

476.100 Prohibited acts.

A local exchange carrier shall not do any of the following:

1. Discriminate against another provider of communications services by refusing or delaying access to the local exchange carrier's services.
2. Discriminate against another provider of communications services by refusing or delaying access to essential facilities on terms and conditions no less favorable than those the local exchange carrier provides to itself and its affiliates. A local telecommunications facility, feature, function, or capability of the local exchange carrier's network is an essential facility if all of the following apply:
 - a. Competitors cannot practically or economically duplicate the facility, feature, function, or capability, or obtain the facility, feature, function, or capability from another source.
 - b. The use of the facility, feature, function, or capability by potential competitors is technically and economically feasible.
 - c. Denial of the use of the facility, feature, function, or capability by competitors is unreasonable.
 - d. The facility, feature, function, or capability will enable competition.
3. Degrade the quality of access or service provided to another provider of communications services.
4. Fail to disclose in a timely manner, upon reasonable request and pursuant to a protective agreement concerning proprietary information, all information reasonably necessary for the design of network interface equipment, network interface services, or software that will meet the specifications of the local exchange carrier's local exchange network.
5. Unreasonably refuse or delay interconnections or provide inferior interconnections to another provider.
6. Use basic exchange service rates, directly or indirectly, to subsidize or offset the costs of other products or services offered by the local exchange carrier.
7. Discriminate in favor of itself or an affiliate in the provision and pricing of, or extension of credit for, any telephone service.

[95 Acts, ch 199, §11](#)

Referred to in [§476.1B](#)