

Cincinnati Bell Telephone Company

2002 PRICE CAP REVISIONS

July 2, 2002 Annual Access Filing

June 17, 2002

Description & Justification

A. Introduction

1. Background

This filing represents Cincinnati Bell Telephone Company's (CBT's) 2002 Annual Access Filing. CBT submits its revised FCC No. 35 tariff with the Federal Communications Commission.

This filing is being made in compliance with the following:

- * Second Report and Order, *In the Matter of Policy and Rules Concerning Rates for Dominant Carriers*, CC Docket No. 87-313, released October 4, 1990 (LEC Price Cap Order);
- * Order on Reconsideration, *In the Matter of Policy and Rules Concerning Rates for Dominant Carriers*, CC Docket No. 87-313, released April 17, 1991 (Recon. Order);
- * Report and Order, *In the Matter Of Amendment of Part 36 of The Commissions Rules and The Establishment of a Joint Board, FCC 97-30*, released February 3, 1997;
- * First Report and Order, *In the Matter of Price Cap Performance Review for Local Exchange Carriers*, CC Docket No. 94- 1,

released April 7, 1995;

* Report and Order, *In the Matter of Price Cap Regulation of Local Exchange Carriers, Rate-of-Return Sharing and Lower Formula Adjustment*, CC Docket No. 93-179, released April 14, 1995;

* Order on Reconsideration, *In the Matter of Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-128, FCC 96-439, released November 8, 1996;

* Third Report and Order, *In the Matter of Price Cap Performance Review for Local Exchange Carriers*, CC Docket No. 94-1, FCC 96-488, released December 24, 1996;

* Report and Order, *In the Matter of Implementation of Section 402(b)(1) (A) of the Telecommunications Act of 1996*, CC Docket No. 96-187, FCC 97-23, released January 31, 1997;

* First Report and Order, *In the Matter of Access Charge Reform*, CC Docket No. 96-262, FCC 97-158, released May 16, 1997;

* Fourth Report and Order, *In the Matter of Price Cap Performance Review for Local Exchange Carriers*, CC Docket No. 94- 1, FCC 97-159, released May 21, 1997;

* Memorandum Order and Opinion, *In the Matter of Access Charge Reform*, CC Docket No. 97-250, FCC 98-106, released June 1, 1998;

* 47 C.F.R. § 61.38 and § 61.41 through § 61.49; and 47 C.F.R., Part 61, generally.

Herein referred to collectively as the "Price Cap Rules".

* Sixth Report And Order in CC Docket 96-262 And 94-1, Report and Order in CC Docket 99-249, Eleventh Report And Order in CC Docket 96-45.

Herein referred to as the "CALLS Order"

* Order *In the Matter of July 2, 2002 Annual Access Charge Tariff Filings* DA 02-970, released April 26, 2002.

B. Waivers

CBT lists below all currently applicable Part 69 waivers that permit rate elements different than those specified in Part 69 of the Commission's Rules.

* The Commission extended indefinitely the waiver allowing carriers to bill \$25.00 for a special access surcharge. This element is included in CBT's Common Line Basket. See, *In the Matter of*

Annual 1989 Access Tariff Filings, Memorandum Opinion and Order, DA 88-1872, released December 2, 1988;

* The Commission granted CBT a waiver allowing it to offer a new Switched Access rate sub-element for a proposed Electronic White Pages services, called "ELI". See in the Matter of Cincinnati Bell Telephone Company Petition for Waiver of Part 69 of the Commission's Rules for Electronic Directory Assistance Service, Order, DA 91-170, released February 19, 1991;

* The Commission waived the requirement that LECs offer both direct-trunked and tandem-switched transport between a specific serving wire center and an access tandem. See, In the Matter of Local Exchange Carrier Switched Local Transport Restructure Tariffs, Order, DA 94-693, released June 23, 1994;

* The Commission, in its Order, waived Part 69 rules in order to establish a separate nonrecurring rate element to recover the costs of providing 900 access service. See, In the Matter of the Bell South Telephone Companies Tariff FCC No. 1; Cincinnati Bell Telephone Company Tariff FCC No. 35; Centel Corporation Tariff FCC No. 1; Rochester Telephone Corporation Tariff FCC No. 1; Petitions for Waiver of Section 69.4 (b) and subparts B and C of Part 69 of the Commission's Rules released November 18, 1988;

In this filing, CBT files its 2002 Annual Access Filing. The Commission in its *ORDER*, DA 02-970, Released April 26, 2002 set a modified effective date of July 2, 2002 for the July, 2002 Annual Access filings.

