

**CHAPTER 26. SUBSTANTIVE RULES APPLICABLE TO TELECOMMUNICATIONS SERVICE PROVIDERS.**

**Subchapter P. TEXAS UNIVERSAL SERVICE FUND.**

**§26.410. Universal Service Fund Reimbursement for Certain IntraLATA Service.**

- (a) **Purpose.** The purpose of this section is to implement the provisions of the Public Utility Regulatory Act (PURA) §56.028.
- (b) **Applicability.** Under this section, an incumbent local exchange company (ILEC) that is not an electing company under PURA Chapters 58 and 59 may request reimbursement through the Texas Universal Service Fund (TUSF) when providing intraLATA interexchange high capacity (1.544 Mbps) service at reduced rates for entities described in PURA §58.253(a).
- (c) **Reimbursement.** Reimbursement shall be retroactive to the date on which a non-electing ILEC's tariff containing the reduced rate was approved by the commission, or September 1, 1999, whichever is later. The amount of reimbursement shall be the difference between the ILEC's tariffed rate for that service, less any applicable discounts, and the lowest rate for that service offered by any local exchange company electing incentive regulation under PURA Chapter 58, multiplied by the number of eligible lines. The non-electing ILEC's rate for purposes of reimbursement shall be the rate effective on January 1, 1998. A non-electing ILEC without a tariffed rate on January 1, 1998, shall use the rate most recently approved by the commission.
- (d) **Reporting requirements.**
  - (1) An ILEC awarded support under this section shall provide the TUSF administrator:
    - (A) the number of lines eligible for support; and
    - (B) the ILEC's tariffed rate, as of January 1, 1998, for the service; and
    - (C) the lowest rate offered for the service by any local exchange company electing incentive regulation under PURA Chapter 58.
  - (2) Upon request of the commission, the ILEC awarded support under this section shall designate the basis on which it is establishing rates.