BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Level 3 Telecom of Ohio, LLC to Revise Its Intrastate Switched Access Tariff to Comply with the Federal Communications Commission 8YY Access Charge Reform	))))))))	Case No. 21-0799-TP-ATA

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

[1] FCC 20-143.

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.

In its application, Level 3 Telecom of Ohio, LLC (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 July 16, 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 August 15, 2021 and effective, August 16, 2021. Since the Applicant did not file its tariff revisions until July 16, 2021, the application was no longer subject to the shortened automatic approval timeframe stated in the June 7, 2021, entry, thus, this application was under the standard thirty-day automatic approval process.

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

8/13/2021 12:22:00 PM

in

Case No(s). 21-0799-TP-ATA

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