

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

In the Matter of)
)
Material to be Filed in Support of) WC Docket No. 17-65
2017 Annual Access Tariff Filings)

ORDER

Adopted: April 24, 2017

Released: April 24, 2017

By the Chief, Pricing Policy Division, Wireline Competition Bureau:

I. INTRODUCTION

1. By this Order, the Wireline Competition Bureau (Bureau) sets forth the Tariff Review Plans (TRPs) used by all incumbent local exchange carriers (LECs) to support interstate access service tariff revisions filed in 2017.¹ These TRPs reflect implementation of the transitional rate changes and recovery rules adopted in the *USF/ICC Transformation Order*.² The rate-of-return TRPs also include implementation of the universal service reforms and related tariffing requirements adopted in the *Rate-of-Return Reform Order*.³ For rate-of-return carriers, separate TRPs are provided for those subject to section 61.38 -- those using projected cost and demand data and 61.39 -- those using historical cost and demand data,⁴ as well as for carriers receiving universal service support based on model support and those receiving cost-based support.⁵ The completion of the TRPs appended to this document will provide the supporting documentation to fulfill, in part, the requirements contained in sections 61.38, 61.39, 61.41 through 61.49, 51.700 through 51.715, and 51.901 through 51.919 of the Commission's rules.⁶ The TRPs display support data in a consistent manner, thereby facilitating review of the incumbent LEC rate

¹ The filing date and comment periods were released earlier in a separate order. See *July 1, 2017 Annual Access Charge Tariff Filings*, Order, DA 17-258 (WCB Mar. 16, 2017).

² See *Connect America Fund et al.*, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663, 17934-35, para. 801 (2011) (*USF/ICC Transformation Order*) (stating that although many of the switched access rate elements are subject to the transition adopted, other rates were not being specifically reduced at that time), *pets. for review denied sub nom. In re: FCC 11-161*, 753 F.3d 1015 (10th Cir. 2014).

³ See *Connect America Fund et al.*, WC Docket No. 10-90 et al., Report and Order, Order and Order on Reconsideration and Further Notice of Proposed Rulemaking, 31 FCC Rcd 3089, para. 1 (2016) (*Rate-of-Return Reform Order*).

⁴ 47 CFR §§ 61.38, 61.39.

⁵ See *Rate-of-Return Reform Order*, 31 FCC Rcd at 3090-91, paras. 4-5.

⁶ 47 CFR §§ 61.38, 61.39, 61.41-61.49, 51.700-51.715, and 51.901-51.919. Section 69.3(a) of the Commission's rules limits the annual access charge tariff filing to rate level changes. *Id.* § 69.3(a). Because the 2017 TRP forms include implementation of reforms required by the *USF/ICC Transformation Order* and *Rate-of-Return Reform Order*, we find good cause to waive the limitation contained in section 69.3(a), consistent with prior annual access tariff filing periods. See, e.g. *Material to be Filed in Support of 2012 Annual Access Charge Tariff Filings*, Order, 27 FCC Rcd 3960, 3963, para. 9 & n.30 (WCB 2012).

revisions by the Commission and interested parties.⁷ The annual TRPs have served this purpose effectively for many years.

2. In the *USF/ICC Transformation Order*, the Commission adopted a number of rules requiring incumbent LECs to adjust, over a period of years, many of their switched access charges effective on July 1 of each of those years, with the ultimate goal of transitioning to a bill-and-keep regime at the end of the transition.⁸ The Commission also adopted a recovery mechanism to mitigate the impact of reduced intercarrier compensation revenues on carriers and to facilitate continued investment in broadband infrastructure.⁹ As part of the recovery mechanism, the Commission defined as “Eligible Recovery” the amount of intercarrier compensation revenue reductions that incumbent LECs would be eligible to recover through a combination of end-user charges (Access Recovery Charge (ARC))¹⁰ and, where eligible and if a carrier elects to receive it, Connect America Fund support.¹¹ A carrier’s Eligible Recovery is based on a percentage of the reduction in revenue each year resulting from the intercarrier compensation reform transition.¹²

