

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
AT RICHMOND, APRIL 21, 2011

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COMMONWEALTH OF VIRGINIA, *ex rel.*

STATE CORPORATION COMMISSION

CASE NO. PUC-2011-00002

Ex Parte: In the Matter of Implementing
Virginia Code § 56-235.5:1.B 1 (ii), to
determine a schedule for the elimination of
the carrier common line charge

ORDER ADOPTING SCHEDULE

On January 31, 2011, the Division of Communications ("Staff") of the State Corporation Commission ("Commission"), by counsel, filed a Staff Motion to Adopt Schedule ("Staff Motion") requesting that comments be invited regarding two proposed schedule options to eliminate the carrier common line charge ("CCLC") element of intrastate access charges of certain incumbent local exchange carriers ("ILECs"). On February 11, 2011, the Commission issued an Order Inviting Comments and Requests for Hearing regarding the Staff's proposed schedules, Option 1 and Option 2, set forth in Appendix A of the Staff Motion. In addition, the order provided an opportunity for the Staff to file, on or before April 15, 2011, a reply to any comments submitted.

On March 8, 2011, AT&T Communications of Virginia, LLC, and its affiliates ("AT&T") that provide long distance service in Virginia, filed comments in support of the Staff Motion. No other comments were filed. On March 21, 2011, the Staff filed its reply, representing that the proposed schedules are uncontested and are ripe for Commission adoption.

NOW THE COMMISSION, having considered the Staff Motion, the comments of AT&T and the Staff Reply, is of the opinion and finds that Appendix A, containing the two schedules (Option 1 and 2), attached hereto should be adopted.

Accordingly, IT IS ORDERED THAT:

(1) Pursuant to the provisions of Va. Code § 56-235.5:1.B 1 (ii), Appendix A, attached hereto, containing the schedules, Option 1 and Option 2, is hereby adopted for eliminating the carrier common line charge from the intrastate switched access tariffs of the following Virginia incumbent local exchange carriers:

1. Amelia Telephone Corporation;
2. Buggs Island Telephone Cooperative;
3. Burke's Garden Telephone Company;
4. Citizens Telephone Cooperative;
5. Highland Telephone Cooperative;
6. MGW Telephone Company;
7. New Castle Telephone Company;
8. New Hope Telephone Company;
9. NTELOS Telephone Inc.;
10. Pembroke Telephone Cooperative;
11. Peoples Mutual Telephone Company;
12. Roanoke & Botetourt Telephone Company;
13. Scott County Telephone Cooperative; and
14. Virginia Telephone Company.

(2) This case is dismissed and the record developed herein shall be sent to the file for ended causes.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to the telephone companies listed above; to Virginia's certificated interexchange carriers as shown in Appendix B; C. Meade Browder, Jr., Senior Assistant Attorney General, Office of the Attorney General, 900 East Main Street, Second Floor, Richmond, Virginia 23219; and a copy hereof shall be delivered to the Commission's Office of General Counsel and Division of Communications.

APPENDIX A
CCLC ELIMINATION SCHEDULE OPTIONS
FOR
ILECS WITH LESS THAN 15,000 ACCESS LINES

Pursuant to Virginia Code §56-235.5:1 B (ii), State Corporation Commission must implement a schedule by July 1, 2011, for incumbent local exchange carriers (“ILECs”) with less than 15,000 lines¹ to eliminate their Carrier Common Line Charge (“CCLC”) element of intrastate switched access charges.

1. By no later than July 1, 2011, each ILEC shall be required to elect either the implementation schedule shown in the attached Option 1 or Option 2. Such election shall be made by letter to the State Corporation Commission’s Division of Communications, who will compile the election information and identify such by ILEC on its webpage by no later than August 1, 2011.
2. Any ILEC that chooses Option 1 is required to follow that implementation schedule fully until the CCLC is eliminated on January 1, 2015.
3. Any ILEC that chooses Option 2 may convert to the schedule in Option 1 on a one time basis. Such conversion may only be implemented at the time of an annual CCLC reduction.
 - a. Such conversion election shall be made by letter to the State Corporation Commission’s Division of Communications by October 1 preceding the next January 1 CCLC reduction.
 - b. An ILEC electing to convert to Option 1, thereby eliminating its CCLC by January 1, 2015, may not at any time elect to convert back to Option 2.
 - c. The Division of Communications will update its webpage to reflect any change in option election by an ILEC within 10 business days of such election.
 - d. In no instance, may an ILEC’s election from Option 2 to Option 1 result in an increase in the CCLC, either for originating or terminating CCLC.

