



Control Number: 51363



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TARIFF CONTROL NO. 51363

**JOINT APPLICATION OF TEXAS
STATEWIDE TELEPHONE
COOPERATIVE, INC. AND THE
TEXAS TELEPHONE ASSOCIATION
FOR ADMINISTRATIVE APPROVAL
OF AN INTRASTATE ACCESS
SERVICES TARIFF**

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PUBLIC UTILITY COMMISSION

OF TEXAS

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COMMISSION STAFF'S RECOMMENDATION ON FINAL DISPOSITION

On September 24, 2020, Texas Statewide Telephone Cooperative, Inc. and the Texas Telephone Association (collectively, the Parties), filed an application 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 and 50853.¹ On January 6, 2021, the administrative law judge filed Order No. 6 requiring Staff to file a final recommendation by February 5, 2021. Therefore, this pleading is timely filed.

I. REQUEST FOR EXTENSION

Staff has reviewed the supplemented application, and as supported by the attached memoranda of Stephen Mendoza of the Rate Regulation Division Staff recommends that the Parties be required to correct two issues with the proposed tariff. Original Page 2-30, Section 2.4.1(E)(3) needs to update the reference to "Substantive Rule 23.45(g)" to the more current rule, 16 TAC § 26.27(a)(3)(B) and Original Page 2-52, Section 2.4.8 needs to be update the reference to "Substantive Rule 23.93" to the more current rule, 16 TAC § 26.141. In addition, Original Page 2-30, Section 2.4.1(E)(3) needs to be amended to properly reflect the discount outlined in 16 TAC § 26.216.

In accordance with this recommendation, Staff proposes the following amended procedural schedule.

¹ *Application of Texas Telephone Association for Administrative Approval of Access Service Tariff Under 16 TAC § 26.20*, Docket No. 50667, Order on Certified Issues (July 31, 2020); *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).

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Event	Date
Deadline for the Parties to file a corrected version of the proposed Tariff	February 15, 2021
Deadline Staff to file a supplemental recommendation on final disposition	February 22, 2021
Deadline for the Parties and Staff to file proposed findings of fact and conclusions of law	March 8, 2021

II. CONCLUSION

Staff respectfully requests the issuance of an order consistent with the foregoing recommendation and adopt the proposed amended procedural schedule.

Date: February 5, 2021

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on February 5, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Kourtnee Jinks
Kourtnee Jinks

Public Utility Commission of Texas

Memorandum

TO: Kourtnee Jinks, Legal Division

FROM: Stephen Mendoza, Rate Regulation Division

DATE: February 5, 2021

RE: Tariff Control No. 51363 – *Joint Application of Texas Statewide Telephone Cooperative, Inc. and the Texas Telephone Association for Administrative Approval of an Intrastate Access Services Tariff*

On December 4, 2020, the incumbent local exchange carrier (ILEC) members of Texas Statewide Telephone Cooperative, Inc. (TSTCI), and the Texas Telephone Association (TTA), collectively Applicants, filed a revised proposed Texas generic intrastate access tariff in accordance with Order No. 3.¹

Specifically, Attachment A updates the original TSTCI Access Tariff, containing all applicable ILECs and converts it to a Texas Incumbent Local Exchange Carrier Access Service Tariff (Tariff). The revised proposed Tariff in Attachment A is properly titled, numbered, and dated. All the sections in the proposed Tariff are sequential and there appear to be no pages that are extraneous or outdated. Further, there are no pages that are marked “Approved” or “Effective” throughout the entirety of the revised proposed Tariff.

I have reviewed the Tariff included in Attachment A of the December 4, 2020 filing and have determined that, with the exception of the items listed below, the Applicants appear to have conformed with the Commission’s July 31, 2020 order on certified issues regarding a new tariff structure.² The Applicants have also appeared to have addressed and corrected the issues identified in Order No. 3.

After having reviewed the Tariff, I have identified the following issues that should be corrected by the Applicants:

¹ *Requiring Clarification and Adopting Procedural Schedule*, Order No. 3 (Nov. 16, 2020).

² *Application of Texas Telephone Association for Administrative Approval of Access Service Tariff Under 16 TAC § 26.207*, Docket No. 50667, Order on Certified Issues (Jul. 31, 2020); *Application of Texas Statewide Telephone Cooperative, Inc. for Administrative Revisions to Its Intrastate Access Service Tariff*, Docket No. 50853, Order on Certified Issues (Jul. 31, 2020).

- Original Page 2-30, Section 2.4.1(E)(3): Replace “Substantive Rule 23.45(g)” with the more current rule, “16 TAC § 26.27(a)(3)(B).”
- Original Page 2-52, Section 2.4.8: Replace “Substantive Rule 23.93” with the more current rule, “16 TAC § 26.141.” Additionally, the Applicants should amend the section to properly reflect the discount amount as prescribed by 16 TAC § 26.216.

Accordingly, to the extent that the Applicants have not identified any other corrections, I recommend that the Applicants be ordered to file corrections consistent with the suggested corrections listed above.