a telecommunications filing form pursuant to paragraph (A) of rule 4901:1-6-04 of the Administrative Code and the required attachments as set forth on that form when notifying the commission of the following changes in operations(CIO):

(a) For any change in ownership which is transparent to customers.

(b) For an application to transfer a certificate and/or conduct a sale or lease of property, plant, customer base, or business which may affect the operating authority of a party(ies) to the transaction.

(c) For an application by two or more telephone companies to merge.

(d) For an application to change the name of a telephone company.

(2) A CIO application is subject to a zero-day notice filing process as described in rule 4901:1-6-05 of the Administrative Code.

(D) Customer notification

A telephone company shall provide to its affected customers, in accordance with rule 4901:1-6-07 of the Administrative Code, at least fifteen days' advance notice (e.g., direct mail, bill insert, or bill notation) of any change in the company's operations identified by this rule that is not transparent to its customers and may impact service, and file a copy of such notice with the commission concurrent with the filing of an application under this rule. In the alternative, a telephone company subject to the notification procedures set forth in 47 C.F.R. 63.71, may submit evidence of a customer notice already provided for the purpose of informing subscribers of a change in operations consistent with the requirements of the federal communications commission.

(E) Procedures for merger and change in control applications of a LEC providing BLES

A LEC providing BLES shall obtain the prior approval of the commission for a change in control (ACO) or approval of a merger with another telephone company (AMT) under section 4905.402 of the Revised Code. An applicant shall file with the commission a telecommunications filing form pursuant to rule 4901:1-6-04of the Administrative Code and the required attachments as set forth on that form. An AMT and/or ACO application must demonstrate that the change in control or merger will promote public convenience and result in the provision of adequate service for a reasonable rate, rental, toll, or charge. If the commission considers a hearing necessary, it may fix a time and place for hearing. If, after review of the application, and after any necessary hearing, the commission is satisfied that approval of the application will promote public convenience and result in the provision of adequate service for a reasonable rate, rental, toll, or charge, the commission shall approve the application and make such order as it considers proper. If the commission fails to issue an order within thirty days of the filing of the application, or within twenty days of the conclusion of a hearing, if one is held, the application shall be deemed approved.

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Promulgated Under: 111.15
Statutory Authority: 4927.03
Rule Amplifies: 4927.05

4901:1-6-30 Company records and complaint procedures.

(A) The commission may investigate or examine the books, records, or practices of any telephone company to the extent of the commission's jurisdiction over the company under sections 4927.01 to 4927.21 of the Revised Code. Telephone companies shall have available for auditing or inspection by commission staff sufficient books, records, contracts, documents, and papers for any purpose incidental to the commission's authority under sections 4927.01 to 4927.21 of the Revised Code, in accordance with this chapter and the rules and procedures prescribed by the federal communications commission.

(1) Such records should be retained by telephone companies for at least eighteen months, unless otherwise specified by the commission.

(2) Upon commission staff request, the telephone company shall provide such records of sufficient detail, to permit review of the telephone company's compliance with the rules of this chapter. Upon request, the telephone company shall provide data or information in a format agreed upon by the commission staff.

(B) A telephone company shall provide commission staff with a company contact, including a toll free number and an e-mail address, for complaint resolution and shall respond to commission and consumer inquiries and complaints in a reasonable and timely manner.

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R.C. 119.032 review dates: 11/30/2015
Promulgated Under: 111.15
Statutory Authority: 4927.03
Rule Amplifies: 4927.19

4901:1-6-31 Emergency and outage operations.

(A) Each facilities-based local exchange carrier (LEC) shall design, operate, and maintain its facilities to continue to provide customers with the ability to originate and receive calls at all times. The commission will utilize existing FCC rules applicable to emergency and outage operations. Companies shall submit outage reports utilizing, at the company's discretion, either existing FCC reports or a format determined by the commission.

(B) Each facilities-based LEC shall submit, within two hours of discovery, to the commission's outage coordinator and when appropriate, the news media in the affected area, a notification that it has experienced an outage, whenever that outage occurs on any facility that it owns, operates, leases or otherwise utilizes and is both:

(1) Expected to last for a period in excess of thirty minutes.

(2) Potentially affects at least nine hundred thousand user minutes in the incumbent local calling area.

(C) Each facilities-based LEC shall report, by telephone or electronic means, a disruption of 9-1-1 services, which impairs 9-1-1 service within a given county 9-1-1 system, immediately to each county 9-1-1 public safety answering point, to the Ohio 9-1-1 coordinator, and to the news media in the affected area, when appropriate.

(D) Each facilities-based LEC experiencing a loss of communications or selective routing to a public safety answering point, as a result of an outage described under paragraphs (B) and (C) of this rule, shall also notify, as soon as possible, by telephone or electronic means, any official who has been designated by the management of the affected 9-1-1 facility as the LEC's contact person for communication outages at that facility; and the LEC shall convey to that person all available information that may be useful to the management of the affected facility in mitigating the effects of the outage on efforts to communicate with that facility.