3. In the *Rate-of-Return Reform Order*, the Commission modified the rules governing the provision of high cost universal service support to rate-of-return LECs.¹³ The Commission adopted a voluntary path under which rate-of-return carriers may elect model-based support for a term of 10 years in exchange for meeting defined build-out obligations.¹⁴ For carriers not electing model-based support, the Commission modernized the existing interstate common line support (ICLS) rules to provide support in situations where the customer no longer subscribes to traditional regulated local exchange voice service, i.e. subscribes to stand-alone broadband.¹⁵ This revised form of support is known as Connect America Fund Broadband Loop Support (CAF BLS). To implement these reforms, the Commission, among other things, revised certain cost allocation and tariffing rules for carriers to introduce supported Consumer Broadband-only Loop (or CBOL) services.¹⁶

4. With respect to pricing considerations, the Commission required a carrier offering CBOL service to move CBOL costs from the Special Access service category to a new CBOL service category.¹⁷ The amount to be shifted is to be determined using the surrogate cost method.¹⁸ On its own motion, the Bureau granted a waiver that allows carriers to limit the amount to be reallocated pursuant to the

⁷ TRP formats for the annual filings are developed for the specific circumstances of the tariff year in which the revised rates will become effective. We refer to the TRPs discussed in this document as the 2017 TRPs.

⁸ See *USF/ICC Transformation Order*, 26 FCC Rcd at 17934-35, para. 801 (stating that although many of the switched access rate elements are subject to the transition adopted, other rates were not being specifically reduced at that time).

⁹ *Id.* at 17677, para. 36.

¹⁰ *Id.* at 17958, para 852.

¹¹ *Id.* at 17957, para. 850.

¹² *Id.* at 17957-58, paras. 850-51.

¹³ *Rate-of-Return Reform Order*, 31 FCC Rcd at 3089, para. 1.

¹⁴ *Id.* at 3094-117, paras. 17-79.

¹⁵ *Id.* at 3117-57, paras. 80-187.

¹⁶ *Id.* at 3157-62, paras. 188-204.

¹⁷ *Id.* at 3158-59, paras. 190-91.

¹⁸ *Id.* at 3158-59, para. 191.

surrogate cost method by excluding from the cost to be reallocated any costs that would otherwise reduce the non-DSL special access revenue requirement.¹⁹

5. The Commission also adopted rules governing the tariffing of a broadband-only loop rate, including a \$42 per loop per month rate cap for rate-of-return LECs electing model-based support and a rate methodology for rate-of-return LECs receiving CAF BLS.²⁰ For rate-of-return LECs electing model-based support, the Commission determined that such carriers would not be eligible to participate in the National Exchange Carrier Association (NECA) Common Line pooling mechanism but could elect to have NECA tariff its common line rates.²¹ The Commission also required rate-of-return LECs to impute an amount equal to the ARC charge they assess on voice/broadband lines to their supported CBOL service.²²

6. The *Rate-of-Return Reform Order* also represcribed the authorized rate of return from 11.25 percent to 9.75 percent.²³ The rate of return is a key input in a rate-of-return LEC revenue requirement calculation, which is the basis for both its common line and special access rates, and high-cost support as applicable. Beginning July 1, 2016, the 11.25 percent rate of return is reduced by 25 basis points per year until it reaches the represcribed 9.75 percent in 2021.²⁴ Effective July 1, 2017, the authorized rate of return will be 10.75 percent.²⁵

II. TARIFF FILINGS REQUIRED BY THE *RATE-OF-RETURN REFORM ORDER*

7. Prior to July 1, 2016, rate-of-return LECs using historical cost and demand data under 61.39 filed access tariff revisions only in odd numbered years and carriers using projected cost and demand data under 61.38 filed only in even-numbered years.²⁶ Beginning July 1, 2016, however, all rate-of-return LECs must file access service tariff revisions each year in order to implement the required annual reductions to the authorized rate of return.²⁷ Thus, rate-of-return LECs filing under either section 61.38 or 61.39 must file tariff revisions this year to reflect the new prescribed rate of return for tariff year 2017-2018 of 10.75 percent, in rates for services that are subject to rate-of-return regulation

8. Rate-of-return LECs subject to section 61.39 of the Commission's rules are required to complete new cost studies and file access service tariff revisions this year, an odd-numbered year. Rate-of-return LECs subject to section 61.38 are not required to complete new cost studies.²⁸ Because rate-of-return LECs subject to section 61.38 of the Commission's rules are not required to perform new cost studies this filing year, they have the option of either applying the revised rate of return to the cost data from the previous filing year or completing new cost studies.²⁹ All rate-of-return LECs performing new

¹⁹ See *Connect America Fund et al.*, WC Docket No. 10-90 et al., Second Cost Surrogate Waiver Order, 32 FCC Rcd 1953, 1955, para. 8 (WCB 2017).

