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(d) Notice requirements. Applicants for a Certificate of Convenience and Necessity shall provide Notice of the Application to be given by mail or personal service to the Attorney General of the State of Oklahoma and to any telecommunications service provider possessing a Certificate of Convenience and Necessity applicable to the area sought to be served by the applicant.

(e) Approval requirement. The Commission shall approve or deny such application within one hundred twenty (120) days of the date the application is filed. No Certificate of Convenience and Necessity shall be granted except by order of the Commission, after notice and hearing.

(f) Surety requirements for an applicant for Certificate of Convenience and Necessity. To insure the protection of the applicant's end-users, the applicant for a Certificate of Convenience and Necessity shall maintain a third-party surety bond, surety bond or irrevocable letter of credit, as may be determined by the Commission during the certification process, as set forth in this subsection.

(1) An applicant that does not have at least one million dollars (\$1,000,000) net book value invested in telephone plant and/or telephone facilities located in Oklahoma shall be required to post and maintain a third-party surety bond, surety bond or irrevocable letter of credit in, at a minimum, an amount sufficient for the indemnification of one hundred ten percent (110%) of its projected customer deposits.

(2) The third-party surety bond, surety bond or irrevocable letter of credit shall be maintained as long as the telecommunications service provider is furnishing telecommunications services in the State of Oklahoma pursuant to this Chapter, unless modified or released pursuant to Commission order.

(3) The Commission may modify the requirements of this subsection for good cause shown, after such notice and hearing, if any, as the Commission may require.

165:55-3-5. Notice of hearing for Certificate of Convenience and Necessity

Notice of a hearing concerning the merits of an application for a Certificate of Convenience and Necessity shall be given by publication. At least thirty (30) days prior to the hearing, the applicant shall cause notice of the hearing to be published once a week for two (2) consecutive weeks in a newspaper of general circulation in each exchange where service will be offered. Publication shall be at the expense of the applicant and shall be made in a newspaper which has met the statutory

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requirements for publication of legal notices. A "Proof of Publication" document shall be filed in the cause with the Commission's Office of the Court Clerk within seven (7) days of the last publication date.

PART 3. GENERAL REQUIREMENTS FOR RECORDS AND REPORTS

165:55-3-10. Who shall file

The record keeping, report, and filing requirements listed in this Chapter shall apply to all ~~telephone companies~~ telecommunications service providers operating in the State of Oklahoma as defined in QAC 165:55-1-4.

165:55-3-11. Accounting System

(a) The Uniform System of Accounts of the FCC prescribed for Class A and Class B telephone companies, or other uniform system of accounts acceptable to the Commission, may be adopted by a ~~telephone company~~ telecommunications service provider.

~~(b) No change in, or departure from, the system used by the telephone company will be permitted except upon order of the Commission made after notice and hearing. Regardless of the system of accounts adopted by a telecommunications service provider pursuant to subsection (a), in a general rate proceeding, the Commission Staff may request the production of data and reports in a format other than as kept pursuant to the designated system of accounts. Disputes related to this Section may be submitted to the Commission for resolution.~~

~~(c) No change in, or departure from, the system utilized by the telecommunications service provider will be permitted except upon order of the Commission made after notice and hearing.~~

PART 5. RECORD REQUIREMENTS

165:55-3-20. Location of records

All records required by this Chapter shall be kept at the general office of each ~~telephone company~~ telecommunications service provider and shall be made available to the Commission or its authorized representative at any reasonable time on upon request. Each ~~telephone company~~ telecommunications service provider

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governed by this Chapter shall keep all of its books and records in accordance with good business practices and as required by this Chapter and at such place as they are normally kept in the usual course of business. The ~~telephone company~~ telecommunications service provider shall keep the Commission advised as to the location of these records and shall make them available to the Commission at reasonable times for examination and inspection at a location designated by the Commission.

165:55-3-21. Retention of records

All records required by this Chapter shall be preserved for two (2) years.

165:55-3-22. Records to be filed with the Commission

(a) **Annual report of operations.** Each ~~telephone company~~ telecommunications service provider and IXC shall file with the Commission an annual report in a format developed by the Director of the Public Utility Division and approved by the Commission after notice and hearing, not later than May 1 of the year following the reporting year. In addition, ~~telephone companies~~ each telecommunications service provider shall file a copy of ~~an~~ the annual report required to be filed with the FCC or REA RUS provided that if the ~~telephone company's~~ telecommunications service provider's annual report covers includes operations outside Oklahoma, the information as to Oklahoma Corporation Commission-jurisdictional operations will ~~shall~~ be separately reported. Where the FCC or REA RUS annual report form is not used, the report will ~~provided to the Public Utility Division shall~~ be in the form approved by the Commission. Each IXC shall submit ~~their annual reports to stockholders~~ its annual Report to Stockholders to the Director of the Public Utility Division no later than May 1 of each year.

(b) Proof of third-party surety bond, surety bond or irrevocable letter of credit. Where applicable, not later than May 1 of each year, each telecommunications service provider which does not have at least one million dollars (\$1,000,000) net book value invested in telecommunications plant and/or telecommunications facilities located in the State of Oklahoma, shall file annually with the Commission proof of the continuing existence and sufficiency of the required third-party surety bond, surety bond or irrevocable letter of credit providing coverage at a level of at least 110% of customer deposits. Such proof shall be in a format developed by the Director of the Public Utility Division and approved by the Commission.

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~~(b)~~ **(c) Exchange maps.** Each ~~telephone company~~ **incumbent LEC**, including cooperatives, shall file up-to-date exchange maps showing the approved exchange service area for each telephone exchange. The maps and descriptions shall be in sufficient detail to permit the location of exchange boundaries on the ground.

