BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of	)	
McLeodUSA Telecommunications	)	
Services, Inc. to Revise Its Intrastate	)	
Switched Access Tariff to Comply with the	)	Case No. 21-0644-TP-ATA
Federal Communications Commission	)	90-9087-TP-TRF
8YY Access Charge Reform	)	
	)	
	)	

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

On October 9, 2020, the Federal Communications Commission (FCC) released its Report and Order (Report and Order) in WC Docket No. 18-156, *In re 8YY Access Charge Reform*.[1] In its Report and Order, the FCC capped all originating toll-free end office; tandem switching and transport; and database query charges of the date of the Report and Order. With respect to originating toll-free end office charges, the FCC established a phased down approach to bill and keep over a three-year period. As part of the first phase, effective July 1, 2021, all local exchange carriers are required to bring any intrastate originating toll-free end office access rates that exceed the comparable interstate rates into parity with the comparable interstate rates, unless the carriers intrastate rates are already below its interstate rates. Regarding originating toll-free tandem switching and transport charges, the FCC adopted a joint tandem switched transport access service charge for toll-free traffic with a uniform nationwide rate cap of $0.001 per minute. Relative to toll-free database query charges, the FCC reduced the cap to $0.0002 per query in three steps

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ending July 1, 2023. As part of the first phase, effective July 1, 2021, the toll-free database query rates are capped at the national average query rate of $0.004248, unless the carrier toll-free database query rate is already below the national average. Additionally, the FCC ended double dipping by prohibiting carriers from charging for more than one toll-free database query per call.

On June 7, 2021, the Legal Department of the Public Utilities Commission of Ohio, issued an entry in case 10-2387-TP-COI, *In the Matter of the Commission's Investigation into Intrastate Carrier Access Reform Pursuant to Sub. S. B. 162* (8YY Access Reform Entry), directing all local exchange carriers to file an appropriate application on or before June 18, 2021 reflecting the required toll-free access service rate revisions as described above or as codified in 47 C.F.R. 51.907, 51.909 and 51.911. The entry also stated that unless suspended, the applications will be deemed automatically approved on July 1, 2021.

Pursuant to Ohio Adm. Code 4901:1-7-14(B), any change in a local exchange carriers' intrastate switched access tariffs shall be filed as an application for tariff amendment (ATA) and shall be subject to the thirty-day approval procedure set forth in Ohio Adm. Code 4901:1-6-05. However, as ordered in the 8YY Access Reform Entry, all applications filed on or before June 18, 2021 will be deemed automatically approved on July 1, 2021.

In its application, McLeodUSA Telecommunications Services, Inc. (Applicant) amended its intrastate switched access tariff to comply with the requirements set forth 47 C.F.R 51.907, 51.909 and 51.911, as applicable; and provided all the documentation as described on the most up-to-date Telecommunications Filing Form.

Staff reviewed all documents and exhibits filed on June 1, 2021. From the review, staff finds that the application reflects the required toll-free access service rate revisions as codified in 47 C.F.R. 51.907, 51.909 and 51.911 Therefore, staff recommends that the Applicant's ATA be deemed automatically approved and effective on July 1, 2021 as ordered in the 8YY Access Reform Entry, pending the filing of final tariffs.

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Case No(s). 21-0644-TP-ATA

Summary: Staff Review and Recommendation electronically filed by Mrs. Tanika Hawkins on behalf of PUCO Staff