²⁰ *Rate-of-Return Reform Order*, 31 FCC Rcd at 3459-60, paras. 194, 197-98.

²¹ *Id.* at 3160, paras. 195-96.

²² *Id.* at 3161-62, para. 203.

²³ *Id.* at 3171-3212, paras. 10, 226-326.

²⁴ *Id.* at 3212, para. 326.

²⁵ *Id.*

²⁶ 47 CFR §§ 69.3(f)(1), (2).

²⁷ *Rate-of-Return Reform Order*, 31 FCC Rcd at 3212, para. 326.

²⁸ 47 CFR § 69.3(f)(2).

²⁹ See *id.* §§ 61.38(b)(1)(ii), (b)(2)(ii) (specifying the period of the cost of service study).

cost studies must show the reallocation of special access costs to the CBOL category, and revise their special access and CBOL rates, to the extent necessary under the rules.³⁰

9. We remind all rate-of-return LECs that they are responsible for ensuring that all relevant carrier data is reflected in TRPs filed with the Commission, whether the loops are provided on a tariffed or detariffed basis. Thus, for a carrier receiving CAF BLS that is tariffing a CBOL rate, the filing entity - - whether the carrier, NECA or cost consultant -- must include in the TRP, the data necessary to determine the maximum permitted CBOL rate.³¹ Similarly, the entity filing the special access rates for the rate-of-return LEC -- whether the carrier, NECA or cost consultant -- must include in the TRP for the carrier, data for the special access costs reallocated to the CBOL category. A carrier that has detariffed its CBOL rates shall include the appropriate information in the relevant portion of the TRP.

10. The *Rate-of-Return Reform Order* further required rate-of-return LECs to impute an amount equal to the ARC they assess on voice/broadband lines to their supported CBOL lines.³² Such ARC imputation applies to all supported lines, and is calculated based on the type of broadband-only line (i.e., residential, single-line business, or multi-line business).³³ In response to informal inquiries and a NECA proposal for distinguishing between line types if the type of broadband-only line is not available, we provide the following guidance. If possible, carriers should report imputed ARC revenues calculated by using broadband-only loop data based on loop type for residential, single-line business and multi-line business lines. Carriers should be able to separately identify residential CBOL lines from business CBOL lines for purposes of ARC imputation. If a carrier cannot distinguish between single-line and multi-line business CBOL lines, it may derive a study area-wide weighted average business ARC rate based on the total number of projected voice single-line business and voice multi-line business lines, and the total projected revenue from these lines, as appropriate, for imputing ARCs on CBOL lines. This procedure will provide uniformity in cases where data on the actual number of broadband-only single and multi-line business lines are not available.

11. Based on the Bureau's experience in reviewing TRPs in prior years, the submission by price cap LECs of the attached Short Form TRP on May 17, 2017, together with comments and reply comments by interested parties, will aid the Bureau in analyzing the annual demand and rate revisions to be filed in June 2017. Section III of this Order describes the 2017 TRP for price cap LECs, and Section IV describes the 2017 TRP for rate-of-return LECs.

III. PRICE CAP TARIFF REVIEW PLAN

12. In the *LEC Price Cap Order*, the Commission adopted price cap regulation for certain incumbent LECs, effective January 1, 1991.³⁴ Price cap LECs file tariffs each year. All price cap LECs should file the price cap TRPs outlined below and contained in the Appendix.

³⁰ Carriers filing subject to section 61.39 will show this reallocation on the worksheet entitled "61.39 SA RR Adjustment for CBOL." Carriers filing subject to section 61.38 that elect to do a new cost study should reflect this reallocation on the worksheet entitled "61.38 SA RR Adjustment for CBOL."

³¹ 47 CFR § 69.132(c) ("the single-line rate or charge shall be computed by dividing one-twelfth of the projected annual revenue requirement for the Consumer Broadband-Only Loop category (net of the projected annual Connect America Fund Broadband Loop Support attributable to consumer broadband-only loops) by the projected average number of consumer broadband-only service lines in use during such annual period").

