

## 7047

revised annual access tariffs every year.<sup>3</sup> ILECs that file tariffs under the rate-of-return ratemaking methodology are required to file every other year. Further, ILECs filing pursuant to the requirements of section 61.38<sup>4</sup> are required to file in even-numbered years,<sup>5</sup> and those filing pursuant to section 61.39<sup>6</sup> are required to file in odd-numbered years and are not required to submit supporting material with the revised tariff.<sup>7</sup> Because 2004 is an even-numbered year, only the price cap ILECs and the ILECs filing pursuant to section 61.38 are required to file revised access tariffs this year, including support material that includes a TRP.

4. Price cap ILECs are required to submit both a short form TRP and a long-form TRP. For price cap ILECs, the short form TRP must be filed by April 30, 2004. Price cap ILECs and rate-of-return ILECs subject to section 61.38 must file a long-form price cap TRP or a rate-of-return TRP, respectively, with their annual access tariff filing in June 2004.

### C. Tariff Review Plan (TRP) Filing Instructions

5. ILECs must use the Electronic Tariff Filing System (ETFS) to file all of their tariff material.<sup>8</sup> ILECs should make every effort to file as early in the day as possible in order to avoid any complications in meeting the April 30, 2004, June 16, 2004, and June 24, 2004, pre-7:00 pm deadlines for filing with the ETFS. Price cap ILEC short form TRP filings must be received by ETFS after 7:00 pm Eastern Time on April 29, 2004 and before 7:00 pm Eastern Time on April 30, 2004 for the filing to be considered officially received on April 30, 2004. ILEC filings must be received by ETFS after 7:00 pm Eastern Time on June 15, 2004 and before 7:00 pm Eastern Time on June 16, 2004 for the filing to be considered officially received on June 16, 2004. ILEC filings must be received by ETFS after 7:00 pm Eastern Time on June 23, 2004 and before 7:00 pm Eastern Time on June 24, 2004 for the filing to be considered officially received on June 24, 2004. ILECs are reminded that there are remote filing sites available, at the following addresses:

California	<a href="http://www.fccetfs.com/">http://www.fccetfs.com/</a>
Chicago	<a href="http://161.58.254.112/">http://161.58.254.112/</a>

6. Carriers filing TRPs are no longer asked to provide them or other cost support information on diskette or CD-ROM.

7. Copies of the information filed electronically may be obtained via the Internet using the ETFS at <http://svartifoss2.fcc.gov/prod/ccb/etfs/>,<sup>9</sup> or from Qualex International, (202) 863-2893, at 445

<sup>3</sup> 47 C.F.R. § 61.43.

<sup>4</sup> 47 C.F.R. § 61.38.

<sup>5</sup> 47 C.F.R. § 69.3(f)(1).

<sup>6</sup> 47 C.F.R. § 61.39.

<sup>7</sup> 47 C.F.R. § 69.3(f)(2).

<sup>8</sup> 47 C.F.R. § 61.13(b).

<sup>9</sup> Users may also use the alternate site for accessing ETFS at <http://gullfoss2.fcc.gov/prod/ccb/etfs/>.

12<sup>th</sup> Street, SW, Room CY-B402, Washington, DC 20554. For more information, contact Raj Kannan at (202) 418-1540, Pricing Policy Division, Wireline Competition Bureau.

8. Section 61.49(k) of the Commission's rules requires price cap carriers to file a short form TRP without rate detail information 90 days prior to the usual effective date of July 1. For this year's filing, we require that this short form TRP be filed on April 30, 2004.<sup>10</sup> We will issue a separate order that will provide the details of the short form and regular TRP. Comments on the short form TRP will be due on May 17, 2004. Replies will due May 24, 2004.

#### **D. Pleading Filing Dates and Procedures**

9. In accordance with the tariff filing schedule, petitions to suspend or reject tariff filings made on 15 days' notice will be due June 23, 2004, and replies will be due June 29, 2004. Petitions to suspend or reject tariff filings made on seven days' notice will be due June 28, 2004, and replies will be due no later than 12:00 noon Eastern Time on June 30, 2004.<sup>11</sup>

10. Parties filing pleadings are encouraged to use ETFS in order to facilitate access to these documents. Comments and replies should reference **WCB/Pricing 04-18**. Parties filing paper copies must file an original and four (4) copies of each filing.

11. Paper filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail and the Commission advises that electronic media NOT be sent through the U.S. Postal Service).

12. The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, DC 20554.

13. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

14. Three (3) paper copies and one e-mail copy of the comments and reply comments should also be sent to Raj Kannan, Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, SW, Room 5-A221, Washington, DC 20554, <raj.kannan@fcc.gov>. A courtesy copy should be addressed to Chief Pricing Policy Division, Wireline Competition Bureau, 445 12th Street, SW, Room 5-A225, Washington, DC 20554 and e-mailed to <judith.nitsche@fcc.gov>. Parties shall also serve one copy with Qualex International, Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC 20554, (202) 863-2893, or via e-mail to

<sup>10</sup> We waive any inconsistent portions of section 61.49(k) of the Commission's rules.

<sup>11</sup> We waive any inconsistent portions of section 1.4(f) of the Commission's rules.

<qualexint@aol.com>.

### E. SERVICE

15. Because there is limited time available for review of the petitions and replies, we establish the following service requirements for these filings. On the date one of these filings is submitted to the Commission, it shall be served upon the filing local exchange carrier or the petitioner, respectively, or its attorney or other duly constituted agent, by personal delivery or by facsimile transmission.<sup>12</sup> Parties are instructed to provide contact persons and facsimile numbers in their filings. Parties filing petitions and replies electronically are reminded they are still required to serve copies in accordance with these rules as stated herein.

### III. ORDERING CLAUSE

16. Accordingly, IT IS ORDERED that, pursuant to sections 1, 4 (i) and (j), 201-209, of the Communications Act, as amended, this order is HEREBY ADOPTED as described above.

17. IT IS FURTHER ORDERED that, pursuant to section 1.3 of the Commissions rules, 47 C.F.R. § 1.3, section 61.49(k) of the Commission's rules, 47 C.F.R. § 61.49(k), IS WAIVED for the purpose specified in paragraph 8 *supra*.

18. IT IS FURTHER ORDERED that, pursuant to section 1.3 of the Commission's rules, 47 C.F.R. § 1.3, section 1.4(f) of the Commission's rules, 47 C.F.R. § 1.4(f), IS WAIVED for the purpose specified in paragraph 9 *supra*.

19. IT IS FURTHER ORDERED that, pursuant to section 1.3 of the Commission's rules, 47 C.F.R. § 1.3, section 1.47(d) of the Commission's rules, 47 C.F.R. § 1.47(d), IS WAIVED for the purpose specified in paragraph 15 *supra*.

### FEDERAL COMMUNICATIONS COMMISSION

Tamara L. Preiss  
Chief, Pricing Policy Division  
Wireline Competition Bureau

---

<sup>12</sup> 47 C.F.R. §§ 1.773(a)(4) and (b)(3). We waive any inconsistent portions of section 1.47(d) of the Commission's rules.