

ORIGINAL

STATE OF INDIANA

Commissioner	Yes	No	Not Participating
Huston	√		
Freeman	√		
Krevda	√		
Ober	√		
Ziegner	√		

INDIANA UTILITY REGULATORY COMMISSION

**IN THE MATTER OF AN ORDER)
APPROVING UTILITY ARTICLES)
PURSUANT TO 170 IAC 1-6.)**

APPROVED: AUG 18 2021

The Indiana Administrative Code provides for Thirty-Day Administrative Filing Procedures and Guidelines pursuant to the authority of Ind. Code 8-1-1-3 and Ind. Code 8-1-2-42. The thirty-day filing process is available for certain routine and non-controversial requests to facilitate expedited consideration of these matters by the Commission. The rule sets forth the requirements for the thirty-day administrative filings.

The thirty-day filings received pursuant to 170 IAC 1-6 and ripe for Commission action are attached hereto and collectively referred to as the Utility Articles. There are no controversial filings in the Utility Articles approved today.

Pursuant to the rule, the Commission Technical Divisions have submitted their recommendations to the Commission. Therefore, the Commission finds that the requirements of 170 IAC 1-6 have been met and that the Utility Articles attached are hereby approved.

HUSTON, FREEMAN, KREVDA, OBER, AND ZIEGNER CONCUR:

APPROVED: AUG 18 2021

I hereby certify that the above is a true and correct copy of the Order as approved.

_____ on behalf of
Dana Kosco
Secretary of the Commission



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MEMORANDUM

TO: Commission Chairman James F. Huston
 Commissioners Freeman, Krevda, Ober, and Ziegner

FROM: Commission Technical Divisions

DATE: August 13, 2021

RE: 30-Day Utility Articles for Conference on *Wednesday August 18, 2021 @ 10:00 a.m.*

The following thirty-day filings have been submitted to the Commission. Each item was reviewed by the appropriate Commission Technical Divisions and all regulations were met in accordance with 170 IAC 1-6 Thirty-Day Administrative Filing Procedures and Guidelines. Therefore, the following filings listed below and attached hereto are recommended to be considered by the Commission at the next conference:

Attachment Number	30-Day Filing No.	Name of Utility Company	Type of Request	Date Received
1	50440	Peerless Network of Indiana, LLC	Pursuant to 170 IAC 1-6 and explanation of Compliance with FCC requirements	7/1/2021
2	50436	CBTS Technology Solutions	Filing to comply with the Federal Communications Commission's 8YY Order. July 1, 2021	7/1/2021
3	50437	Cincinnati Bell Extended Territories LLC	Filing to comply with the Federal Communications Commission's 8YY Order. July 1, 2021	7/1/2021

Filing Party: Peerless Network of Indiana, LLC
30-Day Filing ID No.: 50440
Date Filed: June 16, 2021
Effective Date: July 1, 2021
Filed Pursuant to: IC §§ 8-1-2-88.6 & IC 8-1-32.5-11(c); 170 IAC 1-6; IURC Cause No. 44004; and the FCC’s 8YY Order and related rules.¹
Request: On June 16, 2021, Peerless Network of Indiana, LLC (“Peerless”) updated its intrastate rate structure to reflect new originating rate elements for toll-free (“8YY”) calls and to bifurcate existing elements to accommodate both 8YY and non-8YY originating traffic. Peerless also revised some tandem switching & transport; End Office Access Service; and 8YY database query rates.² These changes became effective on July 1, consistent with FCC rules.³
Retail Customer Impact: N/A
Tariff Page(s) Affected: Peerless Network of Indiana, LLC: IURC Tariff No. 2, *Preface*, Page 1; *Section 5*, Pages 1, 3, & 7.

Staff Recommendations: Requirements in 170 IAC 1-6 and Cause No. 44004 were met. Staff believes applicable FCC requirements were met, as well. Pursuant to IC 8-1-32.5-11(c), all communications service tariffs filed after June 30, 2021, become effective upon filing. Therefore, this filing became *effective* July 1, consistent with both state and federal law. However, the Commission must still review all intrastate access charges for reasonableness.⁴
Staff believes the proposed changes are reasonable and recommends final approval.

¹ *In the Matter of 8YY Access Charge Reform*, WC Docket No. 18-156 (FCC 20-143, rel. Oct. 9, 2020). (*Hereinafter*, 8YY Order); 47 CFR 51.911(e) & 47 CFR 61.26. *See, also*, 47 CFR 51.907(i) & 51.911(d).

