Case No.: 96-1175-TP-ORD
Replaces: 4901:1-5-31, 4901:1-5-32, 4901:1-5-33, 4901:1-5-34, 4901:1-5-35

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Date

Promulgated under R.C. Sec. 111.15
Authorized by R.C. Sec. 4905.231
Rule amplifies R.C. Sec. 4905.231
Prior effective date(s) 12/31/88, 10/17/77

4901:1-5-20 LEC DATA COLLECTION AND TRAFFIC MEASURING EQUIPMENT.

(A) ALL DATA COLLECTION AND LOGGING DEVICES SHALL ACCURATELY PERFORM THE FOLLOWING:

(1) FOR LOCAL MESSAGE RATE SERVICE, WHERE TIMING THE LENGTH OF THE MESSAGE IS NOT INVOLVED, THE DATA COLLECTION AND LOGGING DEVICE SHALL SHOW THE NUMBER OF COMPLETED MESSAGES SENT OVER THE LOCAL ACCESS LINE WHICH IT IS MEASURING;

(2) FOR LOCAL MEASURED SERVICE AND MESSAGE TOLL SERVICE, THE DATA COLLECTION AND LOGGING DEVICE SHALL SHOW THE NUMBER OF MESSAGES, THE CHARGEABLE TIME INVOLVED IN EACH MESSAGE, APPLICABLE ELEMENTS TO DETERMINE DISTANCE AND TIME OF DAY/DAY OF WEEK INFORMATION USED IN RATING EACH MESSAGE, AND THE LOCAL ACCESS LINE ORIGINATING THE MESSAGES.

Case No.: 96-1175-TP-ORD
Replaces: 4901:1-5-13, 4901:1-5-14

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4901:1-5-21 CONSTRUCTION, MAINTENANCE OF PLANT AND EQUIPMENT, AND INTERRUPTIONS OF LOCAL EXCHANGE SERVICE.

(A) THE NETWORK OF EACH FACILITIES-BASED LOCAL EXCHANGE COMPANY SHALL BE DESIGNED AND OPERATED IN ACCORDANCE WITH THE PROVISIONS OF THE APPLICABLE NATIONALLY RECOGNIZED STANDARDS, INCLUDING BUT NOT LIMITED TO THE THEN CURRENTLY APPLICABLE NATIONAL ELECTRICAL CODE AND THE NATIONAL ELECTRICAL SAFETY CODE AS WELL AS THE AMERICAN NATIONAL STANDARDS INSTITUTE, BELLCORE, AND INSTITUTE OF ELECTRICAL AND ELECTRONICS ENGINEERS. ALL LECS MUST JUSTIFY THE STANDARD UTILIZED UPON REQUEST BY THE COMMISSION OR ITS REPRESENTATIVE.

(B) IF A SUBSCRIBER'S SERVICE MUST BE INTERRUPTED DUE TO MAINTENANCE, THE LEC SHALL NOTIFY, IN ADVANCE IF POSSIBLE, THE AFFECTED SUBSCRIBER.

(C) EACH LEC SHALL PROVIDE TO THE COMMISSION'S CONSUMER SERVICES DEPARTMENT THE FOLLOWING INFORMATION:

(1) A PROJECTION OF THE CENTRAL OFFICES SCHEDULED TO BE UPGRADED DURING THE ENSUING YEAR. THIS PROJECTION IS TO BE UPDATED SEMIANNUALLY ON THE FIRST DAY OF JUNE AND DECEMBER, AND SHALL INCLUDE THE DATE THE SWITCHING EQUIPMENT IS TO BE PLACED IN SERVICE, THE MANUFACTURER AND TYPE OF EQUIPMENT SCHEDULED FOR INSTALLATION, AND WHETHER SUCH OFFICE IS CAPABLE OF INDEPENDENT OPERATION. TELEPHONE COMPANIES WITH LESS THAN FIFTEEN THOUSAND ACCESS LINES SHALL FOLLOW PROCEDURES OUTLINED IN THE SUPPLEMENTAL FINDING AND ORDER IN CASE NO. 89-564-TP-COI;

(2) A PROJECTION OF NEW AND CHANGED CENTRAL OFFICE PREFIXES (NXX) TO BE PLACED IN SERVICE

DURING THE SUBSEQUENT SIX MONTH PERIOD. THIS PROJECTION IS TO BE UPDATED SEMIANNUALLY ON THE FIRST DAY OF JUNE AND DECEMBER, AND SHALL INCLUDE THE DATE THE NEW SERVICE IS TO BECOME OPERATIONAL. TELEPHONE COMPANIES WITH LESS THAN FIFTEEN THOUSAND ACCESS LINES SHALL FOLLOW PROCEDURES OUTLINED IN THE SUPPLEMENTAL FINDING AND ORDER IN CASE NO. 89-564-TP-COI; AND

(3) A PROJECTION OF THE NUMBER OF SUBSCRIBERS TO BE AFFECTED BY TELEPHONE NUMBER CHANGES AND THE COMPANY'S PROVISIONS FOR EARLY NOTIFICATION OF THE AFFECTED SUBSCRIBERS.

