

STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: July 31, 2017**AT (OFFICE):** NHPUC

FROM: *ML* Michael Ladam, Director, Regulatory Innovation and Strategy

SUBJECT: DT 17-091: Intrastate Access Tariff Revisions by non-ILEC Telephone Utilities (final, one company)

TO: Commissioners
Debra Howland, Executive Director

CC: David Wiesner, Staff Attorney

One final company, Birch Communications of the Northeast, Inc. d/b/a Birch Communications ("Birch") has submitted an intrastate access tariff that, in Staff's assessment, may be allowed to take effect. This submission has been made pursuant to the Federal Communications Commission (FCC) Report and Order FCC 11-161 (Transformation Order). This tariff revision does not include any rate increase. Birch has proposed an effective date of July 29, 2017.

Staff originally had questions about this filing regarding one particular rate element. Correspondence with a different company that uses a similar rate element structure has clarified the matter.

Staff has reviewed this filing for compliance with FCC orders and rules. Our review has included comparison with the recently revised access tariff of Northern New England Telephone Operations, LLC (FairPoint), which is the "price cap carrier" in New Hampshire and whose intrastate access tariff therefore serves as a cap on rates filed by certain other providers. The filing appears to be consistent with FCC directives.

Staff therefore recommends allowing this tariff revision to take effect by operation of law on July 29, 2017.

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- DEBRA A HOWLAND
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