³² *Rate-of-Return Reform Order*, 31 FCC Rcd at 3161-62, para. 203.

³³ 47 CFR § 51.915(f)(4). See *Rate-of-Return Reform Order*, 31 FCC Rcd at 3161-62, para. 203.

³⁴ *Policy and Rules Concerning Rates for Dominant Carriers*, Second Report and Order, 5 FCC Rcd 6786 (1990) (*LEC Price Cap Order*), *aff'd sub nom. National Rural Telecom Ass'n v. FCC*, 988 F.2d 174 (D.C. Cir. 1993).

A. Price Cap TRP Spreadsheets and Workpapers

13. In the 2017 price cap annual access TRP, we adopt a number of changes to the 2016 TRP. The spreadsheets and workpapers are discussed below and are contained in the Appendix.

1. ARC Spreadsheets

14. The ARC spreadsheets consist of six individual spreadsheets that demonstrate the calculations necessary to arrive at an ARC rate for filing carriers. These spreadsheets were created to comply with section 51.915(e) and (f) of the Commission's rules, and include the Rate Ceiling CAF and No CAF spreadsheets, the Tariff Rate Comparison CAF and No CAF spreadsheets, and the True-up spreadsheets.³⁵ This year, the Rate Ceiling and Tariff Rate Comparison spreadsheets have been modified to comply with section 51.915(f)(3).³⁶ This rule specifies that a price cap carrier may recover two-thirds of the amount it otherwise would have been eligible to recover under section 51.915(f)(2) from CAF ICC Support.³⁷

2. Access Reduction Spreadsheets

15. The Access Reduction spreadsheets (standalone and regional) identify the intrastate and interstate rates that are required to be reduced pursuant to section 51.907(b)-(g) of the Commission's rules, and calculate the amount of the reductions.³⁸ This year, the Access Reduction Spreadsheets have been modified to reflect rate reductions required by section 51.907(g) of the Commission's rules.³⁹

3. Eligible Recovery Spreadsheet

16. The Eligible Recovery spreadsheet calculates the amount of Eligible Recovery a price cap LEC is entitled to receive pursuant to section 51.915(d) of the Commission's rules.⁴⁰ This year, the Eligible Recovery Spreadsheet has been modified to change formulas in compliance with section 51.915(d)(vi) of the Commission's rules.⁴¹

4. Reciprocal Compensation Spreadsheets

17. The Reciprocal Compensation spreadsheets demonstrate the calculations necessary to comply with section 51.705 of the Commission's rules, and calculate the Eligible Recovery for reciprocal compensation rate reductions pursuant to section 51.915(d).⁴² These spreadsheets are the Non-CMRS Reciprocal Compensation and CMRS Reciprocal Compensation spreadsheets. This year, the Non-CMRS Reciprocal Compensation spreadsheet has been modified to reflect the rate adjustments required by sections 51.705(c)(3) and 51.907(g) of the Commission's rules.⁴³

5. ICC Summary Spreadsheet

18. The ICC Summary Spreadsheet provides a summary of data contained in the ARC, Access Reduction, Eligible Recovery, Reciprocal Compensation, and True-up spreadsheets.

³⁵ 47 CFR §§ 51.915(e) and (f).

³⁶ *id.* § 51.915(f)(3).

³⁷ *id.* § 51.915(f)(2).

³⁸ *id.* §§ 51.907(b)-(g).

³⁹ *id.* §§ 51.907(g).

⁴⁰ *id.* § 51.915(d).

⁴¹ *id.* § 51.915(d)(vi).

⁴² *id.* §§ 51.705, 51.915 (d).

⁴³ *id.* §§ 51.705(c)(3), 51.907(g).

6. IND1 Spreadsheet

19. The IND1 spreadsheet displays price cap indices (PCIs), actual price indices (APIs), service band indices (SBIs), and upper SBI limits. It is unchanged from the version in the 2016 TRP. For the special access and interexchange baskets, to assist in verifying the historical indices reported in IND1, price cap LECs must continue to file workpapers that identify transmittals in which the current index levels became effective.