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4901:1-5-22 EMERGENCY OPERATION.

(A) LOCAL SERVICE EQUIPMENT SHALL HAVE THE FOLLOWING EMERGENCY ELECTRICAL POWER AVAILABLE:

(1) ALL CENTRAL OFFICE AND ASSOCIATED SWITCHING EQUIPMENT WITH FIVE THOUSAND ACCESS LINES OR LESS SHALL HAVE A PERMANENT POWER-GENERATING UNIT OR ACCESS TO A MOBILE POWER UNIT THAT CAN BE DELIVERED AND PLACED INTO SERVICE WITHIN TWO HOURS; AND

(2) ALL CENTRAL OFFICE AND ASSOCIATED SWITCHING EQUIPMENT WITH MORE THAN FIVE THOUSAND ACCESS LINES SHALL HAVE A PERMANENTLY INSTALLED EMERGENCY POWER-GENERATING UNIT.

(B) IN ADDITION TO THE EMERGENCY ELECTRICAL POWER REQUIRED BY PARAGRAPHS (A)(1) AND (A)(2) OF THIS RULE, SERVICE EQUIPMENT SHALL HAVE THE FOLLOWING BATTERY POWER RESERVE:

(1) WHERE PERMANENT AUTOMATIC START OR AUTOMATIC TRANSFER EMERGENCY POWER-GENERATING UNITS ARE INSTALLED, TWO HOURS OF BATTERY RESERVE MUST BE AVAILABLE;

(2) WHERE PERMANENT MANUALLY CONTROLLED EMERGENCY POWER-GENERATING UNITS ARE INSTALLED, THREE HOURS OF BATTERY RESERVE MUST BE AVAILABLE; AND

(3) SERVICE EQUIPMENT WITH FIVE THOUSAND ACCESS LINES OR LESS WHERE NO PERMANENT EMERGENCY POWER-GENERATING UNIT IS INSTALLED AS PROVIDED FOR IN PARAGRAPHS (B)(1) AND (B)(2) OF THIS RULE, A FOUR-HOUR BATTERY RESERVE MUST BE AVAILABLE.

(C) EACH LEC SHALL MAINTAIN AND MAKE AVAILABLE FOR COMMISSION INSPECTION, ITS CURRENT PLANS FOR EMERGENCY OPERATION.

(D) EACH LEC SHALL SUBMIT TO THE COMMISSION'S EMERGENCY OUTAGE COORDINATOR, NOT LATER THAN DECEMBER FIRST OF EACH YEAR:

(1) AN EMERGENCY CONTACT REPORT WHICH SHALL CONTAIN:

(i) THE NAMES, BUSINESS ADDRESS, AND BUSINESS AND HOME TELEPHONE NUMBERS OF THREE EMERGENCY CONTACT PERSONNEL; AND

(ii) ANY AVAILABLE EMERGENCY HOTLINE NUMBER.

(2) A LETTER THAT THE LEC HAS REVIEWED ITS EMERGENCY PLAN AND, IF APPLICABLE, REVISED AND/OR UPDATED THE PLAN, OR ESTABLISHED A NEW PLAN.

(E) EACH LEC SHALL PROMPTLY NOTIFY THE COORDINATOR IN WRITING OF ANY CHANGE IN ITS EMERGENCY CONTACT PERSONNEL OR EMERGENCY PROCEDURES.

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4901:1-5-23 TRAFFIC AND TRANSMISSION REQUIREMENTS.