(E) Each facilities-based LEC experiencing an outage described under paragraphs (B) and (C) of this rule, shall electronically submit to the commission's outage coordinator the same information as that provided to the FCC or the following information:

(1) A notification that it has experienced a outage, which shall include the name of the reporting entity, the date and time of the onset of the outage, a brief description of the problem, the particular service affected, the geographic area affected by the outage, the number of customers affected, an estimate of when the service, including 9-1-1, will be restored, and a contact name and telephone number by which the commission's outage coordinator may contact the reporting entity.

(2) Not later than seventy-two hours after discovering the outage, an initial communications outage report, which shall include all pertinent information then available on the outage and shall be submitted in good faith.

(3) Not later than thirty days after discovering the outage, the provider shall submit electronically a final communications outage report, which shall include all pertinent information on the outage, including any information that was not contained in, or that has changed from that provided in, the initial report.

(F) Each facilities-based LEC shall develop, implement, and maintain an emergency plan and make it available for review by commission staff. The plan shall include, but not be limited to, all of the following:

(1) Procedures for maintaining and annually updating a list of those customers who have subscribed to the federal telecommunications service priority program, as identified in 47 C.F.R. 64, appendix A.

(2) Procedures for priority treatment in restoring out-of-service trouble of an emergency nature for customers with a documented medical or life-threatening condition.

(3) In addition to the telecommunications service priority program, each LEC shall develop policies and procedures regarding those customers who require priority treatment for out-of-service clearance. Such procedures shall include a table of restoration priority, including, but not limited to, subscribers such as police and fire stations, hospitals, key medical personnel, and other utilities.

(4) Procedures for restoring service to priority critical facilities customers.

(5) Identification and annual updates of all of the facilities-based LEC's critical facilities and reasonable measures to protect its personnel and facilities.

(6) Assessments and evaluations of telecommunications facilities available to provide back-up service capabilities.

(7) Procedures for after-action assessments and reporting following activation of any part of the emergency plan. An after-action report will be written and will include lessons learned, deficiencies in the response to the emergency, and deficiencies in the emergency plan.

(8) A current list of the names and telephone numbers of the facilities-based LECs' emergency service personnel to contact and coordinate with in the event of any real or anticipated local or national threats to its ability to provide telecommunications service.

(9) A current list of the names and telephone numbers of the facilities-based LEC's emergency service personnel that is made available to the commission's emergency coordinator, upon request.

(10) A continuity of operations plan to assure continuance of minimum essential functions during a large scale event in which staffing is reduced. Such plans shall provide for:

(a) Plan activation triggers such as the world health organization's pandemic phase alert levels, widespread transmission within the United States, or a case at one or more locations within Ohio.

(b) Identification of a pandemic coordinator and team with defined roles and responsibilities for preparedness and response planning.

(c) Identification of minimal essential functions, minimal staffing required to maintain such essential functions, and personnel resource pools required to ensure continuance of those functions in progressive stages associated with a declining workforce.

(d) Identification of essential employees and critical inputs (e.g., raw materials, equipment, suppliers, subcontractor services/products, and logistics) required to maintain business operations by location and function.

(e) Policies and procedures to address personal protection initiatives.

(f) Policies and procedures to maintain lines of communication with the public utilities commission of Ohio during a declared emergency.

(G) Each facilities-based LEC shall amend its emergency plan in accordance with the findings identified in the after-action assessment report required under paragraph (F)(7) of this rule.

Effective: 01/20/2011
R.C. 119.032 review dates: 11/30/2015
Promulgated Under: 111.15
Statutory Authority: 4927.03
Rule Amplifies: 4927.04

4901:1-6-32 Boundary changes, and administration of borderline boundaries.

This rule applies to all incumbent local exchange carriers (ILECs).

(A) Except as otherwise provided in this chapter, an ILEC shall continue to make available basic local exchange service (BLES) to all persons and entities in its traditional service area. Commission-maintained telephone exchange boundary maps shall be the official source/documentation of ILEC service areas and boundaries.

(B) Whenever an ILEC proposes to change the boundary of an exchange area, the ILEC shall file an application seeking to change the boundary. Whenever the exchange area involves the exchange area of two or more ILECs, the application shall be filed jointly by the companies involved.

(C) Such application to change boundaries (ACB) is subject to a fourteen-day automatic approval procedure. An ILEC application submitted for approval shall include:

(1) A description of the change being made to the boundary. The company shall work with staff to ensure that the commission's maps reflect accurately the boundary changes, using the company's latest technology and the telephone boundary quadrangle maps as found on the commission's website as a basis for the boundary change.

(2) The reasons for making the change, and one of the following:.

(a) A statement explaining the effect of the change, if any, on existing BLES subscribers.

(b) A statement attesting that the change does not adversely affect the service being furnished to any existing BLES subscriber.

(c) A statement attesting that each existing BLES subscriber whose service is adversely affected has consented to the change

(D) Any borderline boundary dispute between ILECs or between an ILEC and a customer shall be subject to the complaint procedures under section 4927.21 of the Revised Code.

