CONSUMERS' COUNSEL

- Exempts a wireless service provider or reseller, to the extent either of them are providing wireless service, from the assessment used to fund the Office of the Consumers' Counsel.

Exemption from OCC assessment

(R.C. 4911.18)

The act exempts a wireless service provider or reseller, to the extent either of them are providing wireless service, from the assessment used to fund the Office of the Consumers' Counsel (OCC), by amending the definition of "public utility" for assessment purposes to exclude them. Generally, a company engaged in the business of transmitting telephonic messages to, from, through, or in Ohio is a public utility subject to the assessment. Continuing law requires, for the sole purpose of maintaining and administering OCC and exercising its powers, an amount equal to OCC's appropriation annually be apportioned among and assessed against each public utility in Ohio.

Under continuing law, a "wireless service provider" means any of the following that provides wireless service to one or more end users in Ohio: (1) a facilities-based provider, (2) a mobile virtual network operator, or (3) a mobile other licensed operator. A "reseller" means a nonfacilities-based provider of wireless service that provides wireless service under its own name to one or more end users in this state using the network of a wireless service provider. "Wireless service" means federally licensed commercial mobile service and commercial mobile radio, both defined in federal law, and includes service provided by any wireless, two-way communications device, including a radio-telephone communications line used in cellular telephone service or personal communications service, a network radio access line, or any functional or competitive equivalent of such a radio-telephone communications or network radio access line.[42]

[42] R.C. 128.01, 4905.03(A), and 4911.01, not in the act.