

shall be subject to a 30-day automatic approval procedure and shall become effective 31 days after filing, unless suspended. Such filing does not preclude the ability of the Commission to impose a full or partial suspension.

I. Fresh Look Provision

1. ILEC customers with long-term arrangements shall be given an opportunity to take a "fresh look" to determine if they wish to avail themselves of a competitive alternative. This opportunity will be limited to customers with ILEC arrangements for remaining terms in excess of one year from the date the Commission verifies as the date on which the first interconnection arrangement is operational in the ILEC's service territory. Upon inquiry by such customer, the ILEC must inform the customer of his/her opportunities pursuant to this section.
2. The opportunity to end a long-term arrangement will exist for a period of 90 days from the date the first interconnection arrangement is operational in that ILEC's service territory. The Commission shall verify the date which the 90-day period begins for purposes of this section and shall establish an appropriate procedure for customer notification prior to such date. The Commission shall resolve any disputes regarding opportunities to end long-term arrangements pursuant to this section.
3. If a party chooses to terminate a long-term arrangement within this period, the termination charge will be limited. Notwithstanding any termination charges provided in the applicable ILEC tariffs, the ILEC may not charge more than the difference between: (a) the amount the customer has already paid; and (b) any additional charges that the customer would have paid for service if the customer had taken a shorter term offering that would have been available for the term actually used. This termination procedure will allow customers with long-term arrangements to select among competitive providers while ensuring that the ILEC obtains the compensation appropriate for the term actually taken by the customer.

J. Termination Liability

Except as detailed in these guidelines, the Commission approval of contracts pursuant to these procedures does not constitute a determination of the reasonableness of termination liability provisions.

K. Proprietary Information

All contracts and applications are to be filed on the public record. If a LEC finds it necessary to request protective treatment for any portion of a contract or application, it must request such protection in accordance with Chapter 4901-1, Ohio Administrative Code.

L. Tariff Filing Parity

1. As stated above, all ILEC new service, price list, promotion, change in terms and conditions, withdrawal of service, and contract applications will be processed according to the time frames set forth in the ILECs' currently applicable regulations i.e., ILECs who seek approval and who are granted approval by the Commission for an alternative regulation plan and ILECs who currently have alternative regulation plans will be regulated under their Commission approved plans, small ILECs will continue to be regulated under 564, and an ILEC under traditional regulation will be regulated as such with its competitive services regulated under 944 and 1144. However, once a NEC is operational in an ILEC's serving area the ILEC may file an application to receive flexibility territory-wide for tariff filing flexibility as set forth above in Sections VI.B.1., C.4., D.1., E.1., F.1., and H.2.

- a. In order to receive such flexible treatment, the ILEC must docket a UNC case with the Commission. Such filing must include, at a minimum;
 - i. A revised cover page for the ILEC's existing tariff which indicates that the ILEC will be granted filing flexibility pursuant to the approval of the UNC case; and
 - ii. An exhibit requesting flexible treatment pursuant to these guidelines, with a detailed explanation of how the ILEC meets the criteria in Section VI.L.1., above, for flexible tariff filing procedures.
 - iii. Copies of the application should be served on all certified NECs and in the ILEC's serving area. The Commission will set a period of time for the filing of written comments concerning the application and reserves the right to schedule a hearing if necessary. The proceeding on the request will be expedited. The Commission may modify or reject the request based on

the geographic scope or degree of competition in the ILEC's serving area.

- b. Upon Commission approval of such application, the ILEC will file all future applications described in Section VI.L.1. above pursuant to the procedures set forth in Sections VI.B.1., C.4., D.1., E.1., F.1., and H.2. of these guidelines.

VII. FILING PROCEDURES AND REGISTRATION FORM

A. Registration Form (Attachment B)

1. A Registration Form provided by the Commission staff (initial form shown in Attachment B to these guidelines) must be utilized in all applications filed pursuant to these guidelines with the Commission. (NOTE: This form may change from time to time without further Commission entry. Staff will maintain a current, updated copy to provide to applicants, and will file a copy of any updated form within this docket.) The Registration Form is to be utilized by an applicant for purposes including, but not limited to:
 - a. Receiving initial certification to provide local exchange service in Ohio;
 - b. Changing any element of a NEC's;
 - c. Changing any element within a NEC's tariff, including textual revisions and price adjustments; and
 - d. Filing interconnection arrangements arrived at through either negotiation or arbitration for Commission approval.
2. The Registration Form must accompany all applications filed by NECs on or after the effective date of these guidelines.
3. ILECs may not utilize this form when filing applications. Rather, ILECs should utilize the appropriate form based on each ILEC's currently applicable regulatory framework, i.e., ILECs who seek approval and who are granted approval by the Commission for an alternative regulation plan and ILECs who currently have alternative regulation plans will be regulated under their Commission approved plans, small ILECs will continue to be regulated under 564, and an ILEC under traditional regulation will

be regulated as such with its competitive services regulated under 944 and 1144. However, an ILEC must use this form for any application filed after the effective date of these guidelines, if it has been granted tariff filing parity pursuant to Section VI.L. of these guidelines, or if the ILEC is filing an ARB or NAG case pursuant to the guidelines established in Case No. 96-463-TP-UNC.

