



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

### COMMISSION STAFF'S RECOMMENDATION ON THE APPLICATION

**COMES NOW** the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Recommendation on the Application. Staff recommends that the application and revised proposed notice comply with the Commission's order on certified issues. In support thereof, Staff shows the following:

#### I. BACKGROUND

On September 24, 2020, Texas Statewide Telephone Cooperative, Inc. and the Texas Telephone Association, filed an application for approval of 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.<sup>1</sup>

On October 28, 2020, the administrative law judge issued Order No. 2, requiring Staff to file comments on whether the application conforms to the Commission's July 31, 2020 order on certified issues and make a recommendation regarding the processing of this application and the proposed notice by November 12, 2020. Therefore, this pleading is timely filed.

#### II. ORDER ON CERTIFIED ISSUES

Staff has reviewed the application and, as detailed in the attached memorandum of Stephen Mendoza, Rate Regulation Division, recommends that Texas Statewide Telephone Cooperative, Inc. and the Texas Telephone Association have conformed with the Commission's July 31, 2020 order on certified issues regarding a new tariff structure.

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<sup>1</sup> *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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### **III. PROPOSED NOTICE**

On November 12, 2020, Texas Statewide Telephone Cooperative, Inc. and Texas Telephone Association filed a revised proposed notice. According to the order on certified issues, “[t]he application must include public notice plans that accord with the requirements of 16 TAC § 26.208(c).”<sup>2</sup> Staff respectfully recommends that the revised proposed notice meets the requirements of 16 TAC § 26.208(c) and, therefore, complies with the order on certified issues.

### **IV. PROPOSED PROCEDURAL SCHEDULE**

Staff proposes that it be given 45 days to review any tariffs after they are filed.

### **V. CONCLUSION**

Staff respectfully requests the entry of an order consistent with the above recommendation.

Dated: November 12, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Rachelle Nicolette Robles  
Division Director

Rashmin J. Asher  
Managing Attorney

/s/ Megan Chalifoux

Megan Chalifoux  
State Bar No. 24073674  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512)-936-7377  
(512) 936-7268 (facsimile)  
megan.chalifoux@puc.texas.gov

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<sup>2</sup> *Id.* at 6.

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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 November 12, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Megan Chalifoux  
Megan Chalifoux

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Megan Chalifoux, Legal Division

**FROM:** Stephen Mendoza, Rate Regulation Division

**DATE:** November 12, 2020

**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*

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On September 24, 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 joint application for approval of a Texas generic intrastate access tariff in accordance with the Commission’s July 31, 2020 order on certified issues in Docket Nos. 50667 and 50853.<sup>1</sup>

The order on certified issues prescribed a method to convert to a new tariff structure to expeditiously address necessary changes to intrastate access rates. Accordingly, the Applicants filed their proposal for a Texas generic intrastate access tariff, attached as Exhibit B, in the application.

Specifically, Exhibit B updates the original TSTCI Access Tariff, containing all the ILECs listed in Exhibit A, and converts it to a Texas Incumbent Local Exchange Carrier Access Service Tariff (Tariff). The Applicants explain that, in order to comply with the Commission’s order, changes were made to the cover page and section one updating the name of the Tariff to “Texas Incumbent Local Exchange Intrastate Tariff.” The Applicants also state that while the TSTCI name remains in the Tariff in areas where no revisions occur, this is the result of the nature of converting a 30-year-old document that no longer exists in

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<sup>1</sup> *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).

native form. As such, the Tariff is intended to serve as a generic tariff, formerly known as the TSTCI tariff, and to serve only temporarily as the Commission determines the next steps.

I have reviewed the Tariff included in Exhibit B of the application and have determined that the Applicants appear to have conformed with the Commission's July 31, 2020 order on certified issues regarding a new tariff structure. Additionally, I recommend that the Applicants further endeavor to complete the necessary changes to the Tariff so that a Texas Generic Intrastate Access Tariff including all the ILECs in Docket Nos. 50667 and 50853 can be filed for Commission review and approval.