7. CAP Spreadsheets

20. Price cap LECs develop the End User Common Line Charge (EUCL), the Presubscribed Interexchange Carrier Charge (PICC), and Carrier Common Line (CCL) rates, which are the rates that recover common line, marketing and transport interconnection (CMT) revenue, on CAP-1, CAP-2, CAP-3, CAP-4, and CAP-5.

21. Price cap LECs that price certain common line rate elements separately by jurisdiction within a study area are required to provide such individual rates, instead of a roll up or average rate, on the CAP-1J form.

8. PCI1 Spreadsheet

22. The PCI1 spreadsheet displays the calculation of the PCIs for the price cap baskets and includes the following data: (1) the Gross Domestic Product Price Index (GDP-PI) measuring inflation; (2) the productivity offset (X-Factor);⁴⁴ (4) the exogenous cost change (Z); (5) the base-year (calendar-year 2016) revenue R for each basket; and (6) the weighting factor (w) used in computing the PCIs. There are no revisions to this spreadsheet.

9. SUM1 Spreadsheet

23. This is a summary spreadsheet displaying the revenues in baskets and categories. It displays the base-year (calendar year 2016) service demand multiplied by: (1) current rates; and (2) proposed rates. SUM1 is used to calculate the difference in revenues using base-year demand, under current and proposed rates. There are no revisions to the SUM1 spreadsheet.

10. EXG Spreadsheets

24. The EXG1 spreadsheet displays the exogenous cost changes to the PCIs attributable to any: (1) sale of exchanges; (2) FCC regulatory fees; (3) excess deferred taxes; (4) amortization of investment tax credits; (5) low end adjustment calculations; (6) fees associated with Telecommunications Relay Service; (7) changes in the allocation of costs between regulated and unregulated activities; (8) North American Numbering Plan Administration expenses; (9) removal of thousand block number pooling; and (10) other exogenous cost changes the incumbent LECs may file. There are no revisions to the EXG1 spreadsheet.

25. The EXG2 spreadsheet displays the net exogenous shifts related to bands and zones. There are no revisions to the EXG2 spreadsheet.

11. Combined Indices

26. The TRP includes a subprogram or switch that allows price cap LECs to combine several study areas for purposes of calculating the PCIs.⁴⁵ Thus, price cap LECs may file different tariffed rates while combining indices across study areas to demonstrate compliance, i.e., that the API is no greater than the PCI. There are no revisions to this program.

⁴⁴ The X-Factor is set pursuant to section 61.45 of the Commission's rules. See 47 CFR § 61.45.

⁴⁵ This switch in the program would apply, for example, to Verizon and CenturyLink, which have submitted TRPs where basket indices and service bands have been aggregated even though some study area tariffs have been kept separated.

12. RTE1 Spreadsheets

27. These spreadsheets display information used to compute the APIs, SBIs, and upper SBI. They display calendar year 2016 demand, current rates, proposed rates, and revenues computed by multiplying the 2016 demand by current and proposed rates. The RTE1 spreadsheets enable the Commission to verify the accuracy of “R,” the revenue variable in the PCI formula that equals base period (2016) demand multiplied by rates. Demand and price data are reported in the aggregate under the primary rate elements of each category. The level of aggregation in the RTE1 spreadsheets allows rapid, consistent verification of index calculations across all companies. There are no revisions to these spreadsheets.

13. Rate Detail Spreadsheet

28. In their previous annual filings, each price cap LEC provided a spreadsheet that gave complete rate element detail, i.e., demand, existing rates, and proposed rates for each rate element subject to price caps. Price cap LECs should again file this spreadsheet with their 2017 annual access tariff filing. We leave unspecified the exact format of the rate detail spreadsheet because each price cap LEC has a different number of rate elements. For each rate element, however, price cap LECs should display the rate element name, jurisdiction, base period demand, current rates, and proposed rates. Price cap LECs also may include a rate identifying code. The revenue amounts for baskets and categories should be totaled to assist in verifying the agreement between this form and the revenue amounts in RTE1. The variation in the number of rate elements among price cap LECs prevents us from specifying the row numbers, but each row of this form should correspond to only one rate element. The rows should reflect the basket and service category sequence used in RTE1. There are no revisions to this spreadsheet.

