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TARIFF CONTROL NO. 57365

APPLICATION OF DELL TELEPHONE COOPERATIVE, INC. TO WITHDRAW SERVICES UNDER 16 TAC § 26.208	§ § §	PUBLIC UTILITY COMMISSION OF TEXAS
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COMMISSION STAFF’S RECOMMENDATION ON FINAL DISPOSITION

On November 26, 2024, Dell Telephone Cooperative, Inc. (Dell) filed its application to withdraw Pay Telephone Access Line Services from the Member Services tariff, effective December 31, 2024, pursuant to the terms of 16 Texas Administrative Code (TAC) § 26.208(i). Dell Telephone is also proposing to decrease rates for customer calling features and has requested a waiver of the rule requirements in 16 TAC § 26.208(c) and (d) to provide notice and proof of notice.

On December 2, 2024, the administrative law judge (ALJ) filed Order No. 1, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file comments and recommendations regarding the administrative completeness of the application, notice, and propose a procedural schedule if appropriate by December 27, 2024. Therefore, this pleading is timely filed.

I. RECOMMENDATION ON ADMINISTRATIVE COMPLETENESS

Staff has reviewed Dell’s application and as supported by the attached memorandum from Stephen Mendoza of the Rate Regulation Division, recommends that the application be deemed sufficient for further review. Furthermore, Staff recommends that a waiver of the rule requirements in 16 TAC § 26.208(c) and (d) to provide notice and proof of notice is warranted due to the minimal or lack of impact due to no customer usage of this service over the last 36 months. As such, the withdrawal of pay telephone access line service will have a minimal or no impact on the public pursuant to 16 TAC § 26.208(b)(2)(B).

II. PROPOSED PROCEDURAL SCHEDULE

In accordance with Staff’s sufficiency recommendation, Staff proposes the following procedural schedule:

Event	Deadline
Intervention deadline	January 17, 2025
Staff’s final recommendation	January 24, 2025

III. CONCLUSION

For the reasons above, Staff respectfully requests the entry of an order deeming the application sufficient, granting a waiver for the rule requirements to provide notice and proof of notice, and adopting the proposed procedural schedule.

Dated: December 27, 2024

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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TARIFF CONTROL NO. 57365

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 December 27, 2024 in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Juan Guajardo
Juan Guajardo

Public Utility Commission of Texas

Memorandum

TO: Juan Guajardo, Attorney, Legal Division
FROM: Stephen Mendoza, Analyst, Rate Regulation Division
DATE: December 27, 2024
RE: Tariff Control No. 57365 – *Application of Dell Telephone Cooperative, Inc. to Withdraw Services Under 16 TAC § 26.208*

RECOMMENDATION ON SUFFICIENCY

On November 26, 2024, Dell Telephone Cooperative, Inc. (Dell) filed an application to withdraw its Pay Telephone Access Line Service from its Member Services Tariff pursuant to the terms of 16 Texas Administrative Code (TAC) § 26.208(i).

Pursuant to 16 TAC §26.208(i), the following items must be addressed when a dominant carrier withdraws a service:

- 1.) the commission control number of the application;
- 2.) proof of notice to current customers;
- 3.) the number of current customers;
- 4.) the reason for withdrawal;
- 5.) provisions for grandfathering, or competitive alternatives, be provided;
- 6.) annual revenues for the last three years be provided; and,
- 7.) if no current subscribers exist, an affidavit to this effect is provided.

Dell stated in its application that there are no current customers of the pay telephone access line service and is a service that has remained unused for several years. Dell explained that it will no longer provide pay telephone access line service through its Member Services Tariff to cut down on costs and expenses. Dell also indicated that the annual revenues for pay telephone access service for the last 36 months is \$0, as there have been no customer use of this service during that time. Accordingly, Dell is not proposing an alternative service, or an option to grandfather the service.

Lastly, Commission Staff (Staff) is requesting a waiver of the rule requirements in 16 TAC § 26.208(c) and (d) to provide notice and proof of notice. As explained in the application, there has been no customer usage of this service over the last 36 months. As such, the withdrawal of pay telephone access line service will have a minimal or no impact on the public pursuant to 16 TAC § 26.208(b)(2)(B). Staff therefore asserts that a waiver of 16 TAC § 26.208(c) and (d) is reasonable and warranted.

Staff has reviewed the application for service withdrawal and recommends that the application be found sufficient and that a waiver of 16 TAC § 26.208(c) and (d) is reasonable and warranted. If Staff has determined, by the deadline date for its final recommendation, that this service withdrawal request requires further evaluation or a recommendation for an evidentiary hearing, Staff's final recommendation shall address a joint procedural schedule for the balance of this docket.