Effective: 01/20/2011
R.C. 119.032 review dates: 11/30/2015
Promulgated Under: 111.15

Statutory Authority: 4901.13, 4927.03
Rule Amplifies: 4927.01

4901:1-6-33 Excess construction charges applicable to certain line extensions for the furnishing of local exchange telephone service.

(A) An incumbent local exchange carrier (ILEC) shall provide basic local exchange service (BLES) in its traditional service area to all persons or entities in its service area requesting that service except as otherwise provided in section 4927.11 of the Revised Code.

(B) Where no facilities are available and where an ILEC must construct permanent facilities on public rights-of-way in order to furnish service to an applicant or applicants for service in its traditional service area, the ILEC may require the applicant to pay excess construction charges in accordance with commission-approved tariffs. A credit against the cost of excess construction charges may be given where an applicant performs the labor of digging holes, or trimming or removing trees in the right-of-way in accordance with the ILEC's specifications. Where more than one applicant is to be furnished service along the same route, the applicants as a group may be required to share proportionately the excess construction charges.

(C) An ILEC may not charge an applicant for any excess construction charges for BLES unless provisions for such charges are set forth in the company's tariff and approved by the commission.

Effective: 01/20/2011
R.C. 119.032 review dates: 11/30/2015
Promulgated Under: 111.15
Statutory Authority: 4901.13, 4927.03
Rule Amplifies: 4927.03

4901:1-6-34 Filing of contracts, agreements, or arrangements entered into between telephone companies.

When necessary for the commission to carry out sections 4927.01 to 4927.21 of the Revised Code, and only as required by the commission, a telephone company shall file with the commission a copy of any contract, agreement, or arrangement, in writing, with any other public utility relating in any way to the construction, maintenance, or use of its plant or property, or to any service, rate, or charge.

Effective: 01/20/2011
R.C. 119.032 review dates: 11/30/2015
Promulgated Under: 111.15
Statutory Authority: 4901.13, 4927.03
Rule Amplifies: 4905.16, 4927.03

4901:1-6-35 Filing of reports by telephone companies subject to the federal communications commission.

Upon request, each telephone company operating within the state of Ohio shall submit to the director of the utilities department of the commission or the director's designee a copy of any reports filed with the federal communications commission pursuant to 47 C.F.R. 43.

Effective: 01/20/2011
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Promulgated Under: 111.15
Statutory Authority: 4901.13, 4927.03
Rule Amplifies: 4905.06, 4927.04

4901:1-6-36 Telecommunication relay services assessment procedures.

(A) This rule is limited to the commission's administration and enforcement of the assessment for the intrastate telecommunications relay service (TRS) in accordance with section 4905.84 of the Revised Code.

(B) For the purpose of funding the TRS, the commission shall collect an assessment to pay for the costs incurred by the TRS provider for providing the service in Ohio, from each service provider that is required under federal

law to provide its customers access to TRS, including telephone companies, wireless service providers, resellers of wireless service, and providers of advanced services or internet protocol-enabled services that are competitive with or functionally equivalent to voice-grade, end user access lines, and other telecommunications services that are competitive with or functionally equivalent to voice-grade, end user access lines in the event such provider is subsequently required under federal law to provide its customers access to telecommunications relay service. For purposes of this rule, advanced services and internet protocol-enabled services have the meanings ascribed to them by federal law, including federal regulations.

(C) Each service provider indentified in paragraph (B) of this rule shall be assessed according to a schedule established by the commission.

(D) The commission staff shall allocate the assessment proportionately among the appropriate service providers using a competitively neutral formula. To determine the assessment amount owed by each provider the commission staff shall use the number of voice-grade, end user access lines, or their equivalent, as reflected in each provider's most recent federal communications commission form 477, where applicable. All providers shall submit to the commission staff, on a semi-annual basis, a completed form, as prescribed by the commission staff, which contains the number of the provider's retail customer access lines or their equivalent.

(E) Sixty days prior to the date each service provider is required to make its assessment payment in accordance with paragraph (C) of this rule, the commission staff shall notify each service provider of its proportionate share of the costs to compensate the TRS provider.

(F) The commission staff shall annually reconcile the funds collected with the actual costs of providing TRS when it issues the assessment in accordance with paragraph (E) of this rule and shall either proportionately charge the service providers for any amounts not sufficient to cover the actual costs or proportionately credit amounts collected in excess of the actual costs.

(G) In accordance with division (C) of section 4905.84 of the Revised Code, each service provider that pays the assessment shall be permitted to recover the cost of the assessment. The method of the recovery may include, but is not limited to, a customer billing surcharge. Any telephone company, other than a wireless service provider, that proposes a customer billing surcharge or a change in the surcharge shall file a zero-day notice filing (ZTA) with the commission, in accordance with rule 4901:1-6-04 of the Administrative Code. The ZTA will take effect on the same day the filing is made in accordance with paragraph (B) of rule 4901:1-6-05 of the Administrative Code. Each regulated provider imposing a surcharge on its customers must provide notice to its customers a minimum of fifteen days prior to the effective date of the surcharge in accordance with rule 4901:1-6-07 of the Administrative Code.