(1) Each exchange map filed after the effective date of this Chapter shall conform to the following:

(A) One ~~exchange area~~ **exchange service area** per sheet.

(B) Each map shall be on eight and one-half by eleven inches (8½" x 11") (or larger sheet which folds down to eight and one-half by eleven inches (8½ x 11")), twenty pounds (20 lbs.) or heavier, white paper.

(C) Each township and range will be specified along the side of the map and as a minimum each corner section will be numbered.

(D) The outline of the ~~exchange area~~ **exchange service area** will be a heavy black line with an "E" every one inch (1") or two inches (2") along the boundary.

(E) The name of adjacent incumbent LEC exchanges will be indicated on the exchange map to identify their relative location.

(2) When said boundary map changes involve more than one telephone exchange and more than one ~~telephone company~~ **incumbent LEC**, the changes involved shall be coordinated between the ~~telephone companies~~ **incumbent LECs** concerned and a "Joint Application" submitted after an order is issued by the Commission. The ~~telephone company~~ **incumbent LECs** shall submit revised exchange maps containing the revised territory, the new certificate number, the cause number, the order number, and the date of the order approving the change. A copy of each current exchange map shall be made available for review to any interested person upon reasonable notice containing:

(A) Application.

(B) Maps showing the changes in contrasting colors.

(C) Metes and bounds of changes.

(D) Proposed orders (one for each exchange) with complete metes and bounds of the revised exchange.

~~(c) Base rate area boundaries.~~ The boundaries of the base rate area in an exchange service area shall be established in accordance with the filed tariff of the

~~telephone company or as otherwise defined in this Chapter:~~

~~(1) A telephone company shall make periodic studies as determined necessary by the telephone company to determine the advisability of revising base rate area boundaries. Consideration should be given such factors as demand outside the base rate area, prospects for new development in the area, and impact on revenue.~~

~~(2) Base rate area boundary maps shall be submitted together with a copy of the base rate area boundary study for review and filing.~~

(d) Competitive LEC service territories maps. Each competitive LEC shall file and maintain up-to-date maps showing its service territory. The maps and descriptions shall be in sufficient detail to establish the location of incumbent LEC exchange boundaries on the ground. Each map filed shall conform to the format set out in OAC 165:55-3-22(c)(1). Revisions to the competitive LEC service territories will be accomplished through tariff filings pursuant to OAC 165:55-5-10.

(d) (e) Contracts and agreements. A copy of each contract between telephone companies telecommunications service providers, or between a telecommunications service provider and an IXC affecting regulated services or rates, (including, but not limited to, toll settlement agreements, interconnection agreements, agreements for extended area service, and similar contracts), shall be submitted to the Director of the Public Utility Division prior to its effective date. Such a contract will be deemed approved unless the Commission, within ten (10) days after submission, shall by order suspend effectiveness of the agreement, pending notice and hearing. The requirements of this subsection shall be applicable to all contracts and agreements except those entered into pursuant to the requirements of Subchapter 17 of this Chapter.

(e) (f) Other information. Each telephone company telecommunications service provider and IXC shall promptly furnish such other information as the Commission Staff may reasonably request, unless otherwise ordered by the Commission.

165:55-3-23. Complaints ledger

(a) Each telephone company telecommunications service provider shall maintain a complaints ledger containing complaints by customer end-user name and account number and date filed. Such records shall be maintained on a form to be approved developed by the Director of the Public Utility Division Consumer Services Division, subject to the approval of the Commission. If the account number only is utilized, a cross reference with the customer's end-user's name must also be readily available.

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(b) ~~The categories of complaints to be used shall be determined by the individual telephone companies but shall be as specific as possible while still providing for meaningful analysis by the management of the telephone company. Examples of categories to be utilized might include, but not be limited to, billing, rates and tariffs, deposits, service initiation, service transfer, and service termination negotiated between the telecommunications service provider and the Director of the Consumer Services Division, subject to the approval of the Commission.~~

PART 7. REPORTING REQUIREMENTS

165:55-3-30. Report attestation

All reports required by this Chapter to be submitted to the Commission shall be attested to by an officer or manager of the ~~telephone company~~ telecommunications service provider under whose direction the report is prepared, or if under trust or receivership, by the receiver or a duly authorized person, or if not incorporated, by the proprietor, manager, superintendent, or other official in charge of the ~~telephone company's~~ telecommunications service provider's operation.

165:55-3-31. Due dates of reports

All periodic reports required by this Commission must be received on or before the following due dates unless otherwise specified in this Chapter or unless ~~good cause is demonstrated by the telephone company~~ otherwise agreed to by the Director of the Public Utility Division:

- (1) Annual reports - One hundred-twenty (120) days after the end of the reported period.
- (2) Special and additional reports - As may be prescribed by the Commission; ~~unless good cause to the contrary is demonstrated.~~

SUBCHAPTER 5. RATES AND TARIFFS

PART 1. TARIFF FILING

Section

165:55-5-1. Tariffs required

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- 165:55-5-2. Contents of tariffs
- 165:55-5-3. Terms and conditions of service
- 165:55-5-4. Exchanges served by a competitive LEC [NEW]

PART 3. APPROVAL AND NOTICE REQUIREMENTS

- 165:55-5-10. Approval required
- 165:55-5-11. Type of notices
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PART 5. TARIFF STRUCTURE AND COMPOSITION

- 165:55-5-20. Requirements as to size, form, identification, and filing of tariffs
- 165:55-5-21. Composition of tariffs
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- 165:55-5-30. Accessibility of tariffs
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- 165:55-5-33. Custom or individual services
- 165:55-5-34. Cost support required
- 165:55-5-35. Confidential information [NEW]

PART 1. TARIFF FILING

165:55-5-1. Tariffs required

~~A telephone company~~ telecommunications service provider shall charge for the provisioning of regulated telephone service telecommunications services to its customers and users only the rates and charges contained in its tariffs on file with and approved by the Commission. No deviation of any kind from the filed tariff is shall be permitted without order of the Commission. The provisions of the each telecommunications service provider's filed tariff are binding upon the telephone company telecommunications service provider and the customer and user as to the rates and charges for service and the terms and conditions of service.