4. For any application which is filed pursuant to an automatic time frame established in these guidelines, the automatic time frame will not begin to run until the appropriate completed Registration Form is filed.

B. Tariffs

1. LECs shall keep tariffs on file with the Commission. A tariff shall be filed with the Commission on white paper which is 8.5" x 11" paper printed on one side only. The only exception is price lists, which, at the LEC's option, may be printed on colored paper. Handwritten copies are not acceptable except for denoting the appropriate case number. All tariffs must 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. These tariffs shall include, at a minimum, the following elements:
 - a. A title page;
 - b. A description of all services offered, including all terms and conditions associated with the provision of each service;
 - c. A description of the actual serving and local calling areas (any change to a LEC's serving area and local calling area shall be processed in accordance with Sections II.C.3. and II.D.2. of these guidelines, respectively);
 - d. A complete price list, including every rate and charge relative to the provision of each service, as well as discounted rates for the benefit of persons with communication disabilities; and
 - e. 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 LEC, and the name of an officer of the LEC. This information should be included in a header, a footer, or a combination

thereof. The LEC's TRF case number is not to appear on final tariff sheets.

2. A LEC will no longer be required to include in its tariff on file at the Commission specific language either previously or prospectively deemed mandatory by the Commission. Under these guidelines, such service requirement language shall be contained in the Service Requirements Form which will be available from the staff and is shown in its initial form as Attachment C to these guidelines. The Service Requirements Form must be attached to the Registration Form. Accordingly, any provider seeking to offer local service in Ohio will be required to commit to the applicable service requirements contained in the Service Requirements Form. (NOTE: The Service Requirements Form, as set forth in Attachment C to these guidelines, may change from time to time pursuant to Commission directive. Staff will maintain a current, updated copy to provide to applicants, and will file a copy of any updated revisions to the Service Requirements Form within this docket.)

C. TRF Docket

1. TRF dockets are designated for the filing of final tariffs and are maintained by the Commission for each utility company, including those filed by LECs.
2. A TRF docket number will be assigned by the Docketing Division when a NEC seeks to obtain initial certification.
3. For applications in which new tariff pages are involved, such tariff page(s) must be filed in final form in the appropriate application purpose code, as well as in the TRF docket for that LEC. For applications subject to 0-day approval, such final tariff pages must be filed at the same time as the application. For nonautomatic applications and those applications subject to an automatic approval process (other than the 0-day automatic approval process), final tariff pages must be filed within 10 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.

D. Time Frames

1. Certain filings pursuant to these guidelines will be handled through an automatic process. For those filings specified in the guidelines as subject to an automatic time frame and with the exception of 0-day

filings, an automatic time frame will begin on the day after a filing is made with the Commission's Docketing Division. Furthermore, under an automatic process, if the Commission does not take action before the expiration of the filing's applicable time frame, the filing shall become effective as early as the following day.

2. The time frames in these guidelines requires same day delivery or facsimile of all pleadings and papers upon all parties. Rule 4901-1-07, Ohio Administrative Code, does not apply to the service of pleadings and papers pursuant to these guidelines.

E. Suspensions

1. Nothing contained within these guidelines shall in any way preclude the Commission, Legal Director, Deputy Legal Director, or Attorney Examiner from imposing a suspension of any process herein.
2. A full suspension occurs when the Commission, Legal Director, Deputy Legal Director, or Attorney Examiner, upon its own motion, suspends the automatic timeclock and precludes an application from taking effect. A full suspension may also be imposed after the automatic time frame has run, if an ex post facto determination is made that a service previously automatically authorized may not be in the public interest. If the suspension involves a service previously automatically authorized, the LEC may be required to discontinue providing the service subsequent to the suspension.
3. Under partial suspension, which can be invoked by the Commission, Legal Director, Deputy Legal Director, or Attorney Examiner, the service in question is permitted to take effect under the proposed terms and conditions subject to continued review. The LEC is put on notice that such terms and conditions may be modified subsequent to its further review. A partial suspension may also be imposed after the automatic time frame has run if an ex post facto determination is made that a service previously automatically authorized may not be in the public interest. If the suspension involves a service previously automatically authorized, the partial suspension may require the LEC to refrain from obtaining new customers subsequent to the suspension.
4. The Commission, Legal Director, Deputy Legal Director, or Attorney Examiner may fully or partially suspend an application for either a definite or indefinite period of time. If the suspension is for a

