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**Before
The Ohio House
Public Utilities Committee**

**Testimony On Substitute House Bill 402 (-5 Version)
by
Mary Ellen Nose
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April 10, 2018

Good afternoon Chairman Cupp, Vice-Chair Carfagna, Ranking Member Ashford, and members of the committee. Thank you for the opportunity to testify before you again, this time regarding Substitute House Bill 402, the "dash-5" version.

As some may know, my name is Mary Ellen Nose. I am a paralegal with the Southeastern Ohio Legal Services (SEOLS), Athens Area Office. We are a non-profit legal aid office representing 30 counties mostly in Rural Southeastern Ohio.

I am concerned about provisions in Substitute House Bill 402. My concern continues to be for those who are elderly, are low-income or on fixed incomes, as well as for rural Ohioans who live in areas where communications technology available elsewhere has not been made widely available. The bill contains language that does not protect Ohioans in these technological "dead zones."

Until all Ohioans have other adequate, reliable service at a price comparable to what they now pay for basic telephone services, current protections for basic telephone service should be retained.

Adequate landline service is currently required for all Ohioans. Basic local exchange service allows those with little income to be able to be in contact with relatives, schools, doctors, and most importantly, emergency services. The dash-5 version of H.B. 402 would undermine that consumer protection.

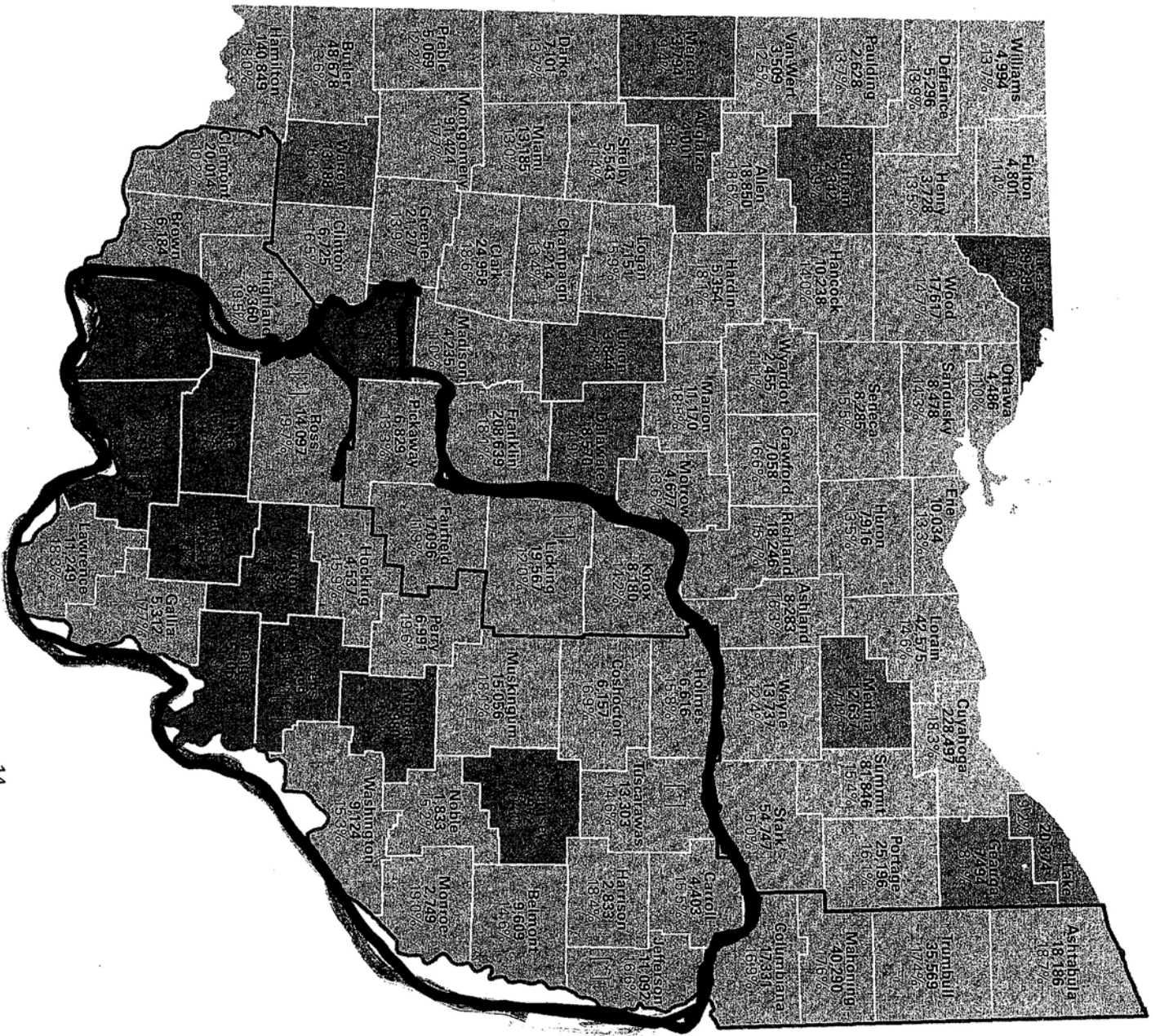
Here is a list of the issues of concern that I have regarding this version of HB 402:

1. The legislation no longer requires telephone companies to provide adequate basic local exchange service to citizens throughout the state under Sec. 4927.02(A);
2. The legislation allows telephone companies to annually increase monthly basic rates by \$2.00 (from the current maximum increase of \$1.25), under Sec. 4927.12(B)(1)(2) & (3);
3. The legislation allows telephone companies unlimited increases in Ohioans' basic local exchange service rates four years from the date the statute is enacted if the companies meet certain standards under newly created Sections 4927.121 & 4927.22;
4. The legislation limits PUCO authority to inspect telephone facilities, which is needed for reviewing whether consumers are being provided adequate telephone service;
5. The legislation removes basic telephone service providers from the definition of a "public utility" for treble-damages liability for inadequate service, under Sec. 4905.61.

CONCLUSION

Substitute House Bill 402 would result in Ohio residents paying considerably more for basic landline services after 4 years based on the above. The determining factors for judging any increase in basic service rates should include the safety and welfare of all Ohioans. Adequate service quality with a price comparable to that being currently charged for basic landline service, is essential for the health and safety of all Ohio residents, particularly those who are elderly, disabled, on fixed or low incomes.

Thank you again for allowing me to testify. I would be happy to answer any questions.



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