(A) ALL FACILITIES-BASED LECS SHALL COMPLY WITH THE THEN CURRENTLY APPLICABLE NATIONALLY RECOGNIZED STANDARDS, INCLUDING BUT NOT LIMITED TO THE NATIONAL ELECTRICAL CODE, AND THE NATIONAL ELECTRICAL SAFETY CODE AS WELL AS THE AMERICAN NATIONAL STANDARDS INSTITUTE, BELLCORE AND INSTITUTE OF ELECTRICAL AND ELECTRONICS ENGINEERS REGARDING THE FOLLOWING:

(1) THE LOOP RESISTANCE OF AN ACCESS LINE;

(2) THE OVERALL TRANSMISSION LOSS ON ANY LOCAL LOOP (EXCLUDING NON-SWITCHED LINES);

(3) MESSAGE CIRCUIT NOISE;

(4) LOCAL LOOP VOLTAGE;

(5) LOCAL CALL COMPLETION;

(6) TOLL CONNECTIONS BETWEEN END OFFICES OVER WHICH THE LEC HAS JURISDICTIONAL OR OPERATIONAL RESPONSIBILITY; AND

(7) THE OVERALL METALLIC NOISE LEVEL ON TOLL CIRCUITS. ALL LECS MUST JUSTIFY THE STANDARD UTILIZED UPON THE REQUEST OF THE COMMISSION.

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4901:1-5-24 MINIMUM SERVICE, QUALITY AND ADEQUACY OF SERVICE LEVELS FOR LOCAL EXCHANGE COMPANIES.

(A) THIS RULE ESTABLISHES, AMONG OTHER THINGS, OBJECTIVES FOR MINIMUM LEVELS OF SERVICE TO BE PROVIDED BY EACH LEC. THE COMPANY SHALL INVESTIGATE AND TAKE APPROPRIATE ACTION TO CORRECT ANY INSTANCES OF NONCOMPLIANCE WITH THIS RULE. FURTHERMORE, EACH LEC SHALL DEVELOP AND MAINTAIN RECORDS REGARDING ITS COMPLIANCE WITH THIS RULE AND RULE 4901:1-5-18 OF THE ADMINISTRATIVE CODE. SUCH RECORDS SHALL BE ADEQUATE TO:

(1) SUPPORT AN AUDIT OF THE LEC's COMPLIANCE WITH THE PROVISIONS OF SUCH RULES;

(2) MEASURE THE EXTENT AND SEVERITY OF ANY NON-COMPLIANCE;

(3) SUBSTANTIATE THE APPLICATION OF ANY EXCEPTIONS; AND

(4) SUPPORT ANY INVESTIGATIONS OF SUBSCRIBER COMPLAINTS.

EACH LEC SHALL, UPON REQUEST, PROVIDE SUCH RECORDS TO THE COMMISSION OR ITS REPRESENTATIVES. SUCH RECORDS SHALL BE RETAINED FOR NOT LESS THAN EIGHTEEN MONTHS.

(B) REPAIR.

(1) EACH LEC SHALL PROVIDE FOR THE RECEIPT OF SUBSCRIBER "TROUBLE REPORTS" TWENTY-FOUR HOURS A DAY, SEVEN DAYS A WEEK, AND UPON COMMISSION REQUEST MAKE THOROUGH INVESTIGATIONS OF ANY SUCH REPORTS WITHIN THREE BUSINESS DAYS OF RECEIVING THE REPORT REGARDLESS OF THE NATURE OF THE TROUBLE.

TROUBLE REPORTS SHALL BE CLASSIFIED AS EITHER SERVICE INTERRUPTING (OUT-OF-SERVICE) OR SERVICE AFFECTING. A SERVICE INTERRUPTION REPORT SHALL NOT BE DOWNGRADED TO A SERVICE AFFECTING REPORT. HOWEVER, A SERVICE AFFECTING REPORT SHALL BE UPGRADED TO A SERVICE INTERRUPTION IF CHANGING TROUBLE CONDITIONS SO INDICATE. ALSO, IF THE COMPANY FINDS THAT IT IS THE SUBSCRIBER'S RESPONSIBILITY TO CORRECT THE PROBLEM, IT MUST NOTIFY OR ATTEMPT TO NOTIFY THE SUBSCRIBER WITHIN TWENTY-FOUR HOURS AFTER THE TROUBLE WAS REPORTED.

(2) AS MEASURED ON A CALENDAR MONTHLY BASIS, A LEC'S TROUBLE REPORT RATE FOR REGULATED SERVICE SHALL NOT EXCEED THREE REPORTS PER ONE HUNDRED ASSIGNED ACCESS LINES. THIS MEASUREMENT SHALL EXCLUDE SUBSEQUENT REPORTS AND REPORTS RELATING TO NON-REGULATED SERVICE. THE LEC SHALL BE PREPARED TO EXPLAIN THE CAUSES FOR ANY MONTHLY TROUBLE REPORT RATE EXCEEDING THE STANDARD AND DESCRIBE ANY CORRECTIVE ACTION.