(H) In accordance with division (D) of section 4905.84 of the Revised Code, the commission shall take such measures as it considers necessary to protect the confidentiality of information provided pursuant to paragraph (D) of this rule.

(I) The commission may direct the attorney general to bring an action for immediate injunction or other appropriate relief to enforce commission orders and to secure immediate compliance with this rule.

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Promulgated Under: 111.15
Statutory Authority: 4901.13, 4905.84
Rule Amplifies: 4905.84 , 4927.15

4901:1-6-37 Assessments and annual reports.

(A) Every telephone company shall file an annual report and every wireless service provider shall submit an annual assessment report, as required by the commission and in the format prescribed by commission entry. The annual report shall be limited to information necessary for the commission to calculate the assessment provided for in section 4905.10 of the Revised Code. The commission shall protect any confidential information in every company and provider report.

(B) In addition to the information necessary for the commission to calculate the assessment provided for in section 4905.10 of the Revised Code, telephone companies subject to section 4905.71 of the Revised Code shall provide in their annual report information required by the commission to calculate pole attachment and conduit occupancy rates and any other information the commission determines necessary to fulfill its responsibility under

section 4905.71 of the Revised Code. This information shall be provided in the format prescribed in the commission's annual reporting form for telephone companies.

(C) The commission shall, by commission entry, impose on and collect from each telephone company that is a local exchange carrier an assessment to pay for costs incurred by vendors under any contract for the provision of the community voicemail pilot program in this state.

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Promulgated Under: 111.15
Statutory Authority: 4905.14
Rule Amplifies: 4905.14

Sherwood Mutual Telephone Association, Inc.
(Sherwood Telephone Company)
Emergency Action Plan

Purpose

OSHA's Emergency Action Plan standard, found at 29 CFR 1910.38 for plant safety and 29 CFR 1926.35 for construction, requires a written emergency action plan (EAP) if Sherwood Telephone Company falls under a particular OSHA standard that requires an emergency action plan.

OSHA 1910.120 Hazardous Waste Operations and Emergency Response (HAZWOPER) require Sherwood Telephone Company to have a written emergency action plan. This EAP addresses emergencies that our company expects may reasonably occur on our system.

The EAP communicates to employee's policies and procedures to follow in emergencies. This written plan is available, upon request, to employees, their designated representatives, and any OSHA officials who ask to see it.

Under this plan, our employees will be informed of the plan's purpose, emergency escape procedures and route assignments, procedures to be followed by employees who remain to control critical office operations before they evacuate, procedures to account for all employees after emergency evacuation has been completed, rescue and medical duties for those employees who perform them, preferred means of reporting fires and other emergencies, types of evacuations to be used in various emergency situations, and the alarm system.

Mark Baden is the program coordinator. Lynn Bergman, General Manager, has overall responsibility for the plan. Lynn Bergman will review and update the plan as necessary. Copies of this plan may be obtained from either Mark Baden or Lynn Bergman.

If after reading this program, you find that improvements can be made, please contact the program coordinator, Mark Baden, or General Manager, Lynn Bergman. We encourage all suggestions because we are committed to the success of our emergency action plan. We strive for clear understanding, safe behavior, and involvement in the program from every level of the company.

Emergency Escape Procedures and Assignments

Our emergency escape procedures and assignments are designed to respond to many potential emergencies including:

- Fire emergencies (process area fires, non-pressurized tank fires, pressurized tank fires, fires at loading facilities, warehouse fires, office building fires, and electrical fires)
- Toxic gas releases
- Flammable gas releases

- Hazardous liquid spills
- Oil spills
- Release of radiation
- Tornadoes
- Winter Storms
- Flooding
- Lightning
- Bomb threat/Civil disturbance
- First-aid emergencies

Employees need to know what to do when they are the first persons to discover an emergency and when they are alerted to a specific emergency. Our program coordinator, Mark Baden, has developed alternate procedures for responding to an emergency, depending on what the emergency is. The following guidelines apply to all EAPs:

- All employees are trained in safe evacuation procedures, and refresher training is conducted whenever the employee's responsibilities or designated actions under the plan change, and whenever the plan itself changed. In addition, the employer must review with each employee, upon initial assignment, the parts of the plan, which the employee must know to protect himself/herself in the event of an emergency.

- No employee is permitted to re-enter the building until advised by management (after determination has been made that such re-entry is safe).

- The refuge/safe zone is a meeting area designated in a location deemed safe for each group of employees within Sherwood Telephone Company.

    - Fire- Sherwood Fire House , east of telephone office
    - Tornadoes- Vault

Each department reports to their respective representative as follows:

- Each employee shall report to the General Manager for the office.

The Coordinator/Manager has trained evacuation personnel who conduct head counts once evacuation has been completed. There is at least one trained evacuation person for each eight employees in the workplace to provide adequate guidance and instruction at the time of an emergency. The employees selected are trained in the complete workplace layout and the various alternative escape routes from the workplace. All trained personnel are made aware of employees with disabilities who may need extra assistance, such as using the buddy system, and of hazardous areas to be avoided during emergencies. Before leaving, these employees check rooms and other enclosed spaces in the workplace for employees who may be trapped or otherwise unable to evacuate the area.

