

STATE of INDIANA



INDIANA UTILITY REGULATORY COMMISSION
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June 17, 2021

Dear Indiana Local Exchange Carrier:

The Federal Communications Commission's (FCC's) Universal Service Fund/Intercarrier Compensation Transformation Order, released on Nov. 18, 2011, established procedures for local exchange carriers (LECs) to make tariff filings each year, starting in 2012, in order to implement the FCC mandated transition to bill-and-keep for certain interstate and intrastate switched access rates and, where applicable, to establish and/or update intrastate tariffs for non-access reciprocal compensation rates and charges.

More recently, the FCC has issued several other orders that also affect certain intrastate access rates and charges and/or database query charges; more information about these changes can be found on subsequent pages. **We are enclosing guidance regarding completion and filing of the intrastate IURC tariff filings that are scheduled to become effective July 1, 2021, unless otherwise specified.**

Please contact Karl Henry at (317) 232-5585 or khenry@urc.in.gov if you have any questions regarding these instructions.

Sincerely,

Pamela D. Taber

Pamela D. Taber, CPA
Director of Communications
Indiana Utility Regulatory Commission
(317) 232-2755

FCC Filing Requirements

Selected FCC Filing Requirements for Price Cap and Rate-of-Return (RoR) Carriers

All price cap and RoR incumbent LECs are required to transition their interstate and intrastate toll free (or 8YY) originating end office access service rates to bill-and-keep over a three-year period. As an initial step, RoR incumbent LECs were required to cap the rate for all intrastate originating access service rate elements for toll free calls, including toll free database query charges, as of December 28, 2020.

As part of the transition, beginning July 1, 2021, price cap and RoR incumbent LECs are required to tariff separate rate elements for toll free and non-toll free interstate and intrastate originating end office access service. These incumbent LECs then must reduce their intrastate toll free originating end office access service rates to interstate levels when intrastate rates exceed comparable interstate rates. Also, all 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 to remove these rate elements from their tariffs for toll free originating traffic, consistent with a bill-and-keep methodology. Further, all incumbent LECs are required to tariff a single rate element of no more than \$0.001 per minute for joint tandem switched transport access service for toll free calls. In addition, beginning July 1, 2021, 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. Incumbent LECs with current database query charges lower than this rate, however, may not increase their rates.

FCC Requirements for CLECs

CLECs assessing a tariffed intrastate Toll Free Database Query Charge were required to cap such charges at their respective rates in effect on Dec. 28, 2020. Beginning July 1, 2021, those CLECs must ensure that such charges do not exceed the rates charged by the applicable competing ILEC(s).

Indiana Utility Regulatory Commission (IURC or Commission) Filing Requirements

Effective July 1, 2021, each price cap and RoR incumbent local exchange carrier (ILEC) shall have on file with the IURC an intrastate switched access tariff that implements the FCC requirements as summarized on the previous page. Any LEC may meet these requirements either directly (through the application of its own intrastate tariff), or through mirroring, concurring in, or adopting another carrier's tariff.

Instant Mirroring Filings

- Intrastate access tariff change filings that mirror changes to an interstate or intrastate access tariff, with no intrastate exceptions, are generally subject to the Commission's instant mirroring requirements (*See IURC Cause Number 44004*)
- **The subject line for instant mirroring cover letters and email notices should read as follows:** “*Re: Intrastate Switched Access Service – 2021 Instant Mirroring Filing and Explanation of Compliance with FCC and IURC Requirements.*”
- Instant mirroring notices should identify which (and whose) interstate access tariff and/or FCC Transmittal, or whose intrastate access tariff, the filing company will be mirroring
- Changes to your intrastate rates and charges become effective at the same time as the underlying changes to the corresponding interstate rates and charges that are being mirrored. The FCC requires simultaneous effective dates for certain rate elements, as well. Recent changes in state

law require that a tariff filed with the Commission by a communications service provider (CSP) is effective upon filing.¹

- **Any LEC making an instant mirroring filing should file on July 1, 2021. Any LEC making an instant mirroring filing prior to July 1, 2021, and requesting a July 1, 2021, effective date should clearly indicate the new date in the cover letter and on the affected tariff pages. Any LEC making an instant mirroring filing prior to July 1, 2021 and requesting an effective date other than July 1, 2021, should clearly indicate the new date in the cover letter and on the effective tariff page, along with an explanation for the deviation from the July 1, 2021 FCC effective date.**