(3) COMPANIES ARE NOT REQUIRED TO PROVIDE NON-EMERGENCY REPAIR SERVICE ON SUNDAYS AND HOLIDAYS. WHERE ANY REPAIR INTERVAL INVOLVES A SUNDAY OR HOLIDAY, THAT PERIOD SHALL BE EXCLUDED WHEN COMPUTING SERVICE OBJECTIVES, BUT NOT WHEN COMPUTING CREDITS OR REFUNDS FOR OUT-OF-SERVICE CONDITIONS.

(4) EACH LEC SHALL TAKE APPROPRIATE STEPS TO MINIMIZE THE OCCURRENCE OF REPEAT TROUBLE REPORTS. A REPEAT TROUBLE REPORT IS ANY REPORT MADE WITHIN THIRTY DAYS AFTER THE CLOSING OF ANOTHER TROUBLE REPORT INVOLVING THE SAME ACCESS LINE.

(5) PROVISIONS SHALL BE MADE TO CLEAR, AT ALL HOURS, ANY "OUT-OF-SERVICE" TROUBLE OF AN EMERGENCY NATURE CONSISTENT WITH THE NEEDS OF SUBSCRIBERS AND PERSONAL SAFETY OF LEC PERSONNEL. EACH LEC SHALL DEVELOP POLICIES AND PROCEDURES REGARDING THOSE SUBSCRIBERS WHO REQUIRE PRIORITY TREATMENT FOR OUT-OF-SERVICE CLEARANCE. SUCH PROCEDURES SHALL INCLUDE A TABLE OF RESTORATION PRIORITY, INCLUDING BUT NOT LIMITED TO, SUBSCRIBERS SUCH AS POLICE AND FIRE STATIONS, HOSPITALS, KEY MEDICAL PERSONNEL, SUBSCRIBERS WITH MEDICAL OR LIFE-THREATENING CONDITIONS, AND OTHER UTILITIES WHETHER OR NOT REGULATED BY THE COMMISSION.

(6) OUT-OF-SERVICE TROUBLE REPORTS SHALL BE CLEARED WITHIN TWENTY-FOUR HOURS, EXCLUDING SUNDAYS AND HOLIDAYS, FOLLOWING RECEIPT OF THE REPORT. APPLICABLE CREDITS FOR OUT-OF-SERVICE CONDITIONS SHALL BE APPLIED TO SUBSCRIBER BILLS IN ACCORDANCE WITH RULES 4901:1-5-18(A) AND 4901:1-5-18(B) OF THE ADMINISTRATIVE CODE.

(7) SERVICE AFFECTING TROUBLE SHALL BE CLEARED WITHIN SEVENTY-TWO HOURS OF RECEIPT OF THE TROUBLE REPORT.

(8) ALL REPAIR COMMITMENTS AND APPOINTMENTS SHALL BE KEPT. THESE COMMITMENTS AND APPOINTMENTS SHALL SPECIFY MORNING OR AFTERNOON FOR THE SCHEDULED REPAIR. WHENEVER, FOR ANY REASON, THE REPAIR APPOINTMENT OR COMMITMENT CANNOT BE MET WITHIN THE PRESCRIBED INTERVAL, THE COMPANY SHALL MAKE REASONABLE EFFORTS TO NOTIFY THE APPLICANT OF THE DELAY AND THE REASON THEREFORE PRIOR TO THE TIME OF THE SCHEDULED APPOINTMENT OR COMMITMENT. APPLICABLE CREDITS FOR MISSED REPAIR APPOINTMENTS AND

COMMITMENTS SHALL BE APPLIED TO SUBSCRIBER BILLS IN ACCORDANCE WITH RULE 4901:1-5-18 (D)(2) OF THE ADMINISTRATIVE CODE.

(C) LOCAL SERVICE INSTALLATION.

