



Control Number: 51363



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**TARIFF CONTROL NO. 51363**

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

**PUBLIC UTILITY COMMISSION  
OF TEXAS**

**TEXAS STATEWIDE TELEPHONE COOPERATIVE, INC. AND THE TEXAS  
TELEPHONE ASSOCIATION'S RESPONSE TO ORDER NO. 12 AND  
MOTION TO ADMIT EVIDENCE**

NOW COME the incumbent local exchange carrier ("ILEC") members of Texas Statewide Telephone Cooperative, Inc. ("TSTCI"), the Texas Telephone Association ("TTA"), and the Public Utility Commission of Texas ("Commission") staff ("Staff") (collectively, the "Parties"), and timely file this Motion to Admit Evidence in response to Order No. 12:

**I. BACKGROUND**

**A. Original Tariff Filing and Notice**

On September 24, 2020, the ILEC members of TSTCI and TTA (the "Applicants") filed a draft generic Texas intrastate access tariff at the direction of the Commission, including a proposed public notice. On November 12, 2020, Applicants filed a revised proposed notice after discussions with Commission Staff. That same day, 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. On December 4, 2020, the Commission provided public notice of this proceeding through the *Texas Register*.

**B. Requested Tariff Revisions**

On November 16, 2020, the Administrative Law Judge ("ALJ") entered Order No. 3, requesting clarification on certain issues. On December 4, 2020, the Applicants filed a new, digitized copy of the tariff in response to Order No. 3.

On February 5, 2021, Commission Staff recommended additional minor corrections to Original Page 2-30, Section 2.4.1(E)(3) and Original Page 2-52, Section 2.4.8. On February 8, 2021, Order No. 7 was entered, requiring Applicants to make the recommended corrections. On February 16, 2021, the Applicants submitted Commission Staff's recommended corrections to Original Page 2-30, Section 2.4.1(E)(3) and Original Page 2-52, Section 2.4.8.

Other than a consolidated filing described below, no further revisions to the tariff have been requested since February 8, 2021.

### **C. Recommendation for Final Approval of Tariff**

On February 22, 2021, Order No. 8 was entered, requiring Commission Staff to file a supplemental recommendation on final disposition and requiring Applicants and Commission Staff to file a joint proposed order. On March 1, 2021, Commission Staff filed its supplemental recommendation on final disposition, recommending final approval of the corrected application.

On March 15, 2021, Applicants and Commission filed a joint proposed order and motion to admit evidence.

On March 31, 2021, after evidence was admitted in the proceeding as shown below, Order No. 11 was entered, requiring the applicants to file a consolidated copy of the proposed generic intrastate access tariff incorporating the corrected pages described above. On April 5, 2021, the Applicants re-filed their proposed intrastate access tariff from December 4, 2020, incorporating the two corrected pages that were filed on February 16, 2021 therein. This April 5, 2021, tariff filing includes any and all revisions requested in this proceeding, consolidated into one final document, as requested.

### **D. Admission of Evidence**

As noted above, the parties moved to admit evidence on March 15, 2021. On March 23, 2021, Order No. 9 was entered, requiring clarification on one of the items to be admitted as evidence into the record. On March 29, 2021, the Parties jointly filed a letter clarification in response to Order No. 9, clarifying which item was to be admitted. Later that same day, Order No. 10 was entered, admitting the following evidence into the record:

- (a) Applicants' application for approval of a generic Texas intrastate access services tariff and accompanying tariff sheets filed on September 24, 2020 (Interchange Item No. 1);
- (b) Applicants' letter and revised proposed notice filed on November 12, 2020 (Interchange Item No. 5);
- (c) Commission Staff's recommendation on the application, notice, and proposed procedural schedule filed on November 12, 2020 (Interchange Item No. 6);
- (d) *Texas Register* acknowledgment of receipt, confirming notice would be published in the *Texas Register* on December 4, 2020 (Interchange Item No. 9);
- (e) Applicants' Response to Order No. 3 and accompanying tariff sheets filed December 4, 2020 (Interchange Item No. 10);
- (f) Commission Staff's recommendation on final disposition filed on February 5, 2021 (Interchange Item No. 17);
- (g) Applicants' Response to Order No. 7 filed on February 16, 2021 (Interchange Item No. 19); and
- (h) Commission Staff's supplemental recommendation on final disposition filed on March 1, 2021 (Interchange Item No. 22).

#### **E. The Current Motion**

On April 5, 2021, Order No. 12 was entered, soliciting the Applicants and Commission Staff to file another Motion to Admit Evidence in order to seek admission of the Applicants' Response to Order No. 11, the consolidated tariff filed earlier that day. .

## **II. MOTION TO ADMIT EVIDENCE**

In response to Order No. 12, and in an abundance of caution, the Applicants and Commission Staff hereby request that the following additional evidence be admitted into the record, supplementing the admitted record evidence listed above:

- (i) Parties' joint letter clarification in response to Order No. 9 filed on March 29, 2021 (Interchange Item No. 25);
- (j) Applicants' Response to Order No. 11 filed on April 5, 2021 (Interchange Item No. 28); and
- (k) this Response to Order No. 12 filed on April 20, 2021 (Interchange Item No. \_\_\_\_).

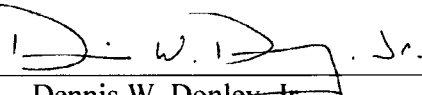
### III. PRAYER

WHEREFORE, PREMISES CONSIDERED, TSTCI, TTA, and Commission Staff respectfully request that the Motion to Admit Evidence be granted and for any further relief to which they may be justly entitled.

Dated: April 20, 2021

Respectfully submitted,

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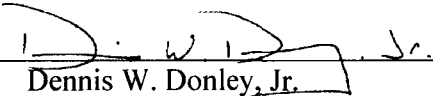
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**CERTIFICATE OF SERVICE**

It is hereby certified that a copy of the foregoing has been served by email on all parties of record who have provided an email address, on this the 20th day of April 2021, in accordance with the Commission's Order Suspending Rules issued on July 16, 2020, in Project No. 50664.

By  \_\_\_\_\_  
Dennis W. Donley, Jr.