30-Day Filings

Certain types of tariff filings, including those that contain any intrastate exceptions, are subject to the Commission's 30-day filing rules, which are found in Indiana Administrative Code [170 IAC 1-6](#) – including:

- Complete (i.e., initial or replacement) intrastate access tariffs;
- Stand-alone intrastate access tariffs and tariff changes that do not mirror an interstate tariff or another carrier's intrastate access tariff; and
- Intrastate access tariffs and tariff changes that partially, but do not completely, mirror an interstate tariff or another carrier's intrastate access tariff.

If a tariff filing contains any intrastate exceptions, the entire filing will be treated as a 30-day filing, even if part of the filing would otherwise be considered an instant mirroring filing.

The company or entity filing an intrastate access 30-day filing with the Commission must attach a **cover letter** that includes or explains the following:

- The purpose of the filing;
- A statement that the filing is being made pursuant to 170 IAC 1-6;
- A clear description of which (and whose) interstate access tariff and/or FCC Transmittal, or whose intrastate access tariff, the filing company (your company or client) will be mirroring subject to certain exceptions, as stated and described clearly in the cover letter *and* in the proposed intrastate access tariff that is the subject of the 30-Day Filing.
- Contact information for the filing company or entity regarding this filing, including the following for each person to be contacted: name, telephone number, mailing address, and email address.
- A written request for emergency relief under IC 8-1-2-113 (including a request for temporary approval on June 30), justification & explanation for the request for emergency relief, as well as a signed affidavit.
- A request for final approval on or after July 30, 2021.
- **The subject line for 30-day filing cover letters and notices should read as follows: “*Re: 30-Day Filing (Pursuant to 170 IAC 1-6) and Explanation of Compliance with FCC Requirements*”**

Please leave the effective date blank on all 30-day filings. Commission staff will stamp the effective date after approval of the tariff filing under 170 IAC 1-6-8. Do NOT attach any Eligible Recovery or CAF-

¹ See, Ind. Code 8-1-32.5-11(c), which goes into effect July 1, 2021, and codifies the provisions of SECTION 8 of House Enrolled Act 1164 (H.E.A. 1164).

ICC support certification statements to 30-day filings. they should be submitted to the IURC Communications Division separately.

If you include a hyperlink to your intrastate tariffs within a cover letter or within the body of a tariff, please make sure that the hyperlink is functional, accurate, and current. Hyperlinks must take the user directly to the relevant tariff and/or web page(s) referenced, without requiring the user to click through any other tariff and/or web page(s) as a prerequisite.

Additional Instructions for RoR ILECs

If RoR ILECs have any intrastate exceptions to the access tariff you mirror or concur in, you will be required to file a 30-day filing to reflect and incorporate those exceptions. This statement applies to all RoR ILECs, specifically including, but not limited to, the “Concurring Carriers” listed in the Rochester tariff.

Tariffed Non-Access Reciprocal Compensation Services and Rates

Any tariffed transitional non-access reciprocal compensation rates established pursuant to 47 CFR 51.705(b) “apply between December 29, 2011 and the date at which they are superseded by the applicable transition specified in [47 §§ CFR 51.705(c)(2) through (c)(5)].”

Instructions for making an electronic filing

All 30-day filings MUST be filed electronically on the [Online Services Portal](#). The filing type for the 30-day filing is “General Submission”. All instant mirroring filings or CAF-ICC/Eligible Recovery Materials may be submitted electronically under “General Submission” as well, under the subcategory “Non-Docketed”. If you would like to file an instant mirroring filing or CAF-ICC/Eligible Recovery Materials outside of the Online Services Portal, you can send them to:

Indiana Utility Regulatory Commission
Communications Division
Attn: LaTheresa Diaz, Tariff Administrator
101 W. Washington Street, Suite 1500E Indianapolis, IN 46204
(317) 232-2785
ldiaz@urc.in.gov

A User Manual, FAQs, and other information about the Online Services Portal can be found on the Commission’s website here: <https://www.in.gov/iurc/online-services/>