(1) UNLESS THE CUSTOMER REQUESTS A LATER INSTALLATION TIME EACH LEC SHALL COMPLETE THE INSTALLATION OF ACCESS LINE SERVICE WITHIN FIVE BUSINESS DAYS AFTER RECEIPT OF APPLICATION WHEN ALL PERTINENT TARIFF REQUIREMENTS HAVE BEEN MET BY THE APPLICANT OR SUBSCRIBER. IN THOSE INSTANCES WHERE AN APPLICANT OR SUBSCRIBER PROVIDES AT LEAST FIVE BUSINESS DAYS NOTICE, SUCH INSTALLATION SHALL BE MADE ON THE REQUESTED DATE. APPLICABLE CREDITS FOR FAILURE TO INSTALL NEW SERVICE WITHIN FIVE BUSINESS DAYS SHALL BE APPLIED TO SUBSCRIBER BILLS IN ACCORDANCE WITH RULE 4901:1-5-18(C) OF THE ADMINISTRATIVE CODE. FURTHERMORE, IF INITIAL SERVICE IS NOT INSTALLED WITHIN FIFTEEN BUSINESS DAYS, THE COMPANY SHALL ATTEMPT TO PROVIDE SOME FORM OF ALTERNATIVE SERVICE.

(2) IF NECESSARY EACH LEC SHALL MAKE APPOINTMENTS FOR THE ON-PREMISE INSTALLATION. SUCH APPOINTMENTS SHALL SPECIFY THE DATE AND APPROXIMATE TIME OF DAY, EITHER A.M. OR P.M., FOR THE ON-PREMISES INSTALLATION. WHENEVER, FOR ANY REASON, THE SERVICE INSTALLATION CANNOT BE MADE AT THE APPOINTED TIME OR WITHIN THE PRESCRIBED INTERVAL, THE APPLICANT SHALL BE NOTIFIED PROMPTLY OF THE DELAY AND THE REASON THEREFORE, AND THE PROBABLE DATE INSTALLATION OF SERVICE CAN BE COMPLETED. EACH LEC SHALL KEEP ALL OF ITS APPOINTMENTS FOR ON-PREMISE INSTALLATIONS. APPLICABLE CREDITS FOR MISSED INSTALLATION APPOINTMENTS WILL BE APPLIED TO SUBSCRIBER BILLS IN

ACCORDANCE WITH RULE 4901:1-5-18(D)(1) OF THE ADMINISTRATIVE CODE.

(3) REGRADE OF SERVICE.

EACH LEC SHALL COMPLETE ALL REGRADES FROM MULTI-PARTY TO SINGLE-PARTY SERVICE WITHIN THIRTY DAYS AFTER RECEIPT OF APPLICATION. IF THE SUBSCRIBER PROVIDES NOTICE OF THIRTY DAYS OR MORE, THE REGRADE SHALL BE COMPLETED BY THE REQUESTED DATE.

(D) ANSWER TIME.

(1) ON A CALENDAR MONTHLY BASIS AND AS MEASURED COMPANY-WIDE, CALLS TO THE LEC SHALL MEET THE FOLLOWING REQUIREMENTS:

(A) THE AVERAGE SPEED OF ANSWER FOR CALLS OFFERED TO THE LEC'S OPERATOR SHALL NOT EXCEED TWENTY SECONDS;

(B) THE AVERAGE SPEED OF ANSWER FOR CALLS OFFERED TO THE LEC'S DIRECTORY ASSISTANCE SHALL NOT EXCEED TWENTY SECONDS;

(C) THE AVERAGE SPEED OF ANSWER FOR CALLS PLACED TO THE REPAIR SERVICE CENTER SHALL NOT EXCEED SIXTY SECONDS; AND

(D) THE AVERAGE SPEED OF ANSWER FOR CALLS PLACED TO THE BUSINESS OFFICE SHALL NOT EXCEED SIXTY SECONDS.

(2) NOTWITHSTANDING PARAGRAPHS (D)(1)(C) AND (D)(1)(D) OF THIS RULE, WHEN A COMPANY UTILIZES A MENU DRIVEN, AUTOMATED, INTERACTIVE ANSWERING SYSTEM (REFERRED TO AS THE SYSTEM), THE OPTION OF TRANSFERRING TO A LIVE ATTENDANT SHALL BE INCLUDED IN THE INITIAL MESSAGE. AT ANY TIME DURING THE CALL, THE

CUSTOMER SHALL BE TRANSFERRED TO A LIVE ATTENDANT IF THE CUSTOMER FAILS TO INTERACT WITH THE SYSTEM FOR A TIME PERIOD OF TEN SECONDS FOLLOWING ANY PROMPT. FOR THE PURPOSE OF THIS SECTION, INTERACTION MEANS RESPONDING TO A CUSTOMER PROMPT OFFERED BY THE SYSTEM BY KEYING (PRESSING) A NUMBER OR CHARACTER OF AN ACTIVATED TOUGH-TONE KEYPAD.

