

STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: June 26, 2017

AT (OFFICE): NHPUC

ML

FROM: Michael Ladam, Director, Regulatory Innovation and Strategy

SUBJECT: DT 17-100, Northern New England Telephone Operations LLC:
Intrastate Access Tariff Revisions and Waiver Request

TO: Commissioners
Debra Howland, Executive Director

CC: David Wiesner, Staff Attorney

Executive Summary

Northern New England Telephone Operations LLC (FairPoint) seeks to have its intrastate access tariff revised, lowering a particular rate element to zero. FairPoint also requests two waivers allowing this tariff revision to take effect on July 1, 2017. Staff recommends allowing the tariff to take effect as filed, and recommends approval of the first waiver request. The second waiver request appears to be unnecessary.

Background

On June 14, 2017, FairPoint submitted a filing to revise its intrastate access tariff for effect on July 1, 2017, pursuant to the Federal Communications Commission (FCC) Report and Order FCC 11-161 (Transformation Order). The revisions in this filing would set intrastate access rates equal to current interstate access rates, and in particular reduce the rate for "Local Switching: Terminating" service to zero.

FairPoint seeks a waiver of Puc 1603.07(a)(1), which requires 30 days' notice before a tariff change becomes effective. FairPoint also requests a waiver of Puc 1604.05(d), which requires a utility to formally request a waiver allowing a tariff to take effect before the 30 days have elapsed. In Staff's assessment, this second waiver is unnecessary, because the June 14th filing itself meets the requirement of 1604.05(d). FairPoint notes that the schedule and general terms of these annual intrastate access revisions have been known to the Commission and the public since 2011.

FairPoint is treated as a "price cap carrier" rather than a "rate of return carrier" under FCC rules. As such, its tariff rate elements are subject to different FCC caps and rules. As the FairPoint filing explains, delays in reaching "industry consensus" regarding the treatment of tandem switched transport rates prevented FairPoint from making an earlier filing.

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

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FILING INSTRUCTIONS:

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:**

DEBRA A HOWLAND
EXECUTIVE DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429

- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.**
- c) Serve a written copy on each person on the service list not able to receive electronic mail.**