165:55-5-2. Contents of tariffs

Every ~~telephone company~~ telecommunications service provider shall file with

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the Commission its tariffs containing detailed schedules of ~~its~~ rates and charges for all intrastate regulated telephone service ~~telecommunications services~~. The tariffs shall be in sufficient detail and shall be accompanied by such explanatory material, so as to permit determination of the applicability of the tariff. For standard services, the tariff should be structured to permit determination of the exact charges from the tariffs alone. Services, whose rates and charges are determined on an individual case basis, need not indicate ~~the~~ exact charges in the tariff. Related provisions, such as the circumstances under which service is available, classes and grades of service offered, and line extension policy, will be set out in the tariff or by reference to other filed tariffs. Unless provided otherwise in this Chapter, no tariff shall be effective except by order of the Commission or otherwise pursuant to the laws of the State of Oklahoma

165:55-5-3. Terms and conditions of service

Tariffs establishing terms and conditions of service shall be filed as part of a tariff or as a separate tariff. Except with respect to the tariffs ~~or IXGs, which shall comply with~~ filed pursuant to OAC 165:55-5-10, where a tariff or amendment relates only to terms and conditions of service, the Commission may approve it by order upon such notice, or without notice, and with or without hearing as the Commission shall direct.

165:55-5-4. Exchanges served by a competitive LEC [NEW]

Each competitive LEC shall file and maintain an up-to-date listing of the service territory to which the competitive LEC provides services. Such competitive LEC listings shall be revised in accordance with the requirements of this Subchapter.

PART 3. APPROVAL AND NOTICE REQUIREMENTS

165:55-5-10. Approval required

(a) Unless provided otherwise in this Chapter, no tariff, or amendment thereto, which would change rates and charges for any regulated service, or establish new rates for regulated service not previously offered shall be effective except by order of the Commission after such notice and hearing, if any, as directed by the Commission or otherwise pursuant to the laws of the State of Oklahoma.

(b) Notwithstanding the provisions of subsection (a) of this Section; :

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- (1) ~~revisions~~ Revisions to the interexchange tariffs of IXCs shall become effective, without Commission order, thirty (30) days after the date of filing said revisions, unless the Commission orders suspension of said tariff revisions pursuant to OAC 165:55-5-13.
 - (2) Decreases to the tariff rates of a competitive LEC shall become effective, without Commission order, thirty (30) days after the date of filing said revisions, unless the Commission orders suspension of said tariff revisions pursuant to OAC 165:55-5-13.
 - (3) Revisions to the toll service tariffs of incumbent LECs shall become effective, without Commission order, forty-five (45) days after the date of filing said revisions, unless the Commission orders suspension of said tariff revisions pursuant to OAC 165:55-5-13.
 - (4) Revisions to the interexchange nonswitched special access or private line tariffs of incumbent LECs, in whose territory there is one certificated and operational alternative provider of such services, shall become effective, without Commission order, forty-five (45) days after the date of filing said revisions, unless the Commission orders suspension of said tariff revisions pursuant to OAC 165:55-5-13.
 - (5) The Commission may amend this subsection (b) to establish equal terms for tariff approval among all entities providing telecommunications services. Such amendment may be made in an appropriate proceeding, subject to notice and hearing, including a proceeding addressing alternative forms of regulation.
- (c) Promotional campaigns are intended to be a limited-duration program that is beneficial to end-users. Promotional campaigns are not intended to replace the telecommunications service provider's and IXC's obligations to seek approval of permanent rates and charges.
- (1) All telecommunications service providers and IXCs may, during promotional periods, offer end-users special rate incentives. The telecommunications service provider or IXC shall notify the Director of the Public Utility Division by letter specifying the service(s) offered, terms of the promotion, location and dates of each promotion period. Such notice shall be provided thirty (30) days prior to the initial offering of the campaign.
 - (2) Any promotional campaign found not to be in the best interest of the end-user(s) shall be rejected by the Director of the Public Utility Division and

returned to the telecommunications service provider with a brief explanation of the reason for the rejection.

165:55-5-11. Type of notices

(a) **Notice.** Except with respect to tariffs filed pursuant to OAC 165:55-5-10(b) or where the Commission by order directs otherwise, any notice of hearing on an application for approval or amendment of rates or charges for service shall be as prescribed in OAC 165:5 for public utility rate matters.

(b) **Notice in special cases.** The Commission may approve, by order, a tariff for experimental or new service offering upon such notice, or without notice, and with or without hearing as the Commission may direct. However, no notice of hearing shall be required for tariff revisions that become effective without suspension pursuant to OAC 165:55-5-10(b).

(c) **Notice of tariff revisions and new service offerings by IXC's and incumbent LEC's.** IXC's and incumbent LEC's shall serve proposed tariff revisions on each IXC authorized to provide interexchange service in Oklahoma at the time of its filing with the Commission: as follows:

(1) IXC's, at the time of their filing with the Commission, shall serve their proposed tariff revisions on each IXC authorized to provide interexchange service in the State of Oklahoma and on each incumbent LEC toll provider which has previously requested in writing to receive such filings.