14. Services Excluded from Price Caps

29. For the 2017 filing, we request that price cap LECs provide a list of services that are tariffed, but are excluded from price caps. The list should identify the tariff section containing each service. Rate element details must be provided for the following categories: Special Construction/Individual Case Basis; Packet Services (e.g., ATM, Frame Relay); End User Charges (e.g., USF charges, LNP); Government Services (e.g., FTS); Miscellaneous/Other (e.g., engineering services); and services that were in price caps but have been removed (e.g., interexchange services, special access). Incumbent LECs do not have to include in this list the services removed pursuant to the *USF/ICC Transformation Order*. For the remaining services included in the list, incumbent LECs must identify the major service, indicate whether the rate is recurring or non-recurring, and the authority relied on to remove the service, where applicable. Incumbent LECs must also clearly state in their cover letter where this information can be found in their TRP.

B. Miscellaneous

30. In addition to the above specifications, price cap LECs must include with their support materials a list of all currently applicable part 69 waivers. The list should include the following information: (1) a citation to the Commission or Bureau order granting the waiver; (2) a brief description of the waiver, including whether any new rate elements were authorized; and (3) the basket and, if applicable, service category of each rate element affected by the waiver.

IV. RATE-OF-RETURN TARIFF REVIEW PLAN

A. Modifications to the Rate-of-Return TRP

31. In the 2017 rate-of-return TRP, we adopt certain modifications to the 2016 rate-of-return TRP in order to continue to implement the *USF/ICC Transformation Order*. In addition, we make certain modifications to reflect reforms adopted in the *Rate-of-Return Reform Order*. These modifications are noted in the forms and workpapers. The TRP for rate-of-return LECs is contained in the Appendix.

32. For special access, common line, and CBOL services for section 61.38 carriers that elect to complete new cost studies, the 2017 rate-of-return TRP is modified to reflect the required reallocation of special access costs to the CBOL category, and there now are two versions of this TRP.⁴⁶ There is one version for carriers that receive CAF-BLS support and another version for carriers that receive model-based support, because the rules governing common line and CBOL rates differ depending on the type of support received. For section 61.38 carriers that do not elect to complete new cost studies, the 2017 61.38 ILEC RR @ 10.75 workbook develops factors to adjust the revenue requirements on which existing common line, special access, and CBOL rates are based to reflect the prescribed rate of return of 10.75 percent.⁴⁷ Carriers that receive CAF-BLS support should use these factors to adjust each of these revenue requirements, while carriers that receive model-based support should use only the special access factor to adjust the special access revenue requirement. This TRP also compares expected revenues, based on proposed tariff-year 2017-2018 rates and prior tariff-year demand, annualized in the case of CBOL, plus expected support in the case of common line and CBOL, to the adjusted revenue requirements, to demonstrate compliance.

33. For special access and CBOL services, section 61.39 incumbent ILECs must submit a new TRP, the section 61.39 special access reallocation TRP.⁴⁸ This TRP requires data and uses formulas to calculate the required cost reallocation from special access to the CBOL category.

34. For switched access services, incumbent LECs regulated pursuant to sections 61.38 and 61.39 of the Commission's rules must complete the ARC spreadsheets and the RoR-ILEC-ICC-data workbook, which contains several tabs with spreadsheets.⁴⁹ The ARC spreadsheets are modified to show the number of projected CBOL loops, by exchange and by type of line, and to calculate the amount of the imputed ARC revenues subtracted from CAF-ICC, and CAF-ICC net, of this imputed amount. Carriers that rely on the methodology suggested by NECA to calculate a weighted average business ARC rate, rather than using separate single line business and multiline business ARC rates as part of the imputed ARC calculation, must explain this methodology in detail and submit the data and the calculations used to determine this weighted-average rate.

35. The RoR-ILEC-ICC-data workbook contains two spreadsheets for carriers to determine their intrastate and interstate rates, and Eligible Recovery, pursuant to sections 51.909(b)-(g) and 51.917(d) of the Commission's rules.⁵⁰ In addition, there are spreadsheets for carriers to calculate their reciprocal compensation rates and Eligible Recovery pursuant to sections 51.705(c)(3) and 51.917(d) of the Commission's rules, and to summarize their Eligible Recovery.⁵¹ These spreadsheets have all been modified from the 2016 spreadsheets to the extent necessary in order to implement the requirements of the *USF/ICC Transformation Order* for the step of the transition required for the July 1, 2017 annual access charge tariff filing. These carriers also must provide a summary of the data from these spreadsheets in the RoR ILEC Summary spreadsheet.

