

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Level 3	)	Case No.17-1321-TP-ATA
Communications, LLC to amend its P.U.C.O.	)	90-9062-TP-TRF
Tariff No. 2	)	
	)	

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**REVIEW AND RECOMMENDATION**  
SUBMITTED ON BEHALF OF THE STAFF OF  
THE PUBLIC UTILITIES COMMISSION OF OHIO

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On May 26, 2017 the Applicant filed an application for tariff amendment (ATA) to revise its tariff to reduce its Transitional Intrastate Access Service (TIAS) rates to be equal to or no higher than the interstate access rates of the ILEC in whose territories the Applicant competes, pursuant to 47 C.F.R. 61.26(c), the CLEC benchmarking rule.

The CLEC benchmarking rule states that CLECs are permitted to tariff interstate access charges at a level no higher than the tariffed rate for such services offered by the ILEC serving the same geographic area. The FCC set forth a transition path for terminating end office switching and certain transport rate elements and reciprocal compensation. The FCC rules requires incumbent local exchange carriers (ILECs) and facilities-based competitive local exchange carriers (CLECs) to reduce terminating switched access rates in seven or nine steps over a seven or nine year period. The step six requirement, that a price cap carrier remove any intercarrier charges for terminating end office access service, is applicable to this CLEC Applicant via the CLEC benchmarking rule. The Applicant is proposing to add a footnote stating that it adopts the corresponding switch access rates contained in the Applicant's FCC Tariff No.4. The Applicant's interstate rates set forth in its FCC Tariff No. 4 are no higher than the interstate access rates of the ILEC in whose territories the Applicant competes. As such, the Applicant's TIAS rates, per the proposed revision, will benchmark the step six reduced rates of the ILEC in whose territories the Applicant competes.

The Staff reviewed all documents and exhibits filed on May 26, 2017 and the Applicant's application meets all of the requirements set forth in the rules stated above. In conclusion, the Staff review found that the application is reasonable. Therefore, Staff recommends that the Applicant's ATA be approved.

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**6/20/2017 3:00:29 PM**

**in**

**Case No(s). 17-1321-TP-ATA**

Summary: Staff Review and Recommendation electronically filed by Jason Well on behalf of PUCO Staff