(2) Incumbent LEC's, at the time of their filings with the Commission, shall serve proposed tariff revisions pursuant to OAC 165:55-5-10 on each IXC authorized to provide interexchange service in the State Oklahoma which has previously requested in writing to receive such filings.

(3) Any written request required by this Section shall be made directly to the IXC or telecommunications service provider making the filing.

(d) **Notice of tariff revision by competitive LEC's.** Competitive LEC's, at the time of their filings with the Commission, shall serve proposed tariff revisions on each telecommunications service provider authorized to provide local exchange service in the State Oklahoma which has previously requested in writing to receive such filings.

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(e) End-user notice prior to rate increase. Prior to implementing any increased rate to an end-user, the IXC, incumbent LEC and competitive LEC must provide notice to affected end-users of the increase. Said notice may be on the end-user's bill, but in no event shall an increase be made without direct prior notice to the end-user.

165:55-5-12. Reclassification of exchange

Reclassification of an exchange into higher or lower rate brackets shall be made in accordance with tariff provisions and subject to approval by the Director of the Public Utility Division of the Commission as being in compliance with approved tariffs. Such reclassification shall be made without further order of the Commission.

165:55-5-13. Suspension

Any tariff filed with the Commission pursuant to OAC 165:55-5-10(b) may be suspended by Commission order with or without notice or hearing on recommendation by Commission Staff. The Commission may also order suspension of proposed tariffs or tariff revisions of IXCs and telecommunications service providers on motion by an aggrieved party after notice and hearing. If a tariff is suspended, a hearing shall be held no later than thirty (30) days after the proposed effective date of the tariff revision, unless otherwise ordered by the Commission. If the hearing does not occur within said time period, the IXC or telecommunications service provider may implement the tariff, on an interim basis at its own risk and subject to refund, until further order of the Commission.

165:55-5-14. Objections

~~(a) Any entity wishing to object to the proposed tariff change or new service offering filed pursuant to OAC 165:55-5-10(b) may file objections with the Commission's Office of the Court Clerk within fifteen (15) days after the proposed tariff is filed. Any such objection shall comply with the requirements of OAC 165:5-9-2 and must contain a specific description of the basis for the objection and all information necessary to allow evaluation of the objection. The objecting entity shall promptly serve its objection on the IXC which filed the proposed tariff changes or new service offering, the Director of the Public Utility Division and the Attorney General. Any entity wishing to object to:~~

(1) An IXC's proposed tariff filed pursuant to OAC 165:55-5-10(b) may file objections with the Commission's Office of the Court Clerk within fifteen (15) days after the proposed tariff is filed.

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(2) A competitive LEC's proposed tariff filed pursuant to 165:55-5-10(b) may file objections with the Commission's Office of the Court Clerk within fifteen (15) days after the proposed tariff is filed.

(3) An incumbent LEC's proposed tariff filed pursuant to 165:55-5-10(b) may file objections with the Commission's Office of the Court Clerk within twenty (20) days after the proposed tariff is filed.

(b) Any such objection shall comply with the requirements of OAC 165:5-9-2 and must contain a specific description of the basis for the objection and all information necessary to allow evaluation of the objection. The objecting entity shall promptly serve its objections on the IXC or telecommunications service provider which filed the proposed tariff changes or new service offering, the Director of the Public Utility Division and the Attorney General.

PART 5. TARIFF STRUCTURE AND COMPOSITION

165:55-5-20. Requirements as to size, form, identification, and filing of tariffs

(a) Every telephone company Any person applying for a Certificate of Convenience and Necessity for authority to operate as a telecommunications service provider in the State of Oklahoma shall file with the Commission an original and five (5) eight (8) copies of its tariff containing schedules of all its rates, tolls, charges, rules, and regulations pertaining to all of its telephone service when it applies for a certificate of convenience and necessity to operate as a telephone company telecommunications services . It shall also file an original and five (5) eight (8) copies of each subsequent revision. Each revision shall be accompanied by a cover page which contains a list of the pages being revised, a statement describing each change, its effect, if it is a change in an existing rate any, and a statement as to the impact on rates of the change by customer class, if any. The telephone company telecommunications service provider shall also file a copy of the current tariff page with changes superimposed thereon. If a proposed tariff revision constitutes an increase in existing rates of a particular customer class or classes, the Commission shall require that notice be given to the affected customer class.

(b) All tariffs filed after July 1, 1996 shall be in loose-leaf form of a size eight and one-half by eleven inches (8½" x 11"), in 10 point or larger type and shall be plainly printed or reproduced on paper of good quality. The front page of the tariff shall

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contain the name of the ~~telephone company~~ telecommunications service provider and location of its principal office. ~~Local Incumbent LEC local~~ exchange tariff map sheets reflecting the physical bounds of the exchange ~~or the base rate area~~ may be on larger sheets, when required for the purposes of clarity and legibility.

(c) Each rate tariff must clearly state the territory, city, county, or exchange wherein said tariff is applicable.

(d) Tariff sheets are to be numbered consecutively per schedule. Each sheet shall show an effective date, a revision number, section number or title, sheet number, name of the ~~telephone company~~ telecommunications service provider, and the name of the tariff, each in a consistent manner. Sheets issued under new numbers are to be designated as original sheets. Sheets being revised should show the number of the revision, and the sheet numbers shall be the same.

165:55-5-21. Composition of tariffs

The tariff shall contain sections setting forth:

- (1) A table of contents.
- (2) A preliminary statement containing a brief description of the tariff's application.
- (3) A list of the exchanges or ~~state~~ description of service territories in which service is provided.
- (4) The rate schedules.
- (5) The service rules and regulations.