B. General Guidelines Applicable to NECA

36. We have not adopted a TRP for NECA, although NECA should refer to the rate-of-return TRPs for guidance on the level of support materials to provide in its annual filing.

⁴⁶ See 47 CFR § 61.38.

⁴⁷ *Id.*

⁴⁸ See 47 CFR § 61.39.

⁴⁹ *Id.* §§ 61.38, 61.39.

⁵⁰ *Id.* §§ 51.909(b)-(g), 51.917(d).

⁵¹ *Id.* §§ 51.705(c)(3), 51.917(d).

V. GENERAL INSTRUCTIONS

37. The following general instructions apply to all incumbent LECs. These instructions pertain to the TRP forms and other documentation filed in support of access charges. Carriers are encouraged but not required to submit their data in Excel rather than PDF format.

A. Revised TRPs

38. If an incumbent LEC files to revise its TRP after June 16, 2017, the TRP should be refiled in its entirety, rather than just the parts of the TRP that are changed. The latest TRP filed becomes the TRP of record. Other parts of the original filing, e.g., portions of the explanations, description and justification, and workpapers, may be omitted if unchanged by the revision.

B. Certification

39. The filing of inaccurate or incomplete data may seriously detract from the ability of the Commission and interested parties to evaluate the revised rates. All incumbent LECs must certify that their historical and forecast data are accurate by including a signed statement that the support data are true, correct, and complete to the best of the carrier's knowledge. This certification will apply to all data submitted in support of revised rates, including the data that are filed in the TRP. Moreover, carriers are required to make several additional certifications pursuant to the *USF/ICC Transformation Order*.⁵² These certifications should be displayed as the last pages in each company's filing containing its TRP. Incumbent LECs are also under a continuing legal obligation to correct any inaccurate or incomplete data subsequently discovered in the TRP or other support data.

C. Compliance with the Paperwork Reduction Act

40. As with each year's TRPs, the TRPs contained in this Order contain modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA).⁵³ The TRP collections were approved by the Office of Management and Budget (OMB) under the PRA.⁵⁴ In addition, we note that pursuant to the Small Business Paperwork Relief Act of 2002,⁵⁵ we previously sought specific comment on how the Commission might further reduce the information collection burden for small business concerns with fewer than 25 employees.

41. In this Order, we have assessed the effects on incumbent LECs of filing the TRP and believe we have minimized the burden to the extent possible. We minimize the regulatory burden on the incumbent LECs by deleting obsolete sections of the TRP that have not proven to be useful, and carriers need not file historical data that was filed in previous years.⁵⁶

⁵² See *USF/ICC Transformation Order*, 26 FCC Rcd at 17987, para. 905 ("Carriers recovering eligible recovery will be required to certify annually that they are entitled to receive the recovery they are claiming and that they are complying with all rules pertaining to such recovery."); see also *id.* at 17964-65, para. 862 & n.1664 (incumbent LECs receiving Eligible Recovery must certify as part of their tariff filings, to both the FCC and any state commission exercising jurisdiction over the incumbent LEC's intrastate costs, that they are not seeking duplicative recovery in the state jurisdiction for any Eligible Recovery subject to the recovery mechanism).

⁵³ Public Law 104-13.

⁵⁴ See OMB Control No. 3060-0400. In the submission to OMB, we noted that the "Commission updates the price cap and rate-of-return TRP every year to eliminate respondents' requirements to file cost and demand data that may be more than two years old and to bring the TRP data into conformance with current Commission policies."

⁵⁵ Public Law 107-198; see 44 U.S.C. § 3506(c)(4).

⁵⁶ See, e.g., *supra* para. 29.

VI. ORDERING CLAUSES

42. Accordingly, IT IS ORDERED that, pursuant to sections 1, 4(i) and (j), 5, and 201-209 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i)-(j), 155, 201-209, and sections 0.91 and 0.291 of the Commission's rules, 47 CFR §§ 0.91, 0.291, this Order IS ADOPTED.

FEDERAL COMMUNICATIONS COMMISSION

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APPENDIX

All Tariff Review Plans

<https://www.fcc.gov/2017-tariff-review-plans-2>