

DT 12-154  
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# **-STATE OF NEW HAMPSHIRE**

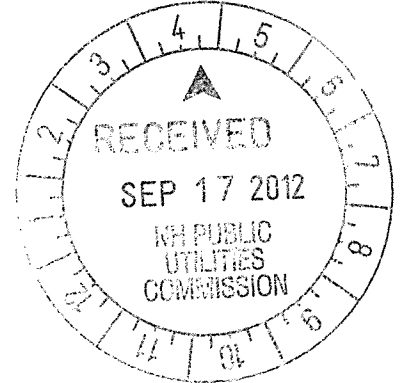
## **Inter-Department Communication**

**DATE:** Sept 12, 2012  
**AT (OFFICE):** NHPUC

**FROM:** Les Stachow, Telecommunications Division

**SUBJECT:** DT 12-154, IDT America Corp.  
Intrastate Access Reform

**TO:** Commissioners  
Debra Howland, Executive Director



On May 31, 2012, IDT America Corp, ("IDT") filed NHPUC mandated spreadsheets containing proposed changes to its NH Intrastate Access Service rate schedule, to comply with the Federal Communications Commission (FCC) Report and Order FCC 11-161.

FCC Order 11-161 requires that CLECs reduce their revenue from intrastate switched access rates by one half of the difference between the revenue from intrastate access as recorded during the fiscal year October 1, 2010 through September 30, 2011( FY 2011), and the revenue that would have been produced using interstate rates and FY 2011 intrastate demand. Carriers are allowed to calculate the allowed revenue and create a rate design to produce the allowed revenue. On July 1, 2012 IDT submitted Rate Sheets reflecting the above referenced rate reduction. On August, 13, 2012, IDT submitted supplementary information in support of its filing which indicated that the adjusted rates would capture more revenue than the revenue cap. In view of the fact that the revised revenue captured more than the revenue cap, IDT offered to submit replacement rate sheets with an effective date of July 3, 2012, which were received by the Commission on August 30, 2012. The accompanying and required worksheet was received on September 10, 2012.

Staff reviewed the IDT filing and determined that the proposed revisions are consistent with the requirements of the FCC Order.

Though submitted after the July 1, 2012 deadline established by the FCC, Staff recommends approval of this filing, to go into effect as proposed, on July 3, 2012, consistent with the requirement of RSA 378:2 that schedules filed pursuant to the requirements of a duly constituted federal authority conform, as nearly as may be, with the requirements of that authority. To the extent IDT may have billed rates after July 3, 2012 that are higher than those in its July 3, 2012 submission, Staff recommends that the Commission require IDT credit its customers any difference.