165:55-5-22. Tariff filings in response to Commission orders

Tariff filings made in response to an order issued by the Commission shall include a transmittal letter stating that the tariffs attached are in compliance with the order, giving the cause number, date of the order, a list of tariff sheets filed, and any other necessary information. Said tariff sheets shall comply with all other ~~rules in provisions of~~ this Chapter and shall include only changes ordered. The effective date and/or wording of said tariffs shall comply with the provisions of the order. Each tariff sheet shall include the cause and order number(s) and the effective date(s).

165:55-5-23. Symbols for changes

(a) Each proposed tariff sheet shall contain notations indicating each change made on these sheets. Notations (referred to as tariff symbols) to be used are:

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- (1) (AT) means addition to text.
- (2) (C) means a correction.
- (3) (CP) means change in practice.
- (4) (CR) means change in rate.
- (5) (CT) means change in text.
- (6) (DR) means discontinued rate.
- (7) (FC) means a change in format lettering or numbering.
- (8) (MT) means moved text.
- (9) (NR) means new rate.
- (10) (RT) means removal of text.

(b) In addition to symbols for changes, each changed provision in the tariff shall contain a vertical line which clearly shows the exact number of lines being changed.

PART 7. MISCELLANEOUS TARIFF REQUIREMENTS

165:55-5-30. Accessibility of tariffs

Each ~~telephone company~~ telecommunications service provider shall make available to the public, at ~~company offices~~ the company's offices(s) within Oklahoma, all of its tariffs currently on file with the Commission, ~~and its~~. The telecommunications service provider's employees shall lend assistance to seekers of information therefrom and afford inquirers an opportunity to examine any of such tariffs upon request. ~~The telephone company~~ All telecommunications service providers also shall also provide copies of any portion of the tariffs at a reasonable cost to reproduce such tariff for a requesting party.

165:55-5-31. Rejection

Any tariff filed with the Commission and found not to be in compliance with this Chapter shall be so marked and returned to the ~~utility~~ telecommunications service provider with a brief explanation of the reasons for rejection.

165:55-5-32. Change by other regulatory authorities

Tariffs which are filed to reflect changes in rates or regulations set by other regulatory authorities shall include a copy of the order or ordinance authorizing the change.

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165:55-5-33. Custom or individual services

With respect to all custom ~~or individual case basis~~ work, a ~~telephone company~~ telecommunications service provider, upon rendering a written estimation of charges for such services to ~~a customer~~ an end-user or applicant for telephone service, will not deviate from that agreement for thirty (30) days. Verbal estimates shall be reduced to writing and furnished to the ~~customer~~ end-user or applicant for telephone service when requested.

165:55-5-34. ~~Cost support required~~ Data and information on proposed tariff revisions

(a) ~~Concurrent with the filing of proposed tariff revisions and new services as provided in OAC 165:55-5-10(b), each IXC and telecommunications service provider shall deliver to the Public Utility Division Staff data and information as detailed within this Chapter as is necessary to fully support the filings. The required data and information should include, but not be limited to, information on the cost to service, impact on competition, concerning the impact on customers end-users and the rationale for the proposed tariffs.~~

(b) Concurrent with the filing of proposed revisions to toll service and interexchange nonswitched private line tariffs as provided in OAC 165:55-5-10(b), incumbent LECs shall deliver to the Public Utility Division Staff data and information concerning the impact on end-users and the rationale for the proposed tariffs; and, where rate or revenue changes are proposed, LRIC studies.

(c) Concurrent with the filing of proposed tariff revisions as provided in OAC 165:55-5-10(b), competitive LECs shall deliver to the Public Utility Division Staff data and information concerning the impact on end-users and the rationale for the proposed tariffs.

165:55-5-35. Confidential information [NEW]

(a) If a telecommunications service provider or IXC is required by this Chapter to submit information to the Commission that the telecommunications service provider or IXC considers to be confidential, the telecommunications service provider or IXC shall file a motion for protective order concerning said confidential information.

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(b) In the absence of a protective order, the Commission shall not be required to maintain confidentiality of information within its possession.

(c) Pending a determination regarding approval of any protective order by the Commission, the Staff may, at its option, review the information claimed to be confidential at a location supplied by the telecommunications service provider or IXC in Oklahoma City.

**SUBCHAPTER 7. DIRECTORIES, TELEPHONE NUMBERS,
AND CUSTOMER-PROVIDED CUSTOMER-PROVIDED EQUIPMENT**

Section

165:55-7-1. Telephone directories

165:55-7-2. Telephone numbers and changes

165:55-7-3. Trouble cause by ~~customer-provided~~ customer-provided equipment (CPE) or inside wiring

165:55-7-4. Availability of rules and tariffs

165:55-7-1. Telephone directories

(a) ~~Issuance~~ Provision of directory to end-users; frequency. An All telecommunications service providers shall provide, or make arrangements to provide to its end-users an alphabetical, white page, telephone directory for each service territory, exchange or group of exchanges. Such directory shall be issued at intervals consistent with satisfactory service, which, in the absence of unusual circumstances, will be at least once each year. A directory for a-zone an exchange or calling area may be issued. A copy of each directory published with which contains exchanges located in the State of Oklahoma, shall be furnished to the Commission and the Director of the Public Utility Division (Oklahoma exchanges only).

