



State of Utah

Department of Commerce  
Division of Public Utilities

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## Action Request Response

**To:** Public Service Commission of Utah

**From:** Utah Division of Public Utilities

Chris Parker, Director

Artie Powell, Manager

Doug Wheelwright, Utility Technical Consultant Supervisor

Brenda Salter, Utility Technical Consultant Supervisor

Casey J. Coleman, Utility Technical Consultant

**Date:** June 3, 2021

**Re:** **Docket No. 21-042-T01, Docket No. 21-2302-T01, Docket No. 21-2303-T01,**

Emery Telephone d/b/a Emery Telecom, Carbon/Emery Telecom, Inc. and

Hanksville Telecom, Inc.'s Proposed Tariff Revision Request.

### Recommendation (Approve Tariff Sheets)

The Division of Public Utilities (Division) has reviewed Emery Telephone d/b/a Emery Telecom, Carbon/Emery Telecom, Inc. and Hanksville Telecom, Inc.'s (Companies) proposed tariff revisions filed May 21, 2021, to comply with Federal Communications Commission's (FCC) 8YY Access Charge Reform Order. The Division has no objection to the tariff revisions and recommends that the Public Service Commission (Commission) approve the Companies' revised tariff. The Division recommends the Companies' revised tariff become effective on July 1, 2021, as requested.

## **Discussion**

On May 21, 2021, the Companies filed a tariff sheet revision request to implement the FCC's 8YY Access Charge Reform. The FCC 8YY Access Charge Reform Order requires Local Exchange Carriers (LEC) conform and define originating 8YY rates in Local Switching, Transport, and Query Charge.

### Local Switching

The FCC order requires LECs to transition their interstate and intrastate toll free (or 8YY) originating end office access service rates over a three-year period. Beginning July 1, 2021, carriers are required to tariff separate rate elements for toll free and non-toll-free interstate and intrastate originating end office access service. The intrastate toll-free originating end office access service rates must be reduced to interstate levels if intrastate rates exceed comparable interstate rates.

### Transport

Incumbent LECs are required to tariff rate elements for interstate and intrastate non-toll-free originating transport service between an end office and tandem switch and remove toll free originating traffic rate elements, and tariff a new single rate element of no more than \$0.001 per minute for joint tandem switched transport access service for toll free calls. No additional transport rate element adjustments were ordered to occur in subsequent years.

### Query Charge

Incumbent LECs are required to reduce the intrastate and interstate toll-free database query charges in their tariffs to no more than \$0.004248 per query. The required reductions by the FCC for 2022 and 2023 are included in this tariff filing.

In addition to the required changes by the FCC, the Companies are updating the tariff to include additional incremental ETS speed service offerings that are occasionally requested by customers. This filing includes interconnected basic ports and interconnected ethernet virtual connections at the same pricing as basic ports and ethernet virtual connections.

On May 21, 2021 the Commission issued an Action Request for the Division to investigate the proposed changes and report its findings and recommendation to the Commission by June 4, 2021. This memorandum represents the Division's response to the Commission's Action Request.

## **Conclusion**

Based on the Division's review, the Division has no objections to the proposed tariff revisions and recommends the Commission approve the Companies' revised tariff. The Division believes that the revised tariff is consistent with the FCC's 8YY Access Charge Reform Order and has no objections with the additional ETS services.

Cc: Darren Woolsey, Carbon/Emery Telecom, Inc.  
Michele Beck, Office of Consumer Services