C. PCI Development

CBT calculated its Price Cap Indices ("PCI") for the Common Line, Traffic Sensitive, Trunking, and Special Access baskets in accordance with the CALLS Price Cap Rules. See TRP Form PCI-1.

1. GDP-PI

In accordance with paragraph 183 of the CALLS Order, the Bureau of Economic Analysis' (BEA's) chain-weighted GDP-PI is being used in this filing. CBT uses a GDP-PI of 1.8742 percent in this filing.

2. Productivity Factor

The Commission's CALLS Order changes the Productivity Factor, or X-factor to a transitional mechanism to target certain rates for switched access and to lower rates for a specified period for special access. The CALLS Order applies the 6.5% X-factor first to residual per-minute TIC until that charge is eliminated, then to the information surcharge until that charge is eliminated, finally to local switching and switched transport charges until the carrier's average traffic sensitive interstate access charges reach a specified target. The Average Traffic Sensitive (ATS) targeted rate for

CBT is \$0.0065. This is the rate for "other" price cap LECs specified in paragraph 162 of the CALLS Order. CBT achieved the ATS targeted rate in its July 2000 annual access filing. Per the CALLS Order, after a Price Cap LEC reaches the targeted rate, the ATS rate will be recalculated each subsequent Annual Filing. Due to changes in demand and the inclusion of new services, CBT's ATS for the July 2002, annual access filing is \$0.00702532. CBT is applying an X-factor of 6.5% to the Special Access basket. See Forms TGT1 and TGT3.

D. Exogenous Costs

1. Excess Deferred Taxes

CBT calculated the revenue impact of excess deferred taxes as shown on exhibit EXG-EDT. CBT spread the excess deferred tax revenue impact over the Common Line Basket and the Special Access Basket. See Exhibit EXG-EDT.

2. Development of Regulatory Fees

The Commission released the Assessment and Collection of Regulatory Fees for Fiscal Year 2001 on March 29, 2001. This Order specified a Regulatory Fee factor of 0.00132. This factor was multiplied by CBT's end-user revenue from FCC Form 499 to yield CBT's 2002 Regulatory Fee adjustment. CBT's 2001 Regulatory Fee adjustment of

\$92,569 was subtracted from CBT's 2002 Regulatory Fee adjustment of \$99,489 to yield an increase in CBT's Regulatory Fee of \$6,920. CBT adjusted its Common Line Basket and Special Access Basket to reflect the Regulatory Fee adjustment. See Exhibit EXG-REGFEE.

3. Development of Telecom Relay Support (TRS)

The National Exchange Carrier Association (NECA) filed its Annual Submission of TRS Payment and Revenue Requirements, DA 01-490, on May 1, 2001. NECA proposed a TRS factor of 0.00073 to be applied to the tariff year July 2001 to June 2002 (NECA Exhibit 4, Line 8). CBT multiplied this factor by its end-user revenue from FCC Form 499 to yield CBT's 2002 TRS adjustment. CBT's 2001 TRS adjustment of \$51,193 was subtracted from CBT's 2002 TRS adjustment of \$55,020 to yield an increase in CBT's TRS of \$3,827. CBT adjusted its Common Line Basket and Special Access Basket to reflect the TRS adjustment. See Exhibit EXG-TRS.