(b) Listing in directory. Each local-exchange-customer shall be entitled to one listing in the alphabetical white page directory without charge. Each telecommunications service provider shall provide its end-users, without charge, one listing in the white page directory issued pursuant to this Chapter and inclusion in a database used to provide directory assistance for the end-user's geographic area. A request by the customer an end-user that his their listing or address be omitted from the directory or directory assistance database shall be honored by the

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~~telephone company telecommunications service provider, in accordance with tariff provisions and there will be no charge for nonpublication if the residential end-user has at least one listing in the directory. Additional listings shall be offered in accordance with approved tariffs. End-user listings in a white page directory or directory assistance data base shall be treated in a nondiscriminatory manner, regardless of the end-user's telecommunications service provider.~~

(c) ~~Form of listing in directory. The telephone company shall determine the form in which the listing of a customer will appear in the directory, subject to review by the Commission as provided in 165:55-1-1 and (a) of this Section. The telephone company shall select the number assigned to each customer. The form, location and appearance of directory listings of end-users, regardless of the end-user's telecommunications service provider, shall be provided in a nondiscriminatory manner, subject to review by the Commission as provided in OAC 165:55-1-1 and subsection (a) of this Section.~~

(d) ~~Distribution Provision of directory. The telephone directory will remain the property of the telephone company. Each customer shall be furnished at the customer's service address, one directory for each access line being furnished him under current tariffs, unless the customer and the telecommunications service provider agree this requirement can be fulfilled in an alternative manner. Each telecommunications service provider shall make available its directory to telecommunications service providers for distribution to their end-users.~~

(e) ~~Contents of directory. The directory shall have the name of the exchange or area covered and the date of issue on its front cover. The directory shall contain information prominently displayed as to emergency numbers, directory assistance, repair service, telephone business offices, and instructions for placing long distance and local calls. The directory provided to end-users pursuant to this Section shall contain the following information:~~

~~(1) A notice prominently displayed on the table of contents page or in the absence of a table of contents on the inside of the front cover if the statement is published in the directory, shall state: "This directory contains important information about your rights as a telephone customer on page (Here the telephone company will insert the page number on which the notice shall appear)".~~

~~(1) Minimum requirements. Each telecommunications service provider shall assure that its end-users receive a directory which includes the following~~

information:

- (A) The name of the exchange or area covered and the date of issue on the front cover:
- (B) Emergency numbers:
- (C) Instructions to access directory assistance:
- (D) Instructions to access repair service:
- (E) Instructions for placing long distance and local calls:
- (F) Instructions for obtaining an itemization of the end-user's current monthly statement:
- (G) Instructions to access Telecommunication Relay Service:
- (H) A notice prominently displayed on the table of contents page which shall state: "This directory contains important information about your rights as a telephone end-user on page (Here the telecommunications service provider will insert the page number on which the notice shall appear)". In the absence of a table of contents page, said notice shall be prominently displayed on the inside of the front cover.

(2) A statement shall be submitted to the Public Utility Division of the Commission for approval, at least thirty (30) days prior to being submitted for publication in a directory or distributed as a mailing or otherwise. Unless notified to the contrary by the Public Utility Division within fifteen (15) days after submission, the statement shall be considered approved. Once approved by the Public Utility Division, the statement need not be resubmitted to the Public Utility Division for further approval, unless and until this Chapter is changed by the Commission to require additional data. The statement shall at least describe or include:

- (A) Billing procedures.
- (B) Customer payment requirements and procedures.
- (C) Deposit and guarantee requirements.
- (D) Conditions of termination, discontinuance, and reconnection of service.
- (E) Procedures for handling inquiries.
- (F) A procedure whereby ~~a customer~~ an end-user may avoid discontinuance of service during a period of absence.
- (G) The telephone number and address of all offices of the Commission's ~~Complaints, Investigation, and Mediation Department~~ Consumer Services Division.
- (H) The statement that the ~~telephone company~~ telecommunications service provider is regulated by the Commission.
- (I) Notification that the ~~customer~~ end-user may request an adjustment if

service is interrupted for periods in excess of twenty-four (24) hours.

(3) Additional information. The directory shall contain additional information concerning a telecommunications service provider, as requested by a telecommunications service provider, to the same extent that the directory provider includes similar information for itself or its affiliates offering local exchange service within the geographic area covered by the directory based on rates, terms and conditions that are just, reasonable and nondiscriminatory.

(f) Liability for errors. The liability of the telephone—company telecommunications service provider for an error or omission in its telephone directory, or for an error or omission on intercept service, shall not exceed the amount of actual damage suffered, and in no event shall its liability exceed an amount equal to local exchange service charged to the customer end-user for the listed service for the period during which the directory containing the error or omission is the last published directory of the exchange.

(g) Access to publishing information. Upon request, a telecommunications service provider shall provide directory listings gathered in its capacity as a provider of local exchange service on a timely and unbundled basis, under nondiscriminatory and reasonable rates, terms, and conditions, to any person upon request for the purpose of publishing directories.

165:55-7-2. Telephone numbers and changes

(a) A telephone number remains shall be deemed a national resource and is not the property of the telephone—company either the telecommunications service provider or the end-user. Initial telephone numbers for end-users establishing a local exchange service account shall be assigned by the telecommunications service provider then serving the end-user. Local exchange service end-users shall not be required to change telephone numbers solely due to a change in telecommunications service providers. The telephone—company telecommunications service provider may change the number assigned to a customer upon reasonable notice but only in order to give better service and not as an accommodation to another customer. Changes in telephone numbering plans may be made upon reasonable notice, in order to meet the needs of expansion or better service. A Unless changed by the number portability requirements or the numbering administration guidelines established by the FCC, a customer who supersedes an account in order to obtain the telephone number of a previous customer will accept all liabilities for that account. The superseding customer will

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then retain the telephone number until the account is superseded or has no further use of it for service purposes. Any unresolved dispute arising between end-users or between an end-user and a telecommunications service provider over use of a telephone number may be mediated by the Commission's Consumer Services Division.