definite period of time, such time frame shall be determined on a case-by-base basis and shall be set forth in the entry suspending the application. If the suspension is for an indefinite period of time, the Legal Director, Deputy Legal Director, or Attorney Examiner may remove the suspension imposed upon the application and reinstate a new automatic time frame for approval of the application. The appropriate new automatic time frame shall be determined on a case-by-case basis.

VIII. UNBUNDLING

A. Principle

Each ILEC and interconnecting facilities-based NEC shall unbundle its respective local network elements into any technically feasible points, upon bona fide request of a certified LEC.

B. Related Functionalities

Unbundling of networks shall include access to necessary customer databases, such as LEC-owned or controlled 9-1-1 databases, LERG, Billing Name and Address, Directory Assistance, Line Information Database, and 800 databases. It should also include operator services, directory assistance services, and SS7 functionalities.

C. Reciprocal Unbundling

The requirement to fulfill all bona fide requests for the purchase of unbundled network elements by other LECs applies equally to both ILECs and NECs.

D. General Unbundling Requirements

1. Unbundled network elements rates, terms, and conditions shall be established through negotiation between LECs upon receipt of a bona fide request for interconnection or through arbitration, pursuant to Section III.C. of these guidelines.
2. Unbundled network element rates, terms, and conditions may be established through arrangements or tariffs approved by the Commission. The Commission, at its discretion, may order the filing of tariffs establishing unbundled network elements rates,

terms, and conditions. (See Section III, Interconnection, for filing requirements associated with bona fide requests.)

3. Once an unbundled network element has been made available to an interconnecting carrier on a contractual basis, the providing carrier shall make that unbundled network element available for all similar requests for purchase pursuant to Section III of these guidelines.
4. The offering of unbundled network elements cannot replace the offering of currently bundled package offerings.

E. Rate Requirements

For purchase by certified facilities-based LECs, unbundled network elements shall be priced at cost-based rates pursuant to the pricing standards in Section V.B. of these guidelines.

IX. RESALE

A. Principle

1. Each LEC shall maintain an end user tariff and make all of its tariffed services available for resale.
2. Each LEC which provides local service through its own facilities or in combination with its own facilities, shall maintain a carrier-to-carrier tariff including its resale service offerings and, with the exception of services not available for resale pursuant to Section IX.C. of these guidelines, shall make such service offerings available for resale to any other LEC.

B. Conditions for Local Service Resale

1. All services that are tariffed in LEC end user tariffs shall be made available for purchase by any entity at a retail rate approved by the Commission.
2. All services that are tariffed in an ILEC's carrier-to-carrier tariff for the purpose of resale shall be made available for purchase by any LEC at a wholesale rate approved by the Commission pursuant to the pricing standards set forth in Section V.E. of these guidelines.

3. All services that are tariffed in a NEC's carrier-to-carrier tariff for the purpose of resale shall be made available for purchase by any LEC and shall not contain unreasonable, discriminatory, or anti-competitive conditions or limitations.
4. NEC services offered at a discount or in a promotion shall be made available for resale at rates approved by the Commission pursuant to the standards set forth in Section IX.B.3. of these guidelines.
5. ILEC services offered at a discount or in a promotion shall be made available for resale at a wholesale rate approved by the Commission pursuant to the pricing standards set forth in Section V.E. of these guidelines.
6. Each LEC which maintains a carrier-to-carrier tariff shall be required to provide nondiscriminatory, automated operational support systems which would enable other LECs reselling its retail telecommunications services to order service, installation, repair, and number assignment; monitor network status; and bill for local service. Such support systems shall include, but not be limited to:
 - a. Pre-service ordering functionalities for processing customer service orders;
 - b. Provisioning requirements to ensure electronic transmission of data to the LEC providing telecommunications services for resale, as well as order and service completion confirmation;
 - c. Repair and maintenance requirements; and
 - d. Customer Account Record Entry (CARE) requirements.
7. To assure proper and high quality provisioning of local service resale, each LEC which maintains a carrier-to-carrier tariff shall provide administrative functional requirements that include, but are not limited to:
 - a. Provisioning reports comparing that LEC's service to LECs purchasing telecommunications services for resale with the service it provides to itself in its own operation; and
 - b. Branding of services by the LEC purchasing such services for resale.