4. Development of North American Numbering Plan (NANP) Contribution

The NANP factor of 0.000043 that CBT applied in its 2001 Annual Access filing remains unchanged for the period of July 2002 through June 2003. This factor was multiplied by CBT's end-user revenue from FCC

Form 499 to yield CBT's 2001 NANP exogenous adjustment. CBT's 2001 NANP adjustment of \$3,016 was subtracted from CBT's 2002 NANP adjustment of \$3,241 to yield a increase in CBT's NANP support of \$225. CBT adjusted its Common Line Basket and Special Access Basket to reflect the NANP exogenous increase. See Exhibit EXG-NANP.

5. Development of Investment Tax Credit

CBT calculated the revenue impact of its Investment Tax Credit as shown on exhibit EXG-ITC. CBT spread the Investment Tax Credit revenue impact over the Common Line Basket and the Special Access Basket. See Exhibit EXG-ITC.

E. Pricing Bands

CBT calculated its applicable upper pricing bands in accordance with the Price Cap Rules. See TRP Form IND-1.

F. API and SBI Development

CBT calculated the applicable APIs and SBIs in accordance with the Price Cap Rules. CBT's APIs do not exceed the applicable PCIs and its SBIs are within the applicable upper pricing bands. See TRP Form IND-1.

G. Common Line

1. CALLS Impact on Common Line Charges

The CALLS Order combines the Carrier Common Line (CCL), End-user Common Line (EUCL - also known as the SLC), and PICC charges into a single charge for residence and single-line business customers.

A. End-User Common Line Development

The CALLS Order increases the EUCL ceiling for residence and single-line business lines to \$6.00 beginning in July, 2002. However, Price Cap companies are limited to a residence and single-line business EUCL equal to the Common Line, Marketing, and Transport revenue per line, if that revenue per line is less than the \$6.00 ceiling. To compute the EUCL rates, CBT developed line demand and MOU demand quantities based on the year 2001 demand levels. Following the CALLS Order, CBT then calculated its proposed Common Line Marketing and Transport (CMT) revenue per line. The CMT revenue per line of \$5.23 is less than the \$6.00 residence and single-line business EUCL ceiling.

In the CALLS Order, the Commission established an

explicit support mechanism to be administered by the Universal Support Administrative Corporation (USAC). On June 3, 2002, CBT was notified by USAC that CBT's explicit USF support will decrease to \$436,623 annually as of the Third Quarter, 2002.

Therefore, in accordance with Part 69.152(e)(1) and Part 69.152(k)(1) of the Commission's Rules, as well as the change in CBT's USF support, CBT's calculated EUCL rates are \$5.19 for Residence and single-line business, \$5.19 for Non-primary Residence and ISDN-BRI, and \$5.19 for Multiline Business, ISDN-PRI and Centrex. See TRP Form CAP-1.

H. Average Traffic Sensitive

1. Average Traffic Sensitive Calculation

CBT achieved the targeted Average Traffic Sensitive (ATS) rate of \$0.0065 specified in Paragraph 162 of the CALLS Order in its 2000 Annual Access filing (Transmittal No. 749). Per the CALLS Order, after a Price Cap LEC reaches the targeted rate, the ATS rate will be recalculated each subsequent Annual Filing. Due to changes in demand and the inclusion of new services, CBT's ATS for the July 2002 annual access filing is \$0.00702532. CBT has not changed any rates comprising its ATS in this filing. TRP Form TGT-1 shows the methodology used to achieve the targeted rate. Also see TRP Form SUM-1.

2. Base Period Demand

CBT's Traffic Sensitive minutes are obtained at an end-office level from CBT's Carrier Access Billing System (CABS). Minute-miles are computed by multiplying minutes by the known mileage applicable to the end office.

CBT's Trunking recurring demand is obtained from CBT's Carrier Access Billing System (CABS). Recurring demand is obtained as a count of in-service quantities.

3. SBI Limits

As illustrated on TRP Form IND-1, CBT is in compliance with all SBI requirements.

4. API and SBI Calculations

The Traffic Sensitive API is calculated as proposed revenue (base period demand times proposed rates) divided by current revenue (base period demand times current rates), multiplied by the existing API per Part 61.46 of the Commission's Rules. The Traffic Sensitive API is displayed in TRP Form IND-1. Base period demand, current rates, and proposed rates are displayed for