

ORDER NO. 88436

IN THE MATTER OF TARIFFING	*	BEFORE THE
REQUIREMENTS FOR COMPETITIVE	*	PUBLIC SERVICE COMMISSION
LOCAL EXCHANGE TELEPHONE	*	OF MARYLAND
COMPANIES WITH 20,000 OR FEWER	*	_____
SUBSCRIBERS	*	CASE NO. 9414
	*	_____

Issued: October 25, 2017

**NOTICE ON TARIFFING REQUIREMENTS FOR COMPETITIVE
LOCAL EXCHANGE TELEPHONE COMPANIES WITH 20,000
OR FEWER SUBSCRIBERS**

To: All Regulated Local Exchange Carriers in Maryland

By Order No. 88353 in Case No. 9414, dated August 24, 2017, the Maryland Public Service Commission (“Commission”) determined that, subject to certain terms and conditions and in accordance with Section 4-202(c)(2) of the Public Utilities Article, *Annotated Code of Maryland*, it is in the public interest to allow a competitive local exchange telephone company (“CLEC”) having 20,000 or fewer subscribers to provide regulated retail service without requiring the CLEC to file a tariff schedule of rates and charges with the Commission. Order No. 88353 finalized a Proposed Order of Public Utility Law Judge (“PULJ”) in Case No. 9414 in which the PULJ approved an Agreement of Stipulation and Settlement among all parties. The Agreement of Stipulation and Settlement set forth the terms and conditions that a CLEC must adhere to in order to be permitted to provide regulated retail services without the requirement to file a tariff schedule of its rates and charges for the service.

In order for a CLEC to remove its filed tariff with the Commission, the CLEC must file a letter requesting that its tariffs be eliminated. The letter should be clearly labeled “Request to Detariff” and must be addressed to David J. Collins, Executive Secretary, Public Service Commission of Maryland, William Donald Schaefer Tower, 6 St. Paul Street, 16th Floor, Baltimore, Maryland 21202.

Each request must be accompanied by a signed affidavit from an authorized representative of the CLEC: (1) certifying that it has fewer than 20,000 subscribers in Maryland; (2) certifying that it will comply with all applicable Code of Maryland Regulations (“COMAR”) regulations and Commission orders; (3) acknowledging that it

will file a tariff with the Commission in the future if it obtains more than 20,000 subscribers; and (4) providing an updated link to an electronic pricing guide for inclusion in the Commission's website. Each CLEC that has been approved for detariffing will be required to maintain its electronic pricing guide up to date and will also be required to keep records of all pricing guide changes for at least three years from the date the pricing guide change was made. In addition, each CLEC approved for detariffing will be required to notify its customers of changes to rates, terms, and conditions, as currently required.

CLECs that are granted a request to detariff will continue to be regulated as public utilities in Maryland subject to all laws, rules, and regulations. The Commission will waive the requirements of Code of Maryland Regulations ("COMAR") 20.45.02.02A (requiring telephone companies to file tariffs with the Commission and to maintain tariffs on its website) and COMAR 20.45.04.03 (requiring telephone companies to maintain tariffs for public inspection) for all carriers who are granted a request to detariff.

CLECs must continue to maintain a tariff on file with the Commission for all regulated wholesale services, including access. Additionally, the Commission maintains authority over all complaints.

If you have any questions about this process, please call Jennifer Ward at 410-767-8021 or send an email to Jennifer.Ward2@maryland.gov.

By Direction of the Commission,

/s/ David J. Collins

David J. Collins
Executive Secretary