

199—38.1(476) General information.

38.1(1) *Application and purpose of rules.* This chapter applies to local utilities. The purpose of these rules is to further the development of competition in the local exchange services market.

38.1(2) *Definitions.* For the administration and interpretation of this chapter, the following words and terms shall have the meaning indicated below, unless the context otherwise requires:

“Act” means the Telecommunications Act of 1996.

“Arbitration” means the investigative process whereby a dispute is submitted to the board for resolution.

“Bona fide request” means a request to a local utility that demonstrates a good faith showing that the requesting party intends to purchase the services requested within six months of the date of the request.

“Competitive local exchange service provider” means any person that provides local exchange services, other than a local exchange carrier or a non-rate-regulated wireline provider of local exchange services under an authorized certificate of public convenience and necessity within a specific geographic area described in maps filed with and approved by the board as of September 30, 1992.

“Interim number portability” means one or more mechanisms, such as remote call forwarding or route indexing, by which a local exchange customer at a particular location may change the customer’s local service provider without any change in the customer’s telephone number, while experiencing as little loss of functionality as is feasible using available technology.

“Local exchange carrier” means any person that was the incumbent and historical rate-regulated wireline provider of local exchange services or any successor to such person that provides local exchange services under an authorized certificate of public convenience and necessity within a specific geographic area described in maps filed with and approved by the board as of September 30, 1992.

“Local utility” means any entity that provides wireline local exchange services, including local exchange carriers, competitive local exchange service providers, and other non-rate-regulated wireline providers of local exchange services.

“Mediation” means the process in which a neutral party assists the parties in reaching their own settlement but does not have the authority to make a binding decision.

“Provider number portability” means the capability of a local exchange customer to change the customer’s local service provider at the customer’s same location without any change in the customer’s telephone number, while preserving the full range of functionality that the customer currently experiences. Provider number portability includes the equal availability of information concerning the local service provider serving a telephone number to all carriers and the ability to deliver traffic directly to that provider without having first to route traffic to the local exchange carrier or otherwise use the services, facilities, or capabilities of the local exchange carrier to complete the call and without the dialing of additional digits or access codes.

“Total service long-run incremental cost” for a service, or group of services, is equal to the utility’s total cost of producing all of its services including the service or group of services in question, minus the utility’s total cost of producing all of its services excluding the service or group of services in question.