C. Restrictions on Resale

Each LEC shall make its services available for resale, but may, subject to Commission approval, place reasonable restrictions on the resale of residential services to business customers.

X. DIALING PARITY/1+ INTRALATA PRESUBSCRIPTION

A. Principle

PEC ILECs and NECs shall be required to provide dialing parity, on both an intra and interLATA basis, to all interconnecting toll carriers subject to the conditions set forth below. NECs are required to provide exchange access and dialing parity to all toll providers, but they are not required to provide toll services themselves. NECs shall not become secondary carriers under ORP/SCO.

B. Time Frame

1. PEC ILECs that are not legally constrained from offering interLATA services shall have implemented 1+ dialing parity on an intraLATA basis for all their subscribers within 12 months of the Commission's issuance of these guidelines.
2. Ameritech Ohio shall have implemented 1+ dialing parity on an intraLATA basis for all its subscribers at such time that it either seeks approval of the federal competitive checklist for Bell Operating Companies pursuant to Part III, Section 271(c)(2)(B) of the 1996 Act, or by February 9, 1999, whichever occurs sooner.
3. NECs shall implement 1+ dialing parity on an intraLATA basis upon their initial offering of certified local exchange service.

C. Presubscribed Interexchange Carrier (PIC) Methodology

1. Definitions

a. 1-PIC

Subscribers would select either their LEC or their interLATA carrier to carry all intraLATA and interLATA toll traffic.

b. Full 2-PIC

Subscribers would select an IXC for interLATA calls and have the ability to select either their interLATA carrier, LEC, or an alternative intraLATA toll provider to carry their intraLATA toll traffic.

c. Modified 2-PIC

Subscribers would select an IXC for interLATA calls and select either the same IXC or their existing LEC to carry their intraLATA toll traffic.

d. Smart or Multi-PIC

Subscribers would be able to select multiple carriers for various subdivisions of their interLATA and intraLATA toll calls.

2. Implementation

In the absence of readily available and economically feasible Smart or Multi-PIC technology, 1+ dialing parity on an intraLATA basis shall be implemented on a Full 2-PIC methodology.

D. Balloting

Balloting shall not be used. LECs shall inform their current customers of the options to select presubscribed intraLATA toll carriers within 60 days of implementation of intraLATA toll presubscription.

Such notices must be submitted by the LEC to the Commission's Consumer Services Department for approval at least 30 days prior to sending them to its customers. Toll carriers may provide such information to customers regarding the availability of 1+ dialing parity as they deem appropriate, except that nothing herein shall authorize any otherwise unauthorized or unlawful use of the LEC's name, marks, logo, trademarks, or tradenames by the toll carriers.

E. Presubscription Procedures

1. Current subscribers

Initial requests of current subscribers for an intraLATA carrier change will be provided free of charge for the first 90 days after

customer notice was initially sent. A LEC service order charge of \$5.00 for the first line, and \$1.50 for each additional line, shall be applied to any subsequent request to change intraLATA interexchange service providers.

2. New subscribers

New subscribers will be asked to select an interLATA and intraLATA toll carrier at the time they place an order with the LEC. The LEC will process the customer's order for both intra and interLATA service. The selected carriers will confirm their respective customers' verbal selections by third-party verification or return written confirmation notices. All new subscribers' initial requests for either intra or interLATA interexchange service shall be provided free of charge.

3. Subscribers who do not choose a carrier

If a subscriber is unable to make a selection at the time he/she places an order establishing local exchange service, the LEC will read a random listing of all available intraLATA carriers to aid in the selection. If a selection is still not possible, the LEC will inform the subscriber that he/she will be given 90 days in which to inform the LEC of an intraLATA toll carrier selection. During the 90-day period and until the subscriber informs his/her LEC of a choice for intraLATA toll carrier, the LEC shall provide the intraLATA toll service. In the event that the LEC is a NEC which does not offer its own intraLATA toll service, the default provider for the 90-day period shall be the ILEC. Subscribers who inform their LEC of their intraLATA toll carrier selection within the 90-day period will not be assessed a service order charge for their initial request. A LEC service order charge of \$5.00 for the first line, and \$1.50 for each additional line, shall apply to all subsequent requests to change intraLATA interexchange service providers.