(3) IN ACCORDANCE WITH PARAGRAPH (D)(2) OF THIS RULE, WHEN A MENU DRIVEN, AUTOMATED, INTERACTIVE ANSWERING SYSTEM IS UTILIZED, PROVISIONS SHALL BE INCLUDED TO ALLOW THE CUSTOMER TO ARRANGE WITH A LIVE ATTENDANT, OR WITH THE SYSTEM, ANY APPOINTMENT OR COMMITMENT OFFERED TO THE CUSTOMER BY THE SYSTEM. THE SUBSCRIBER SHALL ALSO BE ABLE TO REARRANGE APPOINTMENTS USING THE SYSTEM.

(4) ANSWER TIME SHALL BE MEASURED FROM THE POINT OF THE FIRST RING AT THE LEC'S BUSINESS OFFICE OR REPAIR OFFICE.

(5) THE TERMS "ANSWERED" AS USED IN SECTIONS (1) AND (D)(2) OF THIS RULE SHALL BE CONSTRUED TO MEAN MORE THAN AN ACKNOWLEDGMENT THAT THE CUSTOMER IS WAITING ON THE LINE. IT SHALL MEAN THAT THE OPERATOR, SERVICE REPRESENTATIVE, OR AUTOMATED SYSTEM IS READY TO RENDER ASSISTANCE AND/OR ACCEPT THE INFORMATION NECESSARY TO PROCESS THE CALL.

(E) THIS RULE WILL BE APPLICABLE TO ILECS ON OCTOBER 1, 1997 AND TO NECS ON JANUARY 1, 1998.

Case No.: 96-1175-TP-ORD
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4901:1-5-25 INTERIM RULE: TROUBLE REPORTS, SERVICE LEVELS, AND BILLING ADJUSTMENTS.

THIS RULE SHALL BE IN EFFECT AND APPLICABLE TO ILECS UNTIL OCTOBER 1, 1997, AT WHICH TIME RULES 4901:1-5-18 AND 4901:1-5-24 OF THE ADMINISTRATIVE CODE.

(A) TROUBLE REPORTS.

(1) EACH LEC SHALL PROVIDE FOR THE RECEIPT OF "TROUBLE REPORTS" TWENTY-FOUR HOURS A DAY, SEVEN DAYS A WEEK, AND SHALL MAKE THOROUGH INVESTIGATIONS OF ALL SUCH REPORTS WITHIN THREE BUSINESS DAYS OF RECEIVING THE REPORT.

(2) EACH LEC SHALL MAINTAIN A RECORD OF ALL TROUBLE REPORTS CONCERNING REGULATED SERVICES AND SHALL RETAIN THESE RECORDS FOR NOT LESS THAN EIGHTEEN MONTHS. ALL SUCH RECORDS SHALL BE AVAILABLE, UPON REQUEST, TO THE COMMISSION OR ITS REPRESENTATIVES.

(3) PROVISION SHALL BE MADE TO CLEAR, AT ALL HOURS, ANY "OUT-OF-SERVICE" TROUBLE OF AN EMERGENCY NATURE. CLEARANCE OF ALL OTHER "OUT-OF-SERVICE" TROUBLE SHALL BE MADE PURSUANT TO PARAGRAPH (C) (8) OF THIS RULE.

(4) ALL REPAIR COMMITMENTS SHALL BE KEPT UNLESS PRECLUDED BY UNUSUAL REPAIR REQUIREMENTS OR OTHER UNAVOIDABLE FACTORS. WHEN A REPAIR COMMITMENT CANNOT BE MET, THE LEC SHALL MAKE REASONABLE EFFORTS TO PROVIDE TIMELY NOTIFICATION TO THE AFFECTED SUBSCRIBER.

(B) MINIMUM SERVICE LEVELS.

(1) EACH LEC SHALL MAKE MONTHLY MEASUREMENTS ON A COMPANY-WIDE BASIS TO DETERMINE ITS COMPLIANCE WITH EACH STANDARD INCLUDED IN THIS RULE, INVESTIGATE ANY INSTANCE OF NON-

COMPLIANCE, AND TAKE ANY APPROPRIATE CORRECTIVE ACTION. THE LEC SHALL, UPON REQUEST, PROVIDE THE COMMISSION OR ITS REPRESENTATIVES WITH THE MEASUREMENTS AND SUMMARIES OF ITS PERFORMANCE RELATIVE TO ANY OF THESE STANDARDS. RECORDS OF THESE MEASUREMENTS SHALL BE RETAINED FOR NOT LESS THAN EIGHTEEN MONTHS.

