

PROJECT NO. 34086

CERTIFICATED PROVIDERS	§	PUBLIC UTILITY COMMISSION
COMPLIANCE WITH ORDER	§	
APPROVING P.U.C. SUBST. R. 26.412	§	OF TEXAS
IN DOCKET NO. 32162	§	

ORDER NO. 1
REQUIRING FILINGS PURSUANT TO P.U.C. SUBST. R. 26.412

On March 19, 2007, the Public Utility Commission of Texas (Commission) issued an order repealing P.U.C. SUBST. R. 26.412 and adopting new §§ 26.412, 26.413, and 26.419 effective April 8, 2007. New § 26.412 implements the changes stemming from Senate Bill 5, 79th Legislature, Second Called Session (S.B. 5), regarding certified telecommunication providers (CTPs). Prior to S.B. 5, Public Utility Regulation Act (PURA) § 55.015 required only ETPs and ETCs to provide Lifeline Service. As amended by S.B. 5, PURA § 55.015 now requires all CTPs of local exchange telephone service to provide Lifeline Service. Also previously, only ETCs or ETPs were eligible to receive support for such services from the Texas Universal Service Funds (TUSF). All certificated providers that are not solely Total Service Resale (TSR) providers can apply to become an ETC or ETP and can thereby qualify for support from the TUSF. TSR providers were not previously required to provide Lifeline Service, but now they must do so under new PURA § 55.015. New § 26.419 allows TSR providers to qualify to receive TUSF support for Lifeline Service only.

The purpose of this order is to require all CTPs to fill out the attached form (Attachment A) identifying the CTP as either: (1) an ETC/ETP currently providing Lifeline Service, (2) a non-ETC/ETP that offers residential local exchange service, or (3) a non-ETC/ETP that does not offer residential local exchange service; and to delineate the initial filing requirements for each category pursuant to new § 26.412.

I. FILING INSTRUCTIONS FOR ETCs/ETPs
CURRENTLY PROVIDING LIFELINE SERVICE

On or before May 10, 2007, all ETCs/ETPs currently providing Lifeline Service shall file Attachment A in this project indicating that they are in compliance with new § 26.412. If an

ETC/ETP needs to file revised/updated tariffs to account for any changes in their current tariffs required by new § 26.412, they must indicate on Attachment A that such revisions/updates were submitted for staff review and indicate the docket number that was assigned to such filing.

II. FILING INSTRUCTIONS FOR NON-ETCs/ETPs THAT OFFER RESIDENTIAL LOCAL EXCHANGE SERVICE

On or before May 10, 2007, all Non-ETC/ETP certificated providers that offer residential local exchange service shall file in this project Attachment A indicating that they are in compliance with all requirements of the new § 26.412. On or before June 9, 2007, Non-ETC/ETP certificated providers that offer residential local exchange service shall file in this project, Lifeline tariffs and initial plans for interfacing with Solix for the LIDA matching process. Non-ETC/ETP certificated providers that offer residential local exchange service must be prepared to send their customer information in format acceptable for interface with the LIDA by July 9, 2007.

III. FILING INSTRUCTIONS FOR NON-ETCs/ETPs THAT DO NOT OFFER RESIDENTIAL LOCAL EXCHANGE SERVICE

On or before May 10, 2007, all non-ETCs/ETPs that provide only business service and do not offer any residential local exchange service nor plan on offering any residential local exchange service in the near future, shall file Attachment A in this project, checking the appropriate category (No. 3), which attests to that fact and states that § 26.412 does not apply to them.

SIGNED AT AUSTIN, TEXAS on the _____ day of April 2007.

PUBLIC UTILITY COMMISSION OF TEXAS

**MICHAEL E. FIELD
DIRECTOR, DOCKET MANAGEMENT**