F. Recovery of Costs of Implementation of IntraLATA Dialing Parity

The incremental costs directly associated with the introduction of 1+ intraLATA dialing parity shall be borne by all telecommunications carriers. Costs shall be recovered through a Commission-approved switched access per minute of use charge applied to all originating intraLATA switched access minutes generated on lines that are presubscribed for intraLATA toll service.

XI. NONDISCRIMINATION BETWEEN COMPETITORS

A. Service Requests

LECs which have achieved interconnection shall report in writing to the Chiefs of the Commission's Consumer Services Department Compliance Division, and the Utilities Department Telecommunications Division, within five business days, any denial of subsequent bona fide carrier service request by the interconnecting LEC (e.g., expansion of facilities or maintenance. Denied requests, and requests for service not fulfilled within 30 days, must be documented and justified (in its report to the Commission) by the carrier from whom such services are requested. Such denials will be reviewed pursuant to a complaint process or other Commission-ordered dispute resolution process.

Interconnecting LECs shall report to the Chiefs of the Commission's Consumer Services Department Compliance Division, and the Utilities Department Telecommunications Division, any subsequent request for service (e.g., expansion of facilities or maintenance) that remains unfulfilled, or partially unfulfilled, in excess of 30 days.

B. Telecommunications Performance Measurement Database (TPM)

All LECs shall be required to file, with the Commission, annual TPM data submissions.

C. Access to Customer Proprietary Network Information (CPNI)

1. A telecommunications carrier that receives or obtains CPNI from another carrier for purposes of providing any telecommunications service shall use such information only for such purpose and shall not use such information for its own marketing efforts.
2. No LEC shall access or use the CPNI of an interconnecting LEC for the purpose of marketing its services to the interconnecting LEC's customers.
3. No LEC shall access the CPNI of a carrier reselling its services, without the permission of the reseller, for the purposes of marketing services to the reseller's customers.
4. No LEC shall solicit a competitive carrier's end user customer where the competitive interconnecting carrier is in the process of waiting

for the LEC to provide facilities necessary to serve that same end user customer.

5. Unless otherwise requested by the customer, if a LEC makes CPNI available to one carrier, including carriers which are affiliated with the LEC, such information must also be made available to all other carriers on the same terms and conditions.

D. Installation and Maintenance

A LEC must provide the same installation, maintenance, and repair intervals to other LECs that it provides itself for its own service provisioning.

XII. RIGHT-OF-WAY

A. Authorization

1. LECs are subject to all constitutional and statutory rights and responsibilities placed upon public utilities for use of public right-of-way.
2. Private right-of-way for all public utilities, including LECs, is subject to negotiated agreements with the private property owner, exclusive of eminent domain considerations.
3. The Commission finds that there is a rebuttable presumption that any arrangements whereby telecommunications carriers are provided exclusive use of private building riser space, conduit, and/or closet space is anti-competitive and unlawful. This being the case, the Commission reserves the right, should it be brought to our attention, to require any or all such future arrangements between public utilities and private landowners to be submitted to us for our review and approval, under Section 4905.31, Revised Code, prior to taking effect.

B. Terms and Conditions

1. Rates, terms, and conditions for nondiscriminatory access to poles, ducts, conduits, and right-of-way shall be established through interconnection arrangements or tariffs pursuant to Section III of these guidelines. Access to poles, ducts, conduits, and right-of-way shall be on a first-come, first-serve basis subject to space limitation

and taking into consideration a demonstration of the LEC's own future needs.

2. Prices for pole attachments shall be set based upon the prevailing FCC formula, unless either LEC can demonstrate the need to deviate from that formula.
3. Prices for ducts, conduit space, and access to right-of-way shall be set at a level that allows the providing LEC to recover its LRSIC of providing ducts, conduit space, and access to right-of-way and a reasonable contribution to joint and common costs incurred by the providing LEC. The allocation of joint costs shall be according to the allocation method described in Section V.B.3. of these guidelines.

C. Coordination

LECs shall coordinate their right-of-way construction activity with the affected municipalities and landowners. Nothing in this section is intended to abridge the legal rights and obligations of municipalities and landowners.

D. Disputes

1. To the extent applicable, public utilities shall comply with Section 4905.51, Revised Code.
2. Disputes concerning the compensation or conditions of use or joint use of equipment may be brought to the Commission for resolution pursuant to Section 4905.51, Revised Code.

XIII. UNIVERSAL SERVICE

A. Definitions

1. Universal service establishes a minimum level of essential basic telecommunication services to be made available at affordable rates to all who desire such services.