² The 8YY Order required ILECs to implement the following changes for 8YY access charges, effective July 1, 2021: (1) Reduce 8YY originating *intrastate* End Office Access Service rates to interstate levels; (2) Eliminate their existing tandem switching and transport rates for originating interstate and *intrastate* 8YY traffic and replace them with a single new rate element (Joint Tandem Switched Transport Access Service), which is subject to a uniform nationwide rate cap of \$0.001/minute on originating interstate and *intrastate* 8YY traffic; and (3) Begin a three-step transition toward an interim cap of \$0.0002 per 8YY database query, with only one 8YY database query charge allowed per call, to be assessed solely by the originating carrier. *CLECs, such as Peerless*, were required to benchmark their 8YY originating End Office, 8YY tandem switching and transport, and 8YY database query rates to the corresponding rates and charges of the competing ILEC. *8YY Order*, at paras. 25 – 28, & 49; 72, 77, 78, 81, & 82; and 52 & 56. *See, also*, 47 CFR §§ 51.907(i), 51.911(c) – (e), and 61.26.

³ *See* footnote 2, above. *See, also, In the Matter of July 1, 2021, Annual Access Charge Tariff Filings*, paras. 2, 3, & 5, WC Docket No. 21-148 (DA 21-433, rel. April 16, 2021).

⁴ IC 8-1-2-88.6.

Filing Party: CBTS Technology Solutions, LLC (“CBTS”)
30-Day Filing ID No.: 50436
Date Filed: July 1, 2021
Effective Date: July 1, 2021
Filed Pursuant to: IC §§ 8-1-2-88.6 & IC 8-1-32.5-11(c); 170 IAC 1-6; IURC Cause No. 44004; and the FCC’s 8YY Order and related rules.¹
Request: On July 1, 2021, CBTS Technology Solutions, LLC (“CBTS”) updated its intrastate rate structure to reflect new originating rate elements for toll-free (“8YY”) calls and to bifurcate existing elements to accommodate both 8YY and non-8YY originating traffic. CBTS also revised some tandem switching & transport, and End Office Access Service.² These changes also became effective on July 1, 2021, consistent with FCC rules.³
Pursuant to Ordering Paragraph No. 3 in the Order in Cause No. 44004 (issued July 13, 2011), “For any new intrastate access tariff that is not based on an interstate access tariff or that represents an exception to the intrastate mirroring of a LEC’s interstate access tariff, the LEC shall continue to use the Commission’s Thirty Day Rule at 170 IAC 1-6.” CBET’s IURC Tariff No. 1 is a stand-alone intrastate access tariff and is not related to the Company’s interstate tariff.⁴
Retail Customer Impact: N/A
Tariff Page(s) Affected: CBTS Technology Solutions, LLC: IURC Tariff No. 1, Pages 54, 92, & 94.
Staff Recommendations: Requirements in 170 IAC 1-6 and Cause No. 44004 were met. Staff believes applicable FCC requirements were met, as well. Pursuant to IC 8-1-32.5-11(c), all communications service tariffs filed after June 30, 2021, become effective upon filing. Therefore, this filing became *effective* upon July 1, consistent with both state and federal law. However, the Commission is still required to review all intrastate access charges for reasonableness.⁵ **Staff believes the proposed changes are reasonable and recommends final approval.**

¹ *In the Matter of 8YY Access Charge Reform*, WC Docket No. 18-156 (FCC 20-143, rel. Oct. 9, 2020). (*Hereinafter*, 8YY Order); 47 CFR 51.911(e) & 47 CFR 61.26. *See, also*, 47 CFR 51.907(i) & 51.911(d).

² The 8YY Order required ILECs to do the following, effective July 1, 2021: (1) Reduce 8YY originating *intrastate* End Office Access Service rates to interstate levels; (2) Replace their existing originating 8YY tandem switching and transport rates for both interstate and *intrastate* traffic with a single new rate element (Joint Tandem Switched Transport Access Service), which is subject to a uniform nationwide rate cap of \$0.001/minute; and (3) Begin a three-step transition toward an interim cap of \$0.0002 per 8YY database query, with only one 8YY database query charge allowed per call, to be assessed solely by the originating carrier. *CLECs, such as CBET*, were required to benchmark their 8YY originating End Office, 8YY tandem switching and transport, and 8YY database query rates to the corresponding rates and charges of the competing ILEC. *8YY Order*, at paras. 25 – 28, & 49; 72, 77, 78, 81, & 82; and 52 & 56. *See, also*, 47 CFR §§ 51.907(i), 51.911(c) – (e), and 61.26.