Once each evacuated group of employees have reached their evacuation destinations, each trained evacuation employee:

- Takes roll of his or her group.
- Makes sure all persons are accounted for.
- Reports in to a central checkpoint managed by the company coordinator or General Manager.
- Assumes role of department contact to answer questions.

Rescue and Medical Duty Assignments

Rescue and medical aid may be necessary during emergency situations. Circumstances calling for rescue and/or medical aid include:

- Electrical shock
- Falls

Mark Baden & Joe Woodring are designated first aid responders who should provide medical assistance within their capabilities to employees requiring it during an emergency situation.

Professional emergency services responding in an emergency will help with and direct all rescue and medical duty assignments upon their arrival on site.

Emergency Reporting Procedures

In the Event of a Fire

When a fire is detected, use the intercom to notify all employees. Then notify the city fire department and General Manager.

The General Manager will perform assigned duties and will meet the fire department to assist them in putting out the fire. Head counts should be given to the village fire department, Fire Chief or fire fighter. No employees are to return to the building until the "all clear" is given by the General Manager or the fire department Fire Chief.

The safe zone or meeting area is:

- Sherwood Fire House

In the Event of a Tornado

The Sherwood office has access to the National Weather Service, so when a tornado watch has been issued by the National Weather Service, the weather page will sound, followed by a weather bulletin with further information.

In the event of a tornado, it is the Sherwood Telephone Co. policy to provide emergency warning and shelter. At the time the tornado warning is given, all employees are responsible for evacuating to their assigned shelters in a tornado emergency. The shelter assignments for tornados are:

- Tornado - Vault

Outside Plant personnel should immediately seek safe shelter. If caught outside or in a vehicle, lie flat in a nearby ditch or depression and cover your head with your hands. Do not try to outrun a tornado in your car. Be aware of flying debris.

In the Event of Lightning

Most lightning fatalities and injuries occur when people are caught outdoors in the summer months during the afternoon and evening. Outside Plant personnel are exposed to the risks of lightning. If lightning is occurring and sturdy shelter is not available, get inside a hard top automobile and keep the windows up. Avoid touching any metal. If caught outdoors and no shelter is available find a low spot away from trees, fences, and poles. If you feel your skin tingle or your hair stand on end, squat low to the ground on the balls of your feet. Place your hands over your ears and your head between your knees. Make yourself the smallest target possible and minimize your contact with the ground. Do not lie down.

Trained Evacuation Personnel

Evacuation Personnel

All employees have been trained by Sherwood Telephone Co. to assist in safe and orderly emergency evacuation for all types of emergency situations. These employees are to help direct all employees during emergency evacuation, serve as a resource of information about emergency procedures, and conduct head counts once evacuation has been completed.

Safety Responsibilities

Here at Sherwood Telephone Co. all employees/managers have safety responsibilities. They must:

- Assist in developing a written emergency action plan for regular and after-hours work conditions.

- Immediately notify the fire or police departments in the event of an emergency affecting their office.

- Distribute procedures for reporting a fire, the location of fire exits, and evacuation routes to each employee in their area.

- Distribute procedures for reporting a fire, bomb threat, or other emergency, the location of fire exits, and evacuation routes to each employee.

- Conduct drills to acquaint the employees with fire procedures and to judge their effectiveness.

- Satisfy all local fire codes and regulations as specified.

- See that designated employees are trained in the use of fire extinguishers and the application of medical first-aid techniques.

- Keep key management personnel home telephone numbers in a safe place in the office for immediate use in the event of a fire. Distribute a copy of the list to key persons to be retained in their homes for use in communicating a fire occurring during non-work hours.

- Decide to remain in or evacuate the workplace in the event of a fire.

- If evacuation is deemed necessary, the General Manager ensures that:

    - All employees are notified and a head count is taken to confirm total evacuation of all employees.

    - When practical, equipment is placed and locked in storage rooms or desks for protection.

    - All records and property are arranged as necessary.

Training

At the time of an emergency, employees should know what type of evacuation is necessary and what their role is in carrying out the plan. In cases where the emergency is very grave, total and immediate evacuation of all employees is necessary. In other emergencies, a partial evacuation of nonessential employees with a delayed evacuation of others may be necessary for continued operation. We must be sure that employees know what is expected of them during and emergency to assure their safety.

This document is not one for which casual reading is intended or will suffice in getting the message across. If passed out as a statement to be read to oneself, some employees will choose not to read it, or will not understand the plan's importance. In addition, OSHA requires training on the plan's content.

A better method of communicating the emergency action plan is to give all employees a thorough briefing and demonstration. Sherwood Telephone Co. has presented the plan in small meetings.

