



PUBLIC NOTICE

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WIRELINE COMPETITION BUREAU ANNOUNCES POSTING OF 2020 TARIFF REVIEW PLAN FOR EXOGENOUS COST FILINGS BY RATE-OF-RETURN CARRIERS THAT ELECTED INCENTIVE REGULATION FOR BUSINESS DATA SERVICES

WC Docket No. 20-55

By this Public Notice, the Wireline Competition Bureau (Bureau) announces that a tariff review plan for use by rate-of-return carriers that elected incentive regulation for their business data services (BDS) offerings pursuant to the *Rate-of-Return Business Data Services Order*¹ (electing carriers) has been posted on the Federal Communications Commission's website at: <https://www.fcc.gov/tariff-review-plan-incentive-regulation-rate-return-carriers>.

The *2020 Tariff Review Plan Order* requires electing carriers to file tariff review plans reflecting any exogenous cost adjustment for Telecommunications Relay Service (TRS), North American Numbering Plan Administration, and regulatory fees in rates to be effective October 1, 2020.² As the Bureau explained in the *2020 Tariff Review Plan Order*, the exogenous cost adjustment for TRS must be "grossed up" to spread the entire adjustment over the remaining months in the tariff year.³ However, the October 1, 2020 exogenous cost filing and rate adjustment is optional for electing carriers if the total amount of such exogenous cost adjustments would either increase rates or have a revenue impact of no more than \$960 per year.⁴

The tariff review plan posted on the Commission's website was prepared by the National Exchange Carrier Association (NECA) for electing carriers for which NECA files BDS rates and is designed to ensure that carriers make exogenous cost and rate adjustments in accordance with the Commission's rules.⁵ This tariff review plan, or its equivalent, should also be used by electing carriers that do not participate in the NECA tariff.⁶

¹ *Regulation of Business Data Services for Rate-of-Return Local Exchange Carriers*, WC Docket No. 17-144, Report and Order, Further Notice of Proposed Rulemaking, and Second Further Notice of Proposed Rulemaking, 33 FCC Rcd 10403 (2018) (*Rate-of-Return Business Data Services Order*).

² See *Material to be Filed in Support of 2020 Annual Access Tariff Filings*, WC Docket No. 20-55, Order, 35 FCC Rcd 4802 (PPD 2020) (*2020 Tariff Review Plan Order*).

³ *Id.* at 4812, para. 39.

⁴ *Id.*

⁵ See 47 CFR § 61.50(c).

⁶ See *2020 Tariff Review Plan Order*, 35 FCC Rcd at 4812, para. 39. Electing carriers must complete and file one of two Excel workbooks. The "TY 2020-2021 Individual Study Area BDS Midcourse TRP" workbook is for carriers that establish a Price Cap Index (PCI), Actual Price Index (API), Service Band Indices (SBIs), and upper SBI limits separately for each study area. The "TY 2020-2021 Holding Company BDS Midcourse TRP" workbook is for carriers that establish a PCI, API, SBIs and upper SBI limits at the holding company level.

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