~~(b) Whenever a customer's~~ an end-user's number is changed on the initiative of the telephone company ~~telecommunications service provider~~ after the directory has been issued, the telephone company ~~telecommunications service provider~~ shall at no charge to the end-user intercept all calls to the former number and give the calling party the new number. Such intercept service shall be provided until the next directory is published, if the central office equipment permits and the number is not in service or the customer ~~end-user~~ agrees otherwise. Such numbers have last priority for reassignment. ~~Whenever the customer's number is changed by reason of change of location or service to the customer, or at his request, intercept service will be provided for a reasonable time (of at least thirty (30) days) if central office equipment permits and the number is not in service. In the event of error in the listed number of any customer in the telephone company's directory, the telephone company shall intercept all calls to the listed number until the next directory is published if central office equipment permits and the number has not been assigned to another customer, or make other reasonable arrangements. In such case, and in the case of an error in or omission of the name listing of a customer, the correct listing and number shall be available through directory assistance. In the event the change in an end-user's telephone number is necessitated by action of the telecommunications service provider providing intercept service, the telecommunications service provider serving the end-user shall be exempt from any charges for intercept service.~~

(c) Whenever the end-user's number is changed by reason of change of location or service to the end-user, or at their request, intercept service will be provided for a reasonable time (of at least thirty (30) days) if central office equipment permits and the number is not in service.

(d) In the event of error in the listed number of any end-user in the telecommunications service provider's directory, the telecommunications service provider shall, at no charge to the end-user, intercept all calls to the listed number until the next directory is published provided central office equipment permits and the number has not been assigned to another end-user, or make other reasonable arrangements. In such case, and in the case of an error in or omission of the name listing of an end-user, the correct listing and number shall be available through directory assistance. If the directory listing error is caused by the

telecommunications service provider providing intercept service, the telecommunications service provider serving the end-user shall be exempt from any charges for intercept service.

165:55-7-3. Trouble caused by customer—provided customer-provided equipment (CPE) or inside wiring

The customer will be liable for charges incurred as a result of a premises visit by the ~~telephone company~~ telecommunications service provider for a trouble report caused by ~~non-regulated customer-provided~~ nonregulated customer-provided equipment or inside wiring wiring. The customer shall be advised of the potential for charges prior to the premises visit if the customer reports the trouble. If the ~~telephone company~~ telecommunications service provider finds the trouble through routine checks of its system, the customer will be notified of the charges before any work is done by the ~~telephone company~~ telecommunications service provider. The customer shall not be charged for a premises visit if the customer reports the trouble before the visit and is not advised before the visit of the potential for charges relating to the proposed visit by the ~~telephone company~~ telecommunications service provider.

165:55-7-4. Availability of rules and tariffs

~~At its telephone company offices, a telephone company shall~~ A telecommunications service provider shall maintain and make available for public inspection a copy of this Chapter and ~~telephone company~~ a copy of its tariffs. ~~At such office, conspicuous~~ Conspicuous signs shall be posted at its office(s) in the State of Oklahoma which ~~indicate~~ indicating that this information is available for public inspection. Any telecommunications service provider that does not maintain an office in the State of Oklahoma shall, upon request by an end-user, provide a copy of this Chapter, or any relevant portion thereof, and the requested tariff(s) to such end-user, free of charge.

SUBCHAPTER 9. CUSTOMER BILLING AND DEPOSITS

PART 1. BILLING AND PAYMENT REQUIREMENTS

Section

- 165:55-9-1. Billing period
- 165:55-9-2. Content of bills
- 165:55-9-3. Due date and penalty
- 165:55-9-4. Request for payments other than normal billings

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- 165:55-9-5. Billing disputes
- 165:55-9-6. Refunds for service interruptions

PART 3. CREDIT REQUIREMENTS

- 165:55-9-10. Establishment of credit for residential applicants and customers
- 165:55-9-11. Establishment of credit for business service
- 165:55-9-12. New or additional collateral from existing customers [REVOKED]
- 165:55-9-13. Reestablishment of credit
- 165:55-9-14. Deposits and interest
- 165:55-9-15. Records of deposits [REVOKED]
- 165:55-9-16. Refunds of deposits [REVOKED]

PART 1. BILLING AND PAYMENT REQUIREMENTS

165:55-9-1. Billing period

Bills to customers shall be issued monthly, unless the ~~telephone company's~~ telecommunications service provider's approved terms and conditions of service prescribe a different interval. Bills may be issued on a billing cycle. Local service charges may be billed in advance.

165:55-9-2. Content of bills

Bills shall designate the period covered by the billing and shall itemize charges. Where presently available without incurring additional expense, the charge for basic local service shall be separately stated on the bill. Where the capability to state the basic local service charge separately does not currently exist, the telecommunications service provider shall deliver to all of its end-users, once annually, a detailed itemization of all monthly service charges. ~~Local service charges~~ Optional services may be billed as a total of all items optional services for which a flat monthly charge is made. Message toll charges shall be separately stated and, where applicable, itemized. Credit for service outages will also be reflected. Stated on the bill shall be all franchise, excise, sales, business and occupation taxes, and license, inspection, operation and permit fees imposed by governmental authority. At the option of the ~~telephone company~~ telecommunications service provider, individual items of such fees and taxes may be combined into convenient categories, or the aggregate thereof may be stated as a single item. Upon request, the ~~telephone company~~ telecommunications service provider shall furnish the customer end-user a breakdown of charges and the method of calculating fees and taxes.