(2) DURING ANY CALENDAR MONTH, EACH LEC SHALL COMPLETE NINETY PER CENT OF SINGLE-LINE ACCESS SERVICE INSTALLATIONS WITHIN FIVE BUSINESS DAYS AFTER RECEIPT OF APPLICATION. IN THOSE INSTANCES WHERE AN APPLICANT OR SUBSCRIBER PROVIDES AT LEAST FIVE BUSINESS DAYS NOTICE, SUCH INSTALLATION SHALL BE COMPLETED BY THE REQUESTED DATE.

(3) IF THE REQUESTED INSTALLATION CANNOT BE COMPLETED WITHIN FIVE BUSINESS DAYS AFTER RECEIPT OF THE APPLICATION, OR IF THE DATE REQUESTED CANNOT BE MET, THE LEC SHALL PROMPTLY NOTIFY THE APPLICANT OR SUBSCRIBER OF SUCH DELAY, THE REASON FOR THE DELAY, THE STEPS TAKEN BY THE LEC TO PROVIDE THE REQUESTED SERVICE, AND THE PROBABLE DATE WHEN THE INSTALLATION CAN BE COMPLETED.

(4) IF REQUESTED BY THE APPLICANT OR SUBSCRIBER, EACH LOCAL EXCHANGE COMPANY SHALL MAKE APPOINTMENTS FOR ON-PREMISES SERVICE INSTALLATIONS. THESE APPOINTMENTS SHALL SPECIFY THE DATE AND APPROXIMATE TIME OF DAY OF THE ON-PREMISES INSTALLATION.

(5) EACH LEC SHALL KEEP NINETY PER CENT OF ITS APPOINTMENTS FOR ON-PREMISES INSTALLATIONS DURING ANY CALENDAR MONTH.

(6) CALLS TO THE LEC SHALL MEET THE FOLLOWING REQUIREMENTS DURING ANY CALENDAR MONTH.

(A) THE AVERAGE SPEED OF ANSWER FOR CALLS OFFERED TO THE LEC'S OPERATOR SHALL NOT EXCEED TWENTY SECONDS;

(B) THE AVERAGE SPEED OF ANSWER FOR CALLS OFFERED TO THE LEC'S DIRECTORY ASSISTANCE SHALL NOT EXCEED TWENTY SECONDS;

(C) THE AVERAGE SPEED OF ANSWER FOR CALLS PLACED TO THE REPAIR SERVICE CENTER SHALL NOT EXCEED SIXTY SECONDS; AND

(D) THE AVERAGE SPEED OF ANSWER FOR CALLS PLACED TO THE BUSINESS OFFICE SHALL NOT EXCEED SIXTY SECONDS.

AN "ANSWER", AS USED IN THIS SECTION, SHALL MEAN THAT THE ANSWER POSITION IS READY TO RENDER ASSISTANCE OR READY TO ACCEPT INFORMATION NECESSARY TO PROCESS THE CALL. AN ANSWER POSITION MAY BE A LIVE OPERATOR, A LOCAL EXCHANGE COMPANY REPRESENTATIVE, OR A VOICE-ACTIVATED ELECTRONIC DEVICE. AN ACKNOWLEDGEMENT THAT THE CALLER IS WAITING ON THE LINE SHALL NOT CONSTITUTE AN ANSWER.

(7) THE RATE FOR ALL SUBSCRIBER TROUBLE REPORTS FOR REGULATED SERVICE SHALL NOT EXCEED THREE REPORTS PER ONE HUNDRED ASSIGNED ACCESS LINES DURING ANY CALENDAR MONTH.

(8) DURING ANY CALENDAR MONTH, NINETY PER CENT OF OUT-OF-SERVICE TROUBLE REPORTS SHALL BE CLEARED WITHIN TWENTY-FOUR HOURS OF THE RECEIPT OF THE REPORT, EXCLUDING WEEKENDS AND HOLIDAYS. THE ONLY EXCEPTIONS TO THIS REQUIREMENT ARE THE FOLLOWING:

(A) WHERE ACCESS TO THE SUBSCRIBER'S PREMISES IS REQUIRED BUT NOT AVAILABLE; OR

(B) WHERE INTERRUPTIONS ARE CAUSED BY UNAVOIDABLE CASUALTIES OR ACTS OF GOD.

(C) RESIDENTIAL AND NONRESIDENTIAL SUBSCRIBER BILLING ADJUSTMENTS.

