



# PUBLIC NOTICE

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445 12<sup>th</sup> St., S.W.  
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DA 09-143

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## NATIONAL EXCHANGE CARRIER ASSOCIATION, INC.'S PROPOSED 2009 MODIFICATION OF AVERAGE SCHEDULE FORMULAS

### PLEADING CYCLE ESTABLISHED

WC Docket No. 08-248

**Comments Due: February 17, 2009**

**Reply Comments Due: February 27, 2009**

On December 23, 2008, the National Exchange Carrier Association, Inc. (NECA) filed with the Commission its proposed modification of average schedule formulas for interstate settlements, pursuant to section 69.606 of the Commission's rules.<sup>1</sup> NECA proposes to revise the formulas for average schedule interstate settlement disbursements in connection with the provision of interstate access services for the period beginning July 1, 2009 through June 30, 2010.

Modifications to the average schedule formulas are based on a statistical sampling of the costs and demand of comparable cost companies. NECA notes that factors driving this year's filing include slow account growth and significant reductions in some access demand elements.<sup>2</sup> NECA proposes to "change the way settlements are calculated for tandem switching and line haul circuit termination costs to reflect significant cost efficiencies associated with high ratios of circuits per access line."<sup>3</sup> NECA proposes "to continue to limit access minute volumes and line haul circuit counts that would be eligible for average schedule settlements."<sup>4</sup> NECA also proposes to provide "a special access settlement method adjustment for study areas that provide DSL outside NECA's tariff, to keep their settlements for non-DSL services at parity with other study areas."<sup>5</sup> NECA explains that "study areas with high ratios of intertoll circuits per access line or of line haul circuit terminations per access line will realize significant settlement reductions, while study areas with very low ratios will experience increases in settlements."<sup>6</sup> NECA calculates that the majority of other companies will have small settlement increases, assuming demand levels remain constant year-to-year, although the effects on individual average schedule

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<sup>1</sup> 47 C.F.R. § 69.606(b).

<sup>2</sup> See National Exchange Carrier Association, 2009 Modification of Average Schedules at Summary-1, *attached to* Letter from Richard A. Askoff, Executive Director—Regulatory, NECA, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 08-248 (filed Dec. 23, 2008).

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.* at Summary-2.

<sup>6</sup> *Id.*

companies will vary depending on each company's size and demand characteristics.<sup>7</sup> Overall, NECA proposes formula changes that would increase settlement rates by about 2.09 percent, given constant demand.<sup>8</sup>

Interested parties may file comments on NECA's proposed modifications on or before **February 17, 2009** and reply comments on or before **February 27, 2009**. Filings in this proceeding should be captioned "National Exchange Carrier Association, Inc.'s Proposed 2009 Modification of Average Schedule Formulas" and filed in WC Docket No. 08-248.

All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Suite TW-A325, Washington, DC 20554. Two courtesy copies must be delivered to Douglas Slotten, Federal Communications Commission, Wireline Competition Bureau, Pricing Policy Division, 445 12th Street, SW, Room 5-A233, Washington, DC 20554 or via e-mail at [douglas.slotten@fcc.gov](mailto:douglas.slotten@fcc.gov). One copy must also be sent to Best Copy and Printing, Inc., Portals II, 445 12th Street SW, Suite CY-B402, Washington, DC 20554, telephone 202-488-5300, facsimile 202-488-5563, or via e-mail at [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com).

Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.

- **Electronic Filers:** Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided on the website for submitting comments.
  - For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov) and include the following words in the body of the message: get form <your email address>. A sample form and directions will be sent in response.
- **Paper Filers:** Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number. **Parties are strongly encouraged to file comments electronically using the Commission's ECFS.**

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission.

- The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE, Suite 110, Washington, DC 20002. The filing hours at this location are 8 a.m. to 7 p.m. All hand

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<sup>7</sup> *Id.*

<sup>8</sup> *Id.* at I-5.

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- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12<sup>th</sup> Street, SW, Washington, DC 20554.

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Filings and comments are also available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone 202-488-5300, facsimile 202-488-5563, or via e-mail at [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com).

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.<sup>9</sup> Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one- or two-sentence description of the views and arguments presented generally is required.<sup>10</sup> Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission's rules.<sup>11</sup>

For further information regarding this proceeding, contact Douglas Slotten, Pricing Policy Division, Wireline Competition Bureau, 202-418-1572, or via e-mail at [douglas.slotten@fcc.gov](mailto:douglas.slotten@fcc.gov).

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<sup>9</sup> See 47 C.F.R. §§ 1.1200, 1.1206.

<sup>10</sup> See 47 C.F.R. § 1.1206(b).

<sup>11</sup> 47 C.F.R. § 1.1206(b).