³ *See* footnote 2, above. *See, also, In the Matter of July 1, 2021, Annual Access Charge Tariff Filings*, paras. 2, 3, & 5, WC Docket No. 21-148 (DA 21-433, rel. April 16, 2021).

⁴ *See*, 30-day filing # 50083 – cover letter dated Dec. 14, 2017. *See, also*, 30-day filing # 3314, cover letter dated Feb. 19, 2015.

⁵ IC 8-1-2-88.6.

Filing Party: Cincinnati Bell Extended Territories, LLC (“CBET”)

30-Day Filing ID No.: 50437

Date Filed: July 1, 2021

Effective Date: July 1, 2021

Filed Pursuant to: IC §§ 8-1-2-88.6 & IC 8-1-32.5-11(c); 170 IAC 1-6; IURC Cause No. 44004; and the FCC’s 8YY Order and related rules.¹

Request: On July 1, 2021, Cincinnati Bell Extended Territories, LLC (“CBET”) updated its intrastate rate structure to reflect new originating rate elements for toll-free (“8YY”) calls and to bifurcate existing elements to accommodate both 8YY and non-8YY originating traffic. CBET also revised some tandem switching & transport, and End Office Access Service.² These changes became effective on July 1, consistent with FCC rules.³

Pursuant to Ordering Paragraph No. 3 in the Order in Cause No. 44004 (issued July 13, 2011), “For any new intrastate access tariff that is not based on an interstate access tariff or that represents an exception to the intrastate mirroring of a LEC’s interstate access tariff, the LEC shall continue to use the Commission’s Thirty Day Rule at 170 IAC 1-6.” CBET’s IURC Tariff No. 1 (the underlying tariff being modified by this filing) is a stand-alone intrastate access tariff and is not related to the Company’s interstate tariff.⁴

Retail Customer Impact: N/A

Tariff Page(s) Affected: Cincinnati Bell Extended Territories, LLC: IURC Tariff No. 1, Pages 53, 91, & 93.

Staff Recommendations: Requirements in 170 IAC 1-6 and Cause No. 44004 were met. Staff believes that applicable FCC requirements were met, as well. Pursuant to IC 8-1-32.5-11(c), all communications service tariffs filed after June 30, 2021, become effective upon filing. Therefore, this filing became *effective* upon July 1, consistent with both state and federal law. However, the Commission is still required to review all intrastate access charges for reasonableness.⁵ **Staff believes the proposed changes are reasonable and recommends final approval.**

¹ *In the Matter of 8YY Access Charge Reform*, WC Docket No. 18-156 (FCC 20-143, rel. Oct. 9, 2020). (*Hereinafter*, 8YY Order); 47 CFR 51.911(e) & 47 CFR 61.26. *See, also*, 47 CFR 51.907(i) & 51.911(d).

² The 8YY Order required ILECs to do the following, effective July 1, 2021: (1) Reduce 8YY originating *intrastate* End Office Access Service rates to interstate levels; (2) Replace their existing originating 8YY tandem switching and transport rates for both interstate and *intrastate* traffic with a single new rate element (Joint Tandem Switched Transport Access Service), which is subject to a uniform nationwide rate cap of \$0.001/minute; and (3) Begin a three-step transition toward an interim cap of \$0.0002 per 8YY database query, with only one 8YY database query charge allowed per call, to be assessed solely by the originating carrier. *CLECs, such as CBET*, were required to benchmark their 8YY originating End Office, 8YY tandem switching and transport, and 8YY database query rates to the corresponding rates and charges of the competing ILEC. *8YY Order*, at paras. 25 – 28, & 49; 72, 77, 78, 81, & 82; and 52 & 56. *See, also*, 47 CFR §§ 51.907(i), 51.911(c) – (e), and 61.26.

³ *See* footnote 2, above. *See, also, In the Matter of July 1, 2021, Annual Access Charge Tariff Filings*, paras. 2, 3, & 5, WC Docket No. 21-148 (DA 21-433, rel. April 16, 2021).

⁴ *See*, 30-day filing # 50160, cover letter dated March 26, 2018.

⁵ IC 8-1-2-88.6.