165:55-9-3. Due date and penalty

Unless otherwise authorized by the Commission, bills shall be payable immediately upon receipt and past due twelve (12) days after the date of the ~~telephone company~~ telecommunications service provider mailing or after any deferred payment date previously established either by oral or written agreement between ~~a customer an end-user~~ and the ~~telephone company~~ telecommunications service provider. The date after which the bill is past due shall be stated on the bill. If the bill is not paid when past due, the ~~telephone company~~ telecommunications service provider may apply late payment charges on any unpaid balance as provided in its filed, approved tariffs. Payment shall not be considered late if it is received by the due date at an authorized office.

165:55-9-4. Request for payments other than normal billings

The ~~telephone company~~ telecommunications service provider shall issue a bill for any additional charges other than those charges normally billed on the regular billing cycle. The ~~telephone company~~ telecommunications service provider shall not issue a notice of disconnection prior to five (5) days after the mailing of a bill for additional charges. Additional billings could include but not be limited to:

- (1) New or additional deposits.
- (2) High toll charges.
- (3) Other advance payments.

165:55-9-5. Billing disputes

In the event of a dispute between ~~a customer an end-user~~ and a ~~telephone company~~ telecommunications service provider, the ~~telephone company~~ telecommunications service provider shall make such investigation as is required by the particular case, and report the results thereof to the ~~customer end-user~~; and in the event the dispute is not resolved, the ~~telephone company~~ telecommunications service provider shall inform the ~~customer end-user~~ that the ~~customer end-user~~ may utilize the complaint procedures of Commission's ~~Complaint, Investigation, and Mediation Department~~ Consumer Services Division. When a complaint has been made with the Commission's ~~Complaint, Investigation, and Mediation Department~~ Consumer Services Division, the ~~telephone company~~ telecommunications service provider shall be required to forego disconnect procedures on account of nonpayment of any portion of accumulated disputed charges pending investigation by the Commission's ~~Complaint, Investigation, and Mediation Department~~ Consumer Services Division. The ~~customer end-user~~ shall be required to pay the undisputed part of the bill, and if not paid, the ~~telephone company~~ telecommunications service provider may discontinue service.

165:55-9-6. Refunds for service interruptions

Whenever service to any customer is inoperative, ~~otherwise other~~ than by reason of negligence, or willful act of the customer, or causes beyond the control of the ~~telephone company~~ telecommunications service provider, and remains inoperative for more than twenty-four (24) consecutive hours after being reported by the customer or having been found to be interrupted by the ~~telephone company~~ telecommunications service provider, the ~~telephone company~~ telecommunications service provider shall refund, upon request of the customer, ~~prorate~~ the prorated part of that month's local exchange charges and any regulated equipment charges for the period of days during which the telephone service was not provided. Credit shall be identified on the bill. The maximum credit during a single billing period shall not exceed the amount of local service charges. There shall be no diminution of allowed message units where billing is on a message unit basis or for toll charges. The refund may be accomplished by a credit on the next bill for telephone service. The ~~telephone company~~ telecommunications service provider shall have no other liability for service interruptions.

PART 3. CREDIT REQUIREMENTS

165:55-9-10. Establishment of credit for residential applicants and customers

(a) Each ~~telephone company~~ telecommunications service provider may require a residential applicant for service to satisfactorily establish credit, but such establishment of credit shall not relieve the ~~customer~~ end-user from complying with ~~rules for the telecommunications service provider's policy(ies) regarding the~~ prompt payment of bills.

(b) For purposes of this Section, "applicant" is to be defined as a person who ~~applied~~ applies for service for the first time or reapplies at a new or existing location after a previous discontinuance of service; "customer" is defined as someone who is currently receiving service.

(c) Subject to this Chapter, a residential applicant shall not be required to pay a deposit:

(1) If it can be verified that the residential applicant has been ~~a customer an~~ an end-user of any ~~telephone company~~ telecommunications service provider in the State of Oklahoma for the same ~~kind~~ type of service within the last two years

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and is not currently delinquent in payment of any such telephone company service telecommunications service provider account, and, during the last twelve (12) consecutive months of service did not have more than one occasion in which a bill for such telephone company service was paid after becoming delinquent, did not present a dishonored check, and never had service disconnected for nonpayment provided however, a telecommunications service provider may elect to require a deposit if, during the last twelve (12) consecutive months, the residential applicant: (1) was delinquent in the payment of a telecommunications service provider account on more than two (2) occasions; (2) presented a dishonored check for payment of a telecommunications service account; or, (3) had service disconnected due to nonpayment of a telecommunications service account.

(2) If the residential applicant furnishes, in writing, a satisfactory guarantee to secure the payment of bills for the telecommunications service required requested.

(A) Unless otherwise agreed to by the guarantor, the guarantee shall be for the amount of deposit the telephone company telecommunications service provider would normally require on the applicant's account. The amount of guarantee shall be clearly indicated on any documents or letters or of guarantee signed by the guarantor

(B) When the customer end-user has paid bills for telecommunications service for twelve (12) consecutive residential billings without having service disconnected for nonpayment of bills and without having more than two (2) occasions in which a bill was delinquent, did not present a dishonored check for payment of a telecommunications service account, and is not delinquent in the payment of current telecommunications service bills, the telephone company telecommunications service provider shall void and return, to the guarantor, any documents or letters of guarantee placed with the telephone company telecommunications service provider to the guarantor.

165:55-9-11. Establishment of credit for business service

In the case of business service, if the credit of an applicant for telecommunications service has not been established satisfactorily to the satisfaction of the telephone company telecommunications service provider, the applicant may be required to make a deposit.