Types of Emergency Evacuations

At this company the following types of emergency evacuation exists as detailed earlier in this plan:

- Fire
- Tornado

Emergency Operations - Loss of Service

Most service disruptions are recoverable using standard troubleshooting methods and material replacement actions to determine the root-cause and resolve the source of the problem. In some rare cases, however, the service-affecting event is so catastrophic that extraordinary means are required in order to restore service. These catastrophic situations are deemed disasters, and include such events as:

- Fire
- Tornado
- Earthquakes
- Sabotage
- Flood

In these cases, typically more than the switching system is lost. Buildings, power, inside/outside plant facilities and transportation infrastructure may also be impacted.

Disaster Manager – Mark Baden

The potential for a disaster to simultaneously impact many facets of operation poses a coordination challenge for the operating company. It is extremely important that the Disaster Manager take in account the full spectrum of the operating company's support requirements. This would include an understanding of the capabilities and responsibilities of equipment vendors, local authorities, governmental agencies, etc. which may potentially be involved. The Disaster Manager will be responsible for testing and implementing the operating company's Disaster Plan, and has the authority to make significant decisions involving the purchase of material and support labor, and possibly the replacement of capital equipment.

Disaster Procedures

In the event of a disaster employees should:

- notify their Disaster Manager in the event of a current or potential disaster
- contact GENBAND Customer Services Hot-Line (see below) in the event of a current or potential disaster.
- notify the Public Utilities Commission of Ohio Outage Coordinator, Mr. James E. Sullivan, per Minimum Telephone Service Standards.

GENBAND Disaster Recovery Support

1. General Disaster Recovery Process for GENBAND Equipment

   GENBAND Technical Support Services organization provides Emergency/Disaster Recovery procedures to assist those customers that have experienced an emergency condition due to disaster. Upon notification of disaster conditions, a Recovery Team Lead is assigned to work with the customer around the clock to manage the crisis while simultaneously deploying equipment and personnel to the site as necessary so that functionality is expeditiously restored.

   To resolve a critical service situation, GENBAND Technical Support offers emergency service 24 hours a day, 7 days a week. Technical Support will respond to the emergency condition and work with the customer until the system is restored to operation based on the latest backup data.

   The preferred method of restoring the system is to provide replacement product from a GENBAND manufacturing facility to replace the original product at the customer site. The alternative method is to ship product from another GENBAND location to the customer site. GENBAND will take whatever actions are necessary to get the customer system back up and running as soon as possible.

   Timeframes provided in this document are targets only. GENBAND will work 24 hours a day to restore service to a customer site as soon as possible.

   A. If a disaster occurs, the customer should immediately call the GENBAND Technical Assistance Center (TAC) hotline at 866-436-2263 and provide the information listed below. The GENBAND Technical Assistance Center is available 24 hours a day.
      1. The nature of the disaster (flood, fire, tornado, hurricane, etc.)
      2. Contact names and numbers
         a. Times at which individuals can be contacted
         b. Methods of contact
         c. Multiple numbers to facilitate communications
         d. Personnel authorized to make decisions during the crisis
         e. Escalation point
      3. An update of the steps the customer has taken in response to the disaster situation
      4. A list of immediate requirements
   B. A GENBAND Technical Support Engineer (TSE) will immediately begin the escalation process within GENBAND to notify management.

1. The TSE will maintain contact with the customer and begin recovery efforts until a GENBAND Recovery Team Lead takes over.

C. Management will form a recovery team and assign a Recovery Team Lead

D. The Recovery Team Lead will :

1. Establish contact with the customer point of contact.
2. Work with the customer to assess physical damage.
3. Work with customer to establish emergency recovery, both short and long term.
4. Work together with the customer to determine the responsibilities each will assume in restoring service in the most expedient method
5. Direct GENBAND manufacturing to build a replacement system as necessary.
6. Dispatch installation personnel to the customer site.

E. Manufacturing will ship the new system via the fastest method available.

Customer Service will arrange for installation personnel to remove damaged equipment, install the new equipment when it arrives, and restore the data to the latest backup data.

2. Roles and Responsibilities

Table 1. GENBAND's Roles and Responsibilities

Role	Responsibility
Technical Services	Receive request for emergency service from the customer Evaluate the situation and immediately communicate to management Recommend recovery actions Determine the configuration of the Product to be replaced.
Recovery Team Lead	Lead recovery team in coordination of all recovery efforts of GENBAND equipment.
Installation Project Management	Coordinate activities to install replacement product and incorporate into the customer's network
Engineering	Provide design expertise as needed to ensure the customer can be returned to state prior to the customer disaster.
Manufacturing	Manufacture the replacement product and ship to the appropriate address.
Management	Decide on source of replacement products and services (Lab or Manufacturing)

Table 2: Customer's Roles and Responsibilities

Role	Responsibility
Site Point of Contact	Provide configuration information and backup medium for Reinstallation. Coordinate all local recovery efforts.
Overall Disaster Point or Contact	Ensure necessary resources are available to recover system functionality.
Authorization	Authorization of purchase of product , material and deployment support labor in response to disaster situation.

