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TARIFF CONTROL NO. 50667

**APPLICATION OF TEXAS
TELEPHONE ASSOCIATION FOR
ADMINISTRATIVE APPROVAL OF
ACCESS SERVICE TARIFF UNDER
16 TAC § 26.207**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**



**ORDER NO. 1
ESTABLISHING DEADLINE FOR BRIEFING BY THE PARTIES**

This Order addresses the application of Texas Telephone Association (TTA) filed on March 16, 2020, and supplemented on March 24, 2020. TTA's application requests approval of a tariff, to be issued in TTA's name, for services provided to customers by the following holders of certificates of convenience and necessity (CCN): Big Bend Telephone Company, Inc. dba BBT; Blossom Telephone Company; Brazoria Telephone Company; Central Texas Telephone Cooperative, Inc. dba Central Texas TeleCommunications; Community Telephone Company; Eastex Telephone Cooperative, Inc.; Etex Telephone Cooperative, Inc.; Ganado Telephone Company, Inc. dba YK Communications; Guadalupe Valley Telephone Cooperative, Inc.; Hill Country Telephone Cooperative, Inc.; Muenster Telephone Corporation of Texas dba Nortex Communications; North Texas Telephone Company; Peoples Telephone Cooperative, Inc. dba Peoples; Riviera Telephone Company; Santa Rosa Telephone Cooperative, Inc.; Totelcom Communications, LLC; and West Texas Rural Telephone Cooperative, Inc.

The administrative law judge (ALJ) has identified issues that should be considered more fully before the application in this docket is processed. TTA and Commission Staff must file briefs addressing the following issues:

1. Under the Commission's rules, "*Every public utility* shall file with the commission filing clerk five copies of its tariff containing schedules of all its rates, tolls, charges, rules, and regulations pertaining to all of its utility service when it applies for a certificate of convenience and necessity to operate as a public utility. *It* shall also file five copies of each subsequent revision."¹ Does TTA's application comply

¹ 16 Texas Administrative Code (TAC) § 26.207(d)(1) (emphasis added).

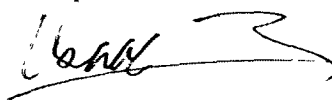
with the Commission's rules,² which appears to require each public utility to file a tariff or tariff revision on an individual basis?

2. Does any statute or rule authorize a representative to file on behalf of multiple CCN holders a proposed tariff that is applicable to multiple CCN holders?
3. Under PURA³ § 52.251(a), "A public utility shall file with the commission a tariff showing each rate that is: (1) subject to the commission's jurisdiction; and (2) in effect for a utility service, product, or commodity *offered by the utility*."⁴ Does TTA's requested tariff comply with state law if it contains rates for services, products, or commodities that are not uniformly applicable to all of the CCN holders listed in the tariff?
4. Does any statute or rule authorize the Commission to issue a tariff to be held by a representative, in the representative's name, on behalf of multiple CCN holders who would then charge various different rates for services, products, or commodities on an individual basis?

Briefs on these issues are due by May 15, 2020. Unless specifically requested, the parties must not file responses to briefs filed pursuant to this Order.

Signed at Austin, Texas this 29th day of April 2020.

PUBLIC UTILITY COMMISSION OF TEXAS



**ISAAC TA
ADMINISTRATIVE LAW JUDGE**

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² *Id.*

³ Public Utility Regulatory Act, Tex. Util. Code §§ 11.001–66.016.

⁴ Emphasis added.