

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	WCB/Pricing 05-22
July 1, 2005)	
Annual Access Charge Tariff Filings)	

ORDER

Adopted: April 7, 2005

Released: April 8, 2005

By the Chief, Pricing Policy Division:

SHORT FORM TRP: May 2, 2005
 COMMENTS: May 18, 2005
 REPLIES: May 25, 2005

15-DAY TARIFF FILINGS: June 16, 2005
 PETITIONS: June 23, 2005
 REPLIES: June 28, 2005

7-DAY TARIFF FILINGS: June 24, 2005
 PETITIONS: June 28, 2005
 REPLIES: 12:00 noon ET June 30, 2005

I. INTRODUCTION

1. This order establishes procedures for the 2005 filing of annual access charge tariffs and Tariff Review Plans (TRPs) by all incumbent local exchange carriers (ILECs). Specifically, it sets an effective date of July 1, 2005 for the July 2005 annual tariff filings; addresses the dates on which the tariff filings must be filed, the dates and times for filing petitions to suspend or reject the ILEC tariff filings, and replies to any such petitions; and addresses service of the petitions and replies. It further sets the date that price cap carriers must file the short form TRP.¹ All correspondence and comments in connection with these filings should be designated in reference to July 1, 2005 Annual Access Charge Tariff Filings.

II. DISCUSSION

A. Tariff Effective Date and Tariff Filing Dates

¹ The price cap ILECs that must file a short form TRP on May 2, 2005, are ALLTEL Telephone System, Ameritech Operating Companies, BellSouth Telecommunications, Inc., Cincinnati Bell Telephone, Citizens Telecommunications Companies, Frontier Communications of Minnesota and Iowa, Frontier Communications of Rochester, Iowa Telecommunications Services, Inc., Nevada Bell Telephone Company, Pacific Bell Telephone Company, Qwest Corporation, Southern New England Telephone, Southwestern Bell Telephone, Sprint Local Telephone Companies, Valor Telecommunications Enterprises, LLC, and Verizon Telephone Companies.

2. ILECs are permitted to make their tariff filings either 15 or 7 days prior to the effective date of their tariffs, depending on the type of changes the tariffs propose.² Annual access tariff filings must be filed with a scheduled effective date of July 1.³ For tariffs filed on 15 days' notice, ILECs must make their annual tariff filings on June 16, 2005. For tariffs filed on seven days' notice, ILECs must make their tariff filings on June 24, 2005.

3. ILECs that file tariffs under the price cap ratemaking methodology are required to file revised annual access tariffs every year.⁴ 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 61.38⁵ are required to file in even-numbered years,⁶ and those filing pursuant to section 61.39⁷ are required to file in odd-numbered years and are not required to submit supporting material with the revised tariff.⁸ Because 2005 is an odd-numbered year, only the price cap ILECs and the ILECs filing pursuant to section 61.39 are required to file revised access tariffs this year. Any rate-of-return ILEC subject to section 61.38 may elect to make a voluntary tariff filing at this time.

B. Tariff Review Plan Filing Dates

4. Price cap ILECs are required to submit both a short form TRP and a long-form TRP. 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 May 2, 2005.⁹ Rate-of-return ILECs subject to section 61.38 that are making voluntary filings this year must file a rate-of-return TRP with their annual access tariff filing in June 2005. We will issue a separate order that will provide the details of the price cap short form and regular TRP as well as the rate-of-return TRP. Comments on the short form TRP will be due on May 18, 2005. Replies will due May 25, 2005.

C. Tariff and Tariff Review Plan Filing Instructions

5. ILECs must use the Commission's Electronic Tariff Filing System (ETFS) to file all of their tariff material.¹⁰ ILECs should make every effort to file as early in the day as possible in order to avoid any complications in meeting the May 2, 2005, June 16, 2005, and June 24, 2005, pre-7:00 pm

² 47 U.S.C. §204(a)(3).

³ 47 C.F.R. § 69.3(a).

⁴ 47 C.F.R. § 61.43.

⁵ 47 C.F.R. § 61.38.

⁶ 47 C.F.R. § 69.3(f)(1).

⁷ 47 C.F.R. § 61.39.

⁸ 47 C.F.R. § 69.3(f)(2).

⁹ We waive any inconsistent portions of section 61.49(k) of the Commission's rules.

¹⁰ 47 C.F.R. § 61.13(b).

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, 2005 and before 7:00 pm Eastern Time on May 2, 2005 for the filing to be considered officially received on May 2, 2005. ILEC tariff filings must be received by ETFS after 7:00 pm Eastern Time on June 15, 2005 and before 7:00 pm Eastern Time on June 16, 2005 for the filing to be considered officially received on June 16, 2005. ILEC tariff filings must be received by ETFS after 7:00 pm Eastern Time on June 23, 2005 and before 7:00 pm Eastern Time on June 24, 2005 for the filing to be considered officially received on June 24, 2005.

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>,¹¹ or from Best Copy and Printing, Inc., (202) 488-5300, at 445 12th Street, SW, Room CY-B402, Washington, DC 20554. For more information, contact Raj Kannan at (202) 418-1540, Pricing Policy Division, Wireline Competition Bureau.

D. Pleading Filing Dates and Procedures

8. In accordance with the tariff filing schedule, petitions to suspend or reject tariff filings made on 15 days' notice will be due June 23, 2005, and replies will be due June 28, 2005. Petitions to suspend or reject tariff filings made on seven days' notice will be due June 28, 2005, and replies will be due no later than 12:00 noon Eastern Time on June 30, 2005.¹²

9. Parties filing pleadings are encouraged to use ETFS in order to facilitate access to these documents. Comments and replies should reference **WCB/Pricing 05-22**. Parties filing paper copies must file an original and four (4) copies of each filing.

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

- The Commission's contractor 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, Express, and Priority mail should be addressed to 445 12th Street, SW, Washington DC 20554.

¹¹ Users may also use the alternate site for accessing ETFS at <http://gullfoss2.fcc.gov/prod/ccb/etfs/>.

¹² We waive any inconsistent portions of sections 1.4(f) and 1.773(b) of the Commission's rules.

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

12. 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 Best Copy and Printing, Inc., Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC 20554, (202) 488-5300, or via e-mail to <FCC@BCPIWEB.COM.>

E. SERVICE

13. 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.¹³ 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

14. 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.

15. 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 4 *supra*.

¹³ 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.

16. IT IS FURTHER ORDERED that, pursuant to section 1.3 of the Commission's rules, 47 C.F.R. § 1.3, sections 1.4(f) and 1.773(b) of the Commission's rules, 47 C.F.R. §§ 1.4(f), 1.773(b) ARE WAIVED for the purpose specified in paragraph 8 *supra*.

17. 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 13 *supra*.

FEDERAL COMMUNICATIONS COMMISSION

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