

199—22.1(476) General information.

22.1(1) *Application and purpose of rules.* These rules shall apply to any telecommunications service provider operating within the state of Iowa subject to Iowa Code chapter 476, including local exchange telecommunications service providers, interexchange telecommunications service providers, or alternative operator services companies. These rules are intended to govern the exercise of the commission's powers and duties relating to the provision of telecommunications service in the state of Iowa, and to govern the form, contents, and filing of registrations, tariffs, and other documents necessary to carry out the commission's powers and duties. A request to waive the application of any rule on a permanent or temporary basis may be made in accordance with rule 199—1.3(17A,474,476).

22.1(2) *Definitions.* For the administration and interpretation of these rules, the following words and terms shall have the meanings indicated below:

“Alternative operator services company” or *“AOS company”* means a nongovernmental company which receives more than half of its Iowa intrastate telecommunications services revenues from calls placed by end-user customers from telephones other than ordinary residence or business telephones. This definition is further limited to include only companies which provide operator assistance, either through live or automated intervention, on calls placed from other than ordinary residence or business telephones, and does not include services provided under contract to rate-regulated local exchange telecommunications service providers. Alternative operator services companies as defined are telecommunications service providers subject to the rules in this chapter.

“Calls” means telephone messages attempted by customers or users.

“Commission” means the Iowa utilities commission.

“Competitive local exchange carrier” or *“CLEC”* means a telecommunications service provider, other than an incumbent local exchange telecommunications service provider, that provides local exchange service.

“Customer” means any person as defined in Iowa Code section 4.1(20) responsible by law for payment for communications service from the telecommunications service provider.

“Exchange” means a unit established by a telecommunications service provider for the administration of communications services.

“Exchange service” means communications service furnished by means of exchange plant and facilities.

“Exchange service area” or *“exchange area”* means the general area in which the telecommunications service provider holds itself out to furnish local exchange telephone service.

“High-volume access service” or *“HVAS”* is any service that results in an increase in total billings for intrastate exchange access for a local exchange telecommunications service provider in excess of 100 percent in less than six months. By way of illustration and not limitation, HVAS typically results in significant increases in interexchange call volumes and can include chat lines, conference bridges, call center operations, help desk provisioning, or similar operations. These services may be advertised to consumers as being free or for the cost of a long distance call. The call service operators often provide marketing activities for HVAS in exchange for direct payments, revenue sharing, concessions, or commissions from local telecommunications service providers.

“Incumbent local exchange carrier” or *“ILEC”* means a telecommunications service provider, or successor to a telecommunications service provider, that was the historical provider of local exchange service pursuant to an authorized certificate of public convenience and necessity within a specific geographic area described in maps approved by the commission as of September 30, 1992.

“Information service” means the offering of a capability for generating, acquiring, storing, transforming, processing, retrieving, utilizing, or making available information via telecommunications, and includes electronic publishing, but does not include any use of any such capability for the management, control, or operation of a telecommunications system or the management of a telecommunications service.

“Interexchange service” is the provision of intrastate telecommunications services and facilities between local exchanges.

“Interexchange telecommunications service provider” means a telecommunications service provider, a resale telecommunications service provider or other entity that provides intrastate telecommunications

services and facilities between exchanges within Iowa, without regard to how such traffic is carried. A local exchange telecommunications service provider that provides exchange service may also be considered an interexchange telecommunications service provider. An interexchange telecommunications service provider that provides local exchange service may also be considered a local exchange service provider.

“InterLATA toll service” means toll service that originates and terminates between local access transport areas.

“Internet protocol-enabled service” means any service, capability, functionality, or application that uses Internet protocol or any successor protocol and enables an end user to send or receive voice, data, or video communications in Internet protocol format or a successor format.

“IntraLATA toll service” means toll service that originates and terminates within the same local access transport area.

“Intrastate access services” are services of telecommunications service providers which provide the capability to deliver intrastate telecommunications services which originate from end users to interexchange telecommunications service providers and the capability to deliver intrastate telecommunications services from interexchange telecommunications service providers to end users.

“Local exchange service” means telephone service furnished between customers or users located within an exchange area.

“Local exchange telecommunications service provider” means a registered telecommunications service provider that provides local exchange service. The telecommunications service provider may also provide other services and facilities such as access services.

“Message” means a completed telephone call by a customer or user.

“Rates” means amounts billed to customers for alternative operator services or intrastate access services.

“Registration” means compliance by all telecommunications service providers with Iowa Code chapter 476. Registration shall be in the form as provided by the commission in 199—Chapter 23.

“Retail services” means those communications services furnished by a telecommunications service provider directly to end-user customers. For an alternative operator services company, the terms and conditions of its retail services are addressed in an approved intrastate tariff.

“Tariff” means the entire body of rates, classifications, rules, procedures, policies, etc., adopted and filed with the commission by a local exchange telecommunications service provider for wholesale services, not governed by an interconnection agreement or commercial agreement, or by an alternative operator services company for retail services, in fulfilling its role of furnishing telecommunications services.

“Telecommunications service provider” or *“service provider”* means a provider of local exchange or long distance telephone services, or both, other than commercial mobile radio service. “Telecommunications service provider” includes alternative operator service companies and providers of wholesale service. “Telecommunications service provider” includes companies formerly included in the definition of “telephone utility” or “utility” and means any person, partnership, business association, or corporation, domestic or foreign, owning or operating any facilities for furnishing communications service to the public for compensation.

“Toll message” means a message made between different exchange areas for which a charge is made, excluding message rate service charges.

“Traffic” means telephone call volume, based on number and duration of calls.

“Transitional intrastate access service” means annual reductions affecting terminating end office access service that was subject to intrastate access rates as of December 31, 2011; terminating tandem-switched transport access service subject to intrastate access rates as of December 31, 2011; and originating and terminating dedicated transport access service subject to intrastate access rates as of December 31, 2011.

“Voice over Internet protocol service” means an Internet protocol-enabled service that facilitates real-time, two-way voice communication that originates from, or terminates at, a user’s location and permits the user to receive a call that originates from the public switched telephone network and to terminate a call on the public switched telephone network.

“Wholesale services” means those communications services furnished by one telecommunications service provider to another provider of communications services. The terms and conditions of wholesale services may be addressed in a telecommunications service provider’s approved intrastate access tariff, local interconnection tariff, interconnection agreement reached under Sections 251 and 252 of the federal Telecommunications Act, or in a commercial agreement reached between the providers. Nothing in this chapter shall affect, limit, modify, or expand an entity’s obligations under Sections 251 and 252 of the federal Telecommunications Act; any commission authority over wholesale telecommunications rates, services, agreements, interconnection, providers, or tariffs; or any commission authority addressing or affecting the resolution of disputes regarding compensation between telecommunications service providers. [ARC 4831C, IAB 12/18/19, effective 1/22/20; Editorial change: IAC Supplement 7/24/24]