Assumptions

- In disaster situations where the customer's building and/or facilities are destroyed, GENBAND replacement hardware and software will be provided up to and including the cable necessary to connect to the GENBAND system. The line of demarcation is assumed to be the customer's end of the GENBAND cables.
- Air travel and a safe customer site must be available to meet minimum delivery commitments.
- Customer regularly archives the database in secure off-site locations likely to survive most disaster situations.

Battery/Generator Back-Up

Switching offices are normally equipped with generators and batteries to keep them running should they lose commercial power. Portable generators are also an option. Small remote switching nodes have portable generator back-up. The Sherwood Telephone Company office is equipped with battery back-up and emergency generator back-up.

Disaster Relief Plan - Waive of House to House Connection Charges

Once Sherwood Telephone Company has activated its Disaster Relief Plan for customers whose homes or businesses were destroyed by fire, tornado, etc., connection charges will be waived for customers who move their phone service to a temporary or permanent location while their home or business is being repaired or rebuilt.

Sherwood Telephone Company Emergency Contact List

Name	Title	Phone Numbers
Rick Rostorfer	General Manager	Work Phone: (419) 899-2121 Home Phone: (419) 899-5599 Cell Phone: (419) 439-6517 Email: rickrostorfer@smta.cc
Joe Woodring	Technician	Work Phone: (419) 899-2121 Home Phone: (419) 899-1177 Cell Phone: (419) 769-5940 email: cableguy@saa.net
Ben Boes	Technician	Work Phone: (419) 899-2121 Cell Phone: (419) 890-8606 email: bboes@smta.cc
Erica Gray	CSR	Work Phone: (419) 899-2121 Cell Phone: (419) 956-2760 email: ehall@smta.cc
Brigette Hull	CSR	Work Phone: (419) 899-2121 Cell Phone: (419) 769-4628 email: bhull@smta.cc

Sherwood Telephone Company
EAP Training Log

Emergency Action Plan
Date:
Instructor:
Location:

The employees listed below have satisfactorily participated in and completed all requirements of the above training:

Printed Name	Signature	Date

Sherwood Mutual Telephone Association, Inc.

105 W. Vine St. | P.O. Box 4572

Sherwood, OH 43556

Phone (419) 899-2121 | Fax (419) 899-4567

June 16, 2017

I, Rick Rostorfer, hereby certify that Sherwood Mutual Telephone Association's pricing of voice services is no more than two standard deviations above the applicable national average urban rate for voice service.

Currently, the Company's single party-residential rate for voice service is far below the $49.51 reasonable comparability benchmark for voice service.

Respectfully,

Rick Rostorfer
General Manager

Sherwood Mutual Telephone Association
SA: 300656

Broadband Service	
Download Speed (Mb/Sec)	10
Upload Speed (Mb/Sec)	1
Usage Allowance (GB)	400

Benchmark Rate	$77.60
Retail Rate (See Line 710)	$69.95

Comparability (Y/N)	Y

Y - Retail Rate is less than or equal to Benchmark Rate

Per Public Notice released February 14, 2017 in DA 17-167, footnote 11, as long as the carrier offers at least one broadband service plan that meets the relevant metrics, it is free to offer other plans and packages to meet the varying needs of consumers. The calculations above indicate that the Company's broadband pricing meets the relevant metrics.

Sherwood Mutual Telephone Association

Certification for Lifeline Service

Please read carefully and, using a pen or keying in – fill out completely

Date: _____

_____**Initial Application**

_____**Recertification Application (for Annual Review – Continuing Eligibility)**

Applicant Information:

Full Name: _____

Date of Birth: _____ _____ _____
(Month) *(Day)* *(Year)*

Please provide the last 4 digits of your Social Security Number ___ ___ ___ ___

Applicant Residential Address:

Number and Street: _____

City_____

State_____

Zip Code _____
(No PO Boxes permitted)

Check one:
____The address listed is my permanent address

____The address listed is my temporary address

Program Participation and Certification

I certify under penalty of perjury that I or a member of my household meets the income-based or program-based eligibility criteria for receiving the Lifeline discount. I or a member of my household receives benefits from the following program (check only one program):

☐ TANF - Temporary Assistance for Needy Families/Ohio Works First
☐ Home Energy Assistance Program
☐ Medicaid
☐ General/Disability Assistance
☐ Supplemental Security Income (SSI)
☐ SSDI – Blind and Disabled
☐ SNAP (Supplemental Nutrition Assistance Program)/Food Stamps
☐ Section 8 Federal Public Housing Assistance
☐ National School Free Lunch Program
☐ Eligibility based on income (see below for income criteria)

Along with this application, please attach or fax a photocopy (do not send an original) of one of the following:
☐ your current or prior year's statement of benefits from a qualifying state or federal program; or
☐ a notice letter of participation in a qualifying state or federal program; or

☐ a program participation document, for example, benefit card; or
☐ an official document indicating your participation in a qualifying state or federal program.
☐ for Income Eligibility you need to supply a copy of at least one of the following documents:

- A prior year's federal or state tax return
- Current income statement from employer or W-2
- Three consecutive months of the most current pay stubs
- The most recent Social Security statement of benefits
- The most recent Veteran's Administration statement of benefits
- The most recent retirement/pension statement of benefits
- The most recent Unemployment or Worker's Compensation statement of benefits
- Any other legal document that would show your current income (such as a divorce decree or child support document)

Income Eligiblity Guidelines

The following chart can be used to determine eligibility for the Lifeline discount program based solely on income level. You may qualify for the Lifeline discount program if your household annual income is at or below 150% of the Federal Poverty Guidelines. A household is defined as any individual or group of individuals who live together at the same address and share income and expenses.
The chart below lists the annual income amount that cannot be exceeded in order to qualify based on household size. If the annual income amount for your household size is more than the amount shown on the chart below you do not qualify for the Lifeline discount based solely on income.

Please indicate the number of individuals in your household _____

2012 Annual Federal Poverty Guidelines

Household size	150%
1	$16,755
2	22,695
3	28,635
4	34,575
5	40,515
6	46,455
7	52,395
8	58,335
For each additional person, add	$5,940

Please Read and Certify the Following Program Rules

The Lifeline discount program is a federal benefit and willfully making false statements to obtain this benefit can result in fines, imprisonment, de-enrollment or being barred from the program. SMTA is required by the Federal Communications Commission, or FCC, to verify your eligibility to participate in the Lifeline discount program.

Under penalty of perjury you must certify the following statements are true to the best of your knowledge. Please indicate your acknowledgement of each statement by a checkmark.

Only one Lifeline discount is allowed per household, consisting of either wireline or wireless service. A household is not permitted to receive Lifeline benefits from multiple providers. Violation of the one-per-household requirement constitutes a violation of Federal Communications Commission rules and will result in your de-enrollment from the program, and potentially, prosecution by the United States government.

A household is defined as any individual or group of individuals who live together at the same address and share income and expenses.

☐ I certify my household will receive only one Lifeline service and, to the best of my knowledge, my household is not already receiving a Lifeline service.
Your name, telephone number, address and information contained in this application, as well as information associated with your Lifeline service may be provided to the Universal Service Administrative Company (USAC - administrator of the Lifeline discount program) and/or its agents for the purpose of verifying your household does not receive more than one Lifeline benefit. You will be denied Lifeline benefits if you fail to provide SMTA with consent to provide the specified information to USAC.

☐ I acknowledge and consent that SMTA may provide my name, telephone number, address and information contained in this application, as well as information associated with your Lifeline service to the Universal Service Administrative Company (USAC) and/or its agents for the purpose of verifying that I or another member of my household does not receive more than one Lifeline benefit.

☐ I agree to allow SMTA to exchange any necessary information with the appropriate federal or state agency, or fund administrator, to verify my eligibility to participate in the Lifeline discount program.
Lifeline service is a non-transferable benefit. You may not transfer your Lifeline service to any individual, including another eligible low-income consumer.

☐ I agree not to transfer my Lifeline discount benefit to another person.

☐ I agree to notify SMTA within 30 calendar days if I move to another address and to provide the new address.

☐ I agree to notify SMTA within 30 calendar days if, for any reason, I or my household:

- No longer receive benefits from the federal or state program that qualified me for the Lifeline discount program.
- Annual household income exceeds the Federal Poverty amount listed on page 3 that qualified me for the Lifeline discount program.
- Receives more than one Lifeline benefit or another member of my household is receiving a Lifeline service.

I acknowledge that I will be required to recertify my continued eligibility for Lifeline at any time and my failure to recertify will result in de-enrollment and termination of my Lifeline benefits.
☐ I agree to participate in the certification of my continued eligibility in the Lifeline discount program.
☐ The information contained in this application form is true and correct to the best of my knowledge.
☐ I acknowledge that providing false or fraudulent information to receive Lifeline benefits is punishable by law.

I affix, under penalty of perjury, that the foregoing representations are true.

Applicant's Name (Please Print) _____

Telephone Number: _____

Applicant's Signature _____Date_____

Sherwood Mutual Telephone Association, Inc.

105 W. Vine St. | P.O. Box 4572

Sherwood, OH 43556

Phone (419) 899-2121 | Fax (419) 899-4567

June 16, 2017

I, Rick Rostorfer, hereby certify that Sherwood Mutual Telephone Association has taken reasonable steps to:

- provide upon reasonable request broadband service at actual speeds of at least 10 Mbps downstream/1 Mbps upstream, with
- latency suitable for real-time applications, including Voice over Internet Protocol.

Additionally, the Company certifies that usage capacity is reasonably comparable to comparable offerings in urban areas, and that request for such service were met within a reasonable amount of time.

Information on the Company's available broadband services can be found on the Form 481, Line 710.

Respectfully,

Rick Rostorfer
General Manager

CONFIDENTIAL
PAGES
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SHERWOOD MUTUAL TELEPHONE ASSOCIATION, INC. AND ITS WHOLLY-OWNED SUBSIDIARY

(An Ohio Mutual Company)

SHERWOOD, OHIO

FINANCIAL STATEMENTS
AND SUPPLEMENTARY INFORMATION

DECEMBER 31, 2016 AND 2015