

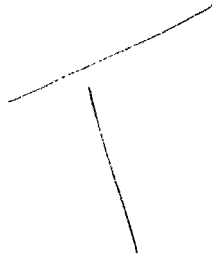


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**TARIFF CONTROL NO. 51363**

<b>JOINT APPLICATION OF TEXAS</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>STATEWIDE TELEPHONE</b>	<b>§</b>	
<b>COOPERATIVE, INC. AND THE</b>	<b>§</b>	<b>OF TEXAS</b>
<b>TEXAS TELEPHONE ASSOCIATION</b>	<b>§</b>	
<b>FOR ADMINISTRATIVE APPROVAL</b>	<b>§</b>	
<b>OF AN INTRASTATE ACCESS</b>	<b>§</b>	
<b>SERVICES TARIFF</b>	<b>§</b>	

**ORDER NO. 3  
REQUIRING CLARIFICATION AND ADOPTING PROCEDURAL SCHEDULE**

This Order addresses the application of the incumbent local exchange carrier (ILEC) members of Texas Statewide Telephone Cooperative, Inc. (TSTCI) and the Texas Telephone Association (TTA) for approval of a generic Texas intrastate access tariff in accordance with the Commission’s July 31, 2020 Order on Certified Issues in Docket Nos. 50667<sup>1</sup> and 50853.<sup>2</sup> Under the Order on Certified Issues, the ILEC members of TSTCI and TTA were required to prepare and submit for Commission approval a generic Texas Intrastate Access Tariff in this docket.

On September 24, 2020, the ILEC members of TSTCI and TTA filed their draft generic Texas Intrastate Access Tariff. On November 12, 2020, Commission Staff recommended that the revised proposed notice and generic Texas intrastate access tariff conform with the Commission’s July 31, 2020 Order on Certified Issues regarding a new tariff structure.

It appears to the administrative law judge (ALJ) that the draft tariff filed does not satisfy the requirements in the Commission’s Order on Certified Issues. For example, TSTCI’s name still

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<sup>1</sup> *Application of Texas Telephone Association for Administrative Approval of Access Service Tariff Under 16 Tac § 26 206*, Docket No. 50667, Order on Certified Issues (July 31, 2020).

<sup>2</sup> *Application of Texas Statewide Telephone Cooperative, Inc. for Administrative Revisions to Its Intrastate Access Service Tariff*, Docket No. 50853, Order on Certified Issues (July 31, 2020).


appears in the tariff,<sup>3</sup> the tariff appears to contain pages that are extraneous, outdated, or not properly integrated in the correct sections,<sup>4</sup> and has pages that are marked “Approved” or “Effective.”<sup>5</sup>

To continue timely processing of this docket, the Commission will submit notice of the application to the *Texas Register* for publication on December 4, 2020. Additionally, the ALJ adopts the following procedural schedule.

Deadline for the parties to file (a) a revised proposed generic tariff fixing the problems identified above, or (b) clarification explaining how the proposed generic tariff filed on September 24, 2020, satisfies the requirements in the Commission’s Order on Certified Issues	December 4, 2020
Deadline to intervene; deadline to request a hearing	January 6, 2021
If no requests for hearing, deadline for the parties to file a proposed order approving the generic access tariff, including findings of fact and conclusions of law	January 20, 2021

**Signed at Austin, Texas the 16th day of November 2020.**

**PUBLIC UTILITY COMMISSION OF TEXAS**



**ISAAC TA  
ADMINISTRATIVE LAW JUDGE**

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<sup>3</sup> See, e.g., Application at 44–61 (listing TSTCI in the header) The ALJ believes that the inclusion of TSTCI’s name in the proposed generic tariff conflicts with the Order on Certified Issues and may result in confusion about the tariff’s applicability to the ILEC members of TTA. TSTCI states that its name remains in the tariff where no revisions occur because, “this is the nature of converting a 30 year-old document which no longer exists in native form” Application at 2. However, the ALJ is not convinced that updating the tariff to remove references to TSTCI is unfeasible. See, e.g., *Application of Texas Telephone Association for Administrative Approval of Access Service Tariff Under 16 TAC § 26 207*, Docket No. 50667, Application at Attachment 4 (Mar. 16, 2020) (consisting of TTA’s proposed intrastate access service tariff which largely mirrors TSTCI’s tariff with modifications listed in attachment 2)

<sup>4</sup> See, e.g., Application at 53 (including a 1991 Commission order setting interest rates for calendar year 1992).

<sup>5</sup> See, e.g., Application at 56–58 (containing tariff pages listed as “Approved” on September 1, 1992 and December 27, 2013, and “Effective” on July 3, 2012)