(1) WHEN A SUBSCRIBER'S SERVICE IS INTERRUPTED AND REMAINS OUT OF SERVICE FOR MORE THAN TWENTY-FOUR CONSECUTIVE HOURS AFTER BEING REPORTED TO THE LOCAL EXCHANGE COMPANY OR BEING FOUND BY THE COMPANY TO BE OUT OF ORDER (WHICHEVER OCCURS FIRST), THE COMPANY SHALL MAKE APPROPRIATE ADJUSTMENTS TO THE SUBSCRIBER'S ACCOUNT. THIS RULE DOES NOT APPLY IF THE OUTAGE OCCURS AS A RESULT OF:

(A) A NEGLIGENT OR WILLFUL ACT ON THE PART OF THE SUBSCRIBER;

(B) A MALFUNCTION OF SUBSCRIBER-OWNED TELEPHONE EQUIPMENT;

(C) DISASTERS OR ACTS OF GOD; OR

(D) THE INABILITY OF THE COMPANY TO GAIN ACCESS TO THE SUBSCRIBER'S PREMISES WHEN REQUIRED.

(2) THE ADJUSTMENT SHALL BE THE PROPORTIONATE PART OF THE MONTHLY CHARGE(S) FOR ANY AND ALL SERVICES RENDERED INOPERATIVE DURING THE INTERRUPTION, AND BEGIN WITH THE HOUR OF THE REPORT OR DISCOVERY OF THE SERVICE INTERRUPTION.

(3) THE ADJUSTMENT SHALL BE IN THE FORM OF EITHER A DIRECT PAYMENT TO THE SUBSCRIBER OR A CREDIT TO THE SUBSCRIBER'S NEXT BILL FOR TELEPHONE SERVICE.

(D) ADJUSTMENTS NOT IN BONA FIDE DISPUTE SHALL BE RENDERED WITHIN TWO BILLING PERIODS AFTER THE BILLING PERIOD DURING WHICH THE INTERRUPTION OCCURRED.

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TO BE ENACTED

APPENDIX A

(A) THE FOLLOWING LANGUAGE IS TO BE INCLUDED IN THE DIRECTORY VERBATIM IN ACCORDANCE WITH RULE 4901:1-5-6(C)(7)(I) OF THE ADMINISTRATIVE CODE OR OTHERWISE PROVIDED TO CONSUMERS IN ACCORDANCE WITH RULE 4901:1-5-6(B)(3) OF THE ADMINISTRATIVE CODE:

TELEPHONE CUSTOMER BILL OF RIGHTS

RIGHTS AND RESPONSIBILITIES OF TELEPHONE CUSTOMERS ARE COVERED BY THE CUSTOMER BILL OF RIGHTS ESTABLISHED BY THE PUBLIC UTILITIES COMMISSION OF OHIO (PUCO). YOU MAY OBTAIN A COPY OF THE PAMPHLET ENTITLED, "TELEPHONE CUSTOMER BILL OF RIGHTS" UPON REQUEST FROM YOUR SERVICE REPRESENTATIVE OR THE PUCO. TOPICS INCLUDED IN THIS PAMPHLET ARE:

- PRIVACY OPTIONS
- RESOLVING PROBLEMS AND DISPUTES
- CONTACTING THE PUCO
- ORDERING SERVICE
- BILLING
- CUSTOMER CREDITS FOR REPAIR AND INSTALLATION PROBLEMS
- CUSTOMER APPOINTMENTS
- SERVICE CONNECTION FEES
- DEPOSITS FOR NEW AND EXISTING SERVICE
- HOW TO PAY YOUR BILL

- PAYMENT ARRANGEMENTS
- UNDERCHARGES AND REFUNDS
- DISCONNECTION OF SERVICE
- MEDICAL CONDITIONS
- RECENT CHANGES IN YOUR PHONE SERVICE
- LEASING OR BUYING YOUR TELEPHONE
- HOW TO DEAL WITH OBSCENE OR HARASSING CALLS

RESIDENTIAL CUSTOMERS MAY ALSO CONTACT THE OHIO CONSUMERS' COUNSEL (OCC) TO FILE A COMPLAINT. OCC CAN BE REACHED AT:

THE OHIO CONSUMERS' COUNSEL
77 SOUTH HIGH STREET
15TH FLOOR
COLUMBUS, OHIO 43215

OR BY CALLING:

1-800-282-9448 TOLL-FREE
(HEARING IMPAIRED MAY CALL SAME NUMBER)
OR 614-466-9605
INTERNET PAGE: HTTP://WWW.STATE.OH.US/CONSUM