Universal service includes the following services:

- a. Residential single party, voice-grade access line;
- b. Touch-tone dialing;

- c. Access to telecommunications relay service;
- d. Access to operators and directory assistance;
- e. Access to emergency services (9-1-1/E-9-1-1) (where available);
- f. Availability of flat-rate service;
- g. Access to all available long distance carriers;
- h. A white pages listing, plus a directory;
- i. Blocking for Caller ID, Auto Callback, 900, 976, 976-like services, and toll restriction blocking; and,
- j. The ability to transmit data at a minimum baud rate of 9600.

The list of services that comprise universal service will be periodically reviewed by the Commission and updated as telecommunications and information technologies and services advance and as societal needs dictate.

- 2. Universal Service Funding (USF) assistance has two separate and distinct components:
 - a. **High Cost Support (HCS)** is intended to ensure the provision of universal service to residential customers at a reasonable price in geographic areas with high cost characteristics, (e.g., low population density, long loop lengths per household, or terrain features which cause plant installation to be expensive).
 - b. **Low Income Assistance** is intended to provide income-eligible residential customers who participate in designated federal or state low-income programs, with discounts for certain basic local services to assist participants in obtaining and maintaining access to the network.
- 3. **High Cost Support Eligible Area** is defined as a geographic area (i.e. an existing ILEC wire center or an alternative area approved by the Commission) within which the established HCS benchmark cost for the number of households in that area exceeds the ILEC's total intrastate residential revenues within that same geographic area.

4. **Income Eligible Residential Customers** shall be determined by their participation in federal and state low-income programs (e.g., Home Energy Assistance Program, Ohio Energy Credits Program, Supplemental Security Income, Medicaid, Aid for Families with Dependent Children). The Commission will periodically review the status of the programs used to determine income eligibility.

B. Universal Service Fund (USF) Contributions

1. All telecommunications carriers (i.e., facilities-based LECs, nonfacilities-based LECs, and CTS providers) shall pay into the intrastate Universal Service Fund (USF) pool via a USF charge, including those entities providing telecommunications services who pay into the interstate USF, but are exempted from registering with the Commission.
2. The USF support level will be based on each carrier's total intrastate revenues, including revenues received from subsidiaries (e.g., yellow pages revenues).
3. The USF percentage assessed to each carrier will be based on a statewide aggregation of required subsidies for all USF eligible services in the state. This percentage will be calculated and revised at least annually, as determined by the Commission and the fund administrator.
4. In determining the percentage to be assessed to each carrier, the Commission may also consider the extent to which a carrier is providing service in a nondiscriminatory manner within its service territory. In making such a determination, the Commission will consider the carrier's percentage of business vs. residential customers and the extent to which the carrier serves low income customers.
5. The fund administrator will calculate at least annually, not to exceed quarterly, each carrier's obligation to the fund and will invoice each carrier accordingly. Payments on behalf of carriers to the fund shall be made at least annually, but not to exceed quarterly, as deemed appropriate by the Commission and the fund administrator.

C. High Cost Support Program

1. ILECs will retain the carrier of last resort obligation until such time as the Commission determines the carrier of last resort via a bidding

process or other mechanism. During that interim period, any certified, facilities-based, LEC serving residential customers within a HCS eligible area may withdraw from the fund an amount no greater than the maximum subsidy established according to the methodology in Section E.1. below.

2. No sooner than one year after the enactment of these guidelines, the Commission will evaluate whether to implement a bidding process or some other mechanism for the carrier of last resort obligation as a requirement for ongoing eligibility for high cost support funding.
3. Any carrier accepting HCS monies must offer the services supported by universal service support and must advertise the availability of such services.

D. Low-Income Support Program

1. Effective immediately, all certified LECs shall participate in the Telephone Service Assistance and Service Connection Assistance Programs. Notwithstanding legislation that would establish otherwise, all LECs shall continue to provide the benefits of the TSA and SCA programs with dollar for dollar recovery from the universal service fund according to the methodology in Section E, below.
2. As of January 1, 1998, an LEC offering the following package of low income assistance to income eligible residential customers as defined in Section A, paragraph 4, will be eligible for any incentives established in paragraph 3 below in addition to dollar for dollar recovery from the universal service fund according to the methodology in Section E, below.
 - a. A waiver of deposits required to obtain new service;
 - b. A waiver of the service connection charge for establishing local service, if it is more than \$5.00;
 - c. A monthly discount off of the basic local access line charge at an amount equal to the subscriber line charge;
 - d. A monthly waiver of the federal subscriber line charge;
 - e. A waiver of the charges for touch-tone service;

- f. Discounted rates for call control features, i.e., toll restriction and blocking for 900 and 976 calls; and
- g. A waiver of the charges for 9-1-1 and E-9-1-1.

