

**STATE OF NEW HAMPSHIRE**

## Inter-Department Communication

DATE: March 10, 2014

AT (OFFICE): NHPUC

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

**SUBJECT:** DRM 12-036: Puc 400 Rules for Telephone Utilities:  
Recommendation Regarding 2014 Annual Filings

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

On Friday, March 7, 2014, the Joint Legislative Committee on Administrative Rules approved the revised Puc 400 rules. This should allow the Commission to adopt these rules this week. Staff believes that it would be helpful for the Commission to provide guidance on the effect of the rules on the annual filings that are currently due no later than March 31, 2014, and further believes that it is appropriate to issue a general waiver extending that filing deadline to April 30, 2014. The implementation of new rules inherently raises transition issues that in Staff's assessment can most effectively be addressed by waivers.

Under the rules in effect today, most telephone companies are required to file five to seven reports annually, no later than March 31, 2014. Under the revised rules, for most telephone companies the filing requirement will be reduced to at most three reports: a T-1 Contact and Trade Name Information form, a T-2 Assessment Report, and a T-6 Payphone Location Report (only for those companies that have operated payphones). Incumbent Local Exchange Carriers (ILECs) that have not been declared, or declared themselves to be, Excepted Local Exchange Carriers (ELECs) have additional filing obligations under the revised rules. Two companies are in this category.

**Filing Under Current Rules**

Several telephone companies have already filed their annual reports in accordance with the current Puc 400 rules. Others may be preparing to file within the next few weeks. The current-rule reports generally provide all the information that the new-rule reports provide, plus much more information. Staff sees no benefit in requiring those companies which file current-rule annual reports by March 31, 2014 also to make additional filings pursuant to the new rules. Staff recommends that the Commission clarify that filings made by March 31, 2014 pursuant to the existing rules will be deemed to have fulfilled the annual filings requirement for 2014, and grant a partial waiver of the filing requirements under the new rules at Puc 408.01 and Puc 411.08 to achieve this result.

**Filing Under Revised Rules**

The PUC web site currently provides the current-rule report forms. The forms adopted as part of the new rules will be posted once the Commission approves those

rules. This may give telephone companies less than three weeks to become acquainted with the new forms, determine which forms apply to them, complete the forms, and submit the completed forms to the Commission. Although the new forms require much less time and effort to complete than the current forms, Staff recommends that the Commission grant partial waivers of Puc 408.01(a), Puc 408.01(b), and Puc 408.01(c) to extend until April 30, 2014 the deadline for ELECs to file the three reports otherwise due by March 31, 2014. Staff also recommends that the Commission grant a partial waiver of Puc 411.08 to extend until April 30, 2014 the deadline for ILECs not operating as ELECs to file the ILEC-1 Annual Report.

Staff also notes that utilities filing these forms should leave the field "Telephone Utility Identification Number if one has been assigned" blank, as the Commission has not yet assigned any such numbers.

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