¹ Section 56-235.5:5 1 B 1 (i) (a) requires that an ILEC with greater than 15,000 lines that directly receives no later than April 1, 2010, a Broadband Initiatives Program grant and loan for use in the Commonwealth from the Rural Utilities Service of the U.S. Department of Agriculture under the Recovery and Reinvestment Act of 2009 be considered under clause (ii).

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OPTION 1
CCLC ELIMINATION SCHEDULE
FOR
ILECS WITH LESS THAN 15,000 ACCESS LINES

In order to comply with Virginia Code §56-235.5:1 B (ii), incumbent local exchange carriers ("ILECs") with less than 15,000 lines¹ that have chosen Option 1 will take the following actions to phase-down and eliminate their Carrier Common Line Charge ("CCLC") element of intrastate switched access charges under the following implementation procedure and schedule:

1. The Change to be Effective January 1, 2012.

Each ILEC will file with the State Corporation Commission's Division of Communications, by no later than December 1, 2011, revised intrastate switched access tariffs to be effective January 1, 2012, to reduce the terminating CCLC to \$.0289 per minute.

2. The Change to be Effective January 1, 2013.

Each ILEC will file with the State Corporation Commission's Division of Communications, by no later than December 1, 2012, revised intrastate switched access tariffs to be effective January 1, 2013, to reduce the terminating CCLC to \$.0150 per minute.

3. The Change to be Effective January 1, 2014.

Each ILEC will file with the State Corporation Commission's Division of Communications, by no later than December 1, 2013, revised intrastate switched access tariffs to be effective January 1, 2014, to reduce both the originating and terminating CCLC to \$.0075 per minute.

4. The Change to be Effective January 1, 2015.

Each ILEC will file with the State Corporation Commission's Division of Communications, by no later than December 1, 2014, revised intrastate switched access tariffs to be effective January 1, 2015 to reduce both the originating and terminating CCLC to zero.

¹Section 56-235.5:5 1 B 1 (i) (a) requires that an ILEC with greater than 15,000 lines that directly receives no later than April 1, 2010, a Broadband Initiatives Program grant and loan for use in the Commonwealth from the Rural Utilities Service of the U.S. Department of Agriculture under the Recovery and Reinvestment Act of 2009 be considered under clause (ii).

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**OPTION 2
CCLC ELIMINATION SCHEDULE
FOR
ILECS WITH LESS THAN 15,000 ACCESS LINES**

In order to comply with Virginia Code §56-235.5:1 B (ii), incumbent local exchange carriers ("ILECs") with less than 15,000 lines¹ that have chosen Option 2 will take the following actions to phase-down and eliminate their Carrier Common Line Charge ("CCLC") element of intrastate switched access charges under the following implementation procedure and schedule:

- 1. The change to be effective starting on January 1, 2012 and thereafter annually on January 1.**
 - a. Each ILEC will file with the State Corporation Commission's Division of Communications, by no later than October 1 of each year, the data necessary to determine the CCLC reduction to be implemented on January 1 of the following year.
 - b. The CCLC will be reduced annually by an amount equal to \$1.00 per residential line and \$2.00 per business line (times 12 months).
 - c. Residential and business line counts and intrastate access minutes of use ("MOUs") for the most recent 12 month period ending July 1 for the ILEC shall be used to determine the annual CCLC reductions.
 - d. The annual reduction amount shall be applied to the terminating CCLC until such time as the originating and terminating CCLC are equalized. Thereafter, the originating and terminating CCLCs will be reduced in equal increments.
 - e. Each ILEC will file with the State Corporation Commission's Division of Communications, by no later than December 1 of each year, revised intrastate switched access tariffs reflecting the necessary CCLC reductions to be effective on January 1, of the following year.

- 2. Effective January 1, 2017, the ILEC will reduce both the originating and terminating CCLC to zero if the charges have not already been reduced to zero through the above implementation procedure.**

¹ Section 56-235.5:5 I B 1 (i) (a) requires that an ILEC with greater than 15,000 lines that directly receives no later than April 1, 2010, a Broadband Initiatives Program grant and loan for use in the Commonwealth from the Rural Utilities Service of the U.S. Department of Agriculture under the Recovery and Reinvestment Act of 2009 be considered under clause (ii).

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