The Commission may periodically re-evaluate and modify the package of services in this paragraph.

- 3. To encourage LECs to actively promote the package of low-income support programs described in Section XIII.A.4., such carriers will receive a partial offset against their contribution to the USF for each \$1.00 of subsidy received from the USF for provision of these low-income programs. The Commission will determine the appropriate amount of offset by June 12, 1998.
- 4. The Commission may consider prior commitments made by LECs in alternative regulation proceedings in determining the extent of eligibility for USF funding under Section XIII.D.2. and D.3. of these guidelines.

E. Support Withdrawal Criteria

1. High Cost Support Withdrawal

Until such time as the Commission establishes a carrier of last resort via a bidding process or other mechanism, any facilities-based LEC is eligible for HCS funding according to the following methodology:

- a. The calculation of the HCS subsidy will be done on the basis of existing ILEC wire center boundaries and will be designated a HCS study area.

Any ILEC or facilities-based NEC may petition the Commission to adopt an alternative HCS study area based on the specific characteristics of its service territory or its specific business operating practices. The petitioning LEC will have the burden of proof in demonstrating that its alternative proposed HCS study area boundaries will permit a more efficient comparison of benchmark costs and revenues.

- b. The benchmark costs will be calculated using the Census Block Group (CBG) benchmark costs from the "Benchmark Cost Model" as filed with the FCC in CC Docket No. 80-286. The Commission may also adopt any subsequent revisions to this

model. The CBG costs will be aggregated to the HCS study area level by taking an average of CBG costs within that area weighted by the number of households in each of those CBGs. This weighted average cost will be the per household benchmark cost within the HCS study area. The benchmark costs will include an allowance for common costs.

- c. Any ILEC or facilities-based NEC may petition the Commission to adopt alternative benchmark costs based on company-specific analysis. The petitioning LEC will have the burden of proof in demonstrating that its alternative proposed benchmark costs more accurately reflect its true LRSIC costs within a given HCS study area.
- d. In each HCS study area, the ILEC will receive funding equal to the difference between total intrastate residential revenues and total benchmark costs in that study area. Total intrastate residential revenues include all revenues from intrastate retail residential services (including vertical services and any yellow pages revenues received from an affiliate), as well as wholesale payments by resellers for resale of residential services in that study area. Total benchmark costs are the calculated benchmark cost per household times the total number of households in the study area, less any avoided costs calculated according to Section V.E. of these guidelines.
- e. A facilities-based NEC serving a HCS study area will receive HCS funding equal to the difference between total residential revenues and total benchmark costs in that study area. Total residential revenues include all revenues from regulated services, as well as wholesale payments by resellers in that study area. Total benchmark costs are the calculated benchmark cost per household times the total number of households being served in that study area.
- f. Disbursements from the fund will be calculated based on 12 months of historical information on the number of households served, benchmark costs, and total residential revenues within each HCS fund eligible area. The amount of subsidy received may also be adjusted to account for any subsidies received from other federal or state programs, including any federal universal service fund that may be adopted by the FCC.

- g. RLECS and rural carriers are eligible for HCS funding according to the above methodology only if such carriers return on equity does not exceed 12% and they are not exempt under Section II.A.2.b. and d. of these guidelines.

2. Low-Income Support Withdrawal

The calculation of the low-income subsidy will be the amount accrued by any LEC for discounting or waiving rates for services delineated under the low-income support program. The calculation of the amount of subsidy required for touch tone service, will be based on the actual incremental cost of providing that service. The calculation will be based only on program costs that are not recoverable through any other available subsidies or tax credits.

F. Universal Service Fund Administration

1. The USF shall be managed by a neutral, third-party administrator, which will be selected by the Commission through a request for proposal (RFP) process and will be subject to the Commission's oversight.
2. The ongoing necessity of an intrastate USF will be reviewed periodically by the Commission and the fund administrator.

XIV. NUMBER PORTABILITY

A. Principle

End users should have the ability to retain the same telephone number as they change from one service provider to another as long as they remain in the same location, or, if moving, retain the same NXX code.

B. Definitions

Number portability refers to the ability of end users to retain their telephone numbers when they change their service, service provider, and/or their location.

1. Service Number Portability

Service number portability is the ability of end users to retain the same telephone number as they change from one type of service to another (e.g., POTS to ISDN).

2. Location Number Portability

Location number portability is the ability of end users to retain the same telephone number as they move from one NXX location to another.

3. Service Provider Number Portability

Service provider number portability is the ability of end users to retain the same telephone number as they change from one LEC to another, without changing service locations.

4. True Service Provider Number Portability

True service provider number portability is the ability of end users to retain the same telephone number when they change LECs, without reliance on calls to that telephone number being routed through the LEC's end office where the original NXX code is assigned.

5. Location Routing Number

Location Routing Number (LRN) refers to an industry-developed call model to support true service provider number portability. LRN is a database system which does not rely on an absolute need to transport ported calls through the ILEC's network. Unlike RCF and DID, LRN should allow for enhanced calling services which rely on number identification (e.g., Caller ID, Call Trace, and blocking).

C. Commission Requirements

1. A facilities-based LEC not offering LRN true service provider number portability shall provide interim service provider number portability on an RCF or DID basis.
2. All facilities-based LECs shall provide LRN true service provider number portability in accordance with the guidelines established

below, and a time frame and manner to be established by the Commission in response to a open state-wide workshop.

3. The Commission shall schedule a state-wide LRN number portability workshop within 120 days of the issuance of these guidelines. The workshop will seek to establish the time frame and manner of the implementation of LRN number portability in the state of Ohio.

D. Ohio Number Portability Guidelines

1. Impact on End Users

- a. Call redirection must be transparent to end users.
- b. Portability must be available to all wireline customers within the LEC's serving area.
- c. Dialing party must have an indication of a call's toll status.
- d. There shall be no loss of functionality, quality of service, or access to services. Access to 9-1-1, E-9-1-1, information, and other services shall remain available.

2. Impact on Local Service Provider

- a. The Ohio number portability solution must be compatible with Intelligent Network (IN) and Advanced Intelligent Network (AIN) software, must support essential services, and must allow for tandem interconnection.
- b. Current transmission quality, call set-up/delay, reliability, and other applicable standards must continue to be met.
- c. The Ohio number portability solution must not require transport over another LEC's network for call completion.
- d. Non-number portability capable networks must be able to interconnect.
- e. Any operator must be able to perform a busy line verification of a ported number line, and must be able to handle collect calls, third-party billing, and Call Trace.

3. Miscellaneous Requirements

- a. The Ohio number portability solution shall efficiently use telephone numbers and must not accelerate the depletion of numbering resources.
- b. The Ohio number portability solution shall support any nationwide number portability development and deployment. However, Ohio shall reserve the right to implement its solution even if no national effort succeeds.
- c. The Ohio number portability solution should be of an open network architecture, free of licensing fees.
- d. The Ohio number portability solution must be expandable to location portability capability.

XV. NUMBERING ASSIGNMENT AND ADMINISTRATION

There shall be no state-specific requirement at this time for Ameritech Ohio and Cincinnati Bell Telephone Company to transfer their respective number assignment and administration responsibilities to a third party.

XVI. DIRECTORY LISTINGS

A. Requirements of Minimum Telephone Service Standards

LECs shall be required to adhere to the Minimum Telephone Service Standards (MTSS) regarding the provisioning of directories and directory assistance.

1. A LEC shall provide each of its subscribers, free of charge, a single, comprehensive, printed directory for all telephone numbers within the LEC's local calling area (As detailed by the MTSS).
2. A LEC shall provide each of its subscribers, free of charge, with a directory assistance listing and intercept service for all telephone numbers within the LEC's local calling area (As detailed by the MTSS).

B. Provisioning

LECs may purchase the provisioning of published directories and directory assistance from other providers. Regardless of whether the ILEC provides published directories and directory assistance itself or purchases such provisioning from another entity, the LEC will be considered the provider of the directory and directory assistance as it pertains to adherence to the MTSS.

C. Competitive Listings

Upon bona fide request of one LEC to another, LECs shall provide a standard published directory and directory assistance listing of their competitors' customers within the geographic region served by the directory provider's current directory. Prices for such services shall be set at a level that allows the LEC to recover the LRSIC of providing such services and a reasonable contribution to the joint and common costs incurred by the LEC. The allocation of the joint costs shall be in accordance with the allocation method described in Section V.B.3. of these guidelines.

D. Updates to Listings

1. All requests for printed listings of competitor's customers will be implemented at the next regularly scheduled update of the directory provider's printed directory (as detailed by the MTSS).
2. All requests for directory assistance listings and updates of competitor's customers will be implemented as requests are received in a manner and time commensurate with the directory provider's treatment of its own new subscribers and as required under the MTSS.

XVII. INTERCONNECTION TECHNICAL STANDARDS

A. Disclosure Requirements

Where one LEC seeks interconnection to another's network, both parties shall be required to disclose to each other any and all technical requirements necessary to ensure compatibility between networks and integrity of service in their respective service areas.