

# STATE OF NEW HAMPSHIRE

## Inter-Department Communication

**DATE:** June 27, 2014

**AT (OFFICE):** NHPUC

**FROM:** *ML* Michael Ladam, Assistant Director of Telecommunications

**SUBJECT:** DT 14-160, Intrastate Access Tariff Filings by Competitive Local Exchange Carriers (CLECs)

**TO:** Commissioners  
Debra Howland, Executive Director  
Kate Bailey, Director, Telecommunications



**Executive Summary:** Two CLECs have filed access tariff revisions for effect on July 1, 2014. Staff has not yet confirmed that these filings are compliant with relevant Federal Communications Commission (FCC) rules and orders, and recommends that the Commission extend the review period for each of these two filings by 30 days.

**Background and Analysis:** Federal timelines for access rate filings do not comport well with standard New Hampshire tariff timelines. To address this, on June 10, 2014, the New Hampshire Public Utilities Commission (Commission) announced by secretarial letter that each forthcoming CLEC access tariff filing made prior to July 17, 2014, with an effective date as specified in the filer's companion federal interstate access tariff, would take effect on that date absent Commission action, even if that date were less than 30 days after filing and no specific waiver request were filed.

In support of this process, Staff had committed to review each such CLEC tariff for compliance with FCC rules prior to the effective date, and report to the Commission if any such concerns were present. Staff expects most CLECs to file in mid-July, with an effective date of July 31, 2014.

Granite Telecommunications LLC (GT) filed its access tariff revision on June 19, 2014, for effect on July 1, 2014. TNCI Operating Company LLC (TNCI) filed its access tariff revision on June 20, 2014, for effect on July 1, 2014. Each of these two tariff revisions uses a simple billing methodology for access traffic, with the single rate element "Switched Access" (originating and terminating) for per-minute call charges. The switched access rates proposed by the two companies are different.

CLEC access rates can be no higher than the rates charged by the "price cap carrier" in the CLEC's territory, which in both cases is Northern New England Telephone Operations LLC (FairPoint). In its June 16, 2014 access rate filing, FairPoint does not use a single rate element but instead breaks per-minute charges into several different charges.

To determine whether the CLEC rates are no higher than the FairPoint rate, Staff must determine the "composite" rate derived from the various FairPoint rate elements. Staff is working with FairPoint on this determination, but has not yet completed the analysis.

In light of this required determination, Staff requests that the Commission extend the review periods for the GT filing and the TNCI filing to July 31, 2014. Staff anticipates that its review will be completed earlier, allowing each company to establish an effective date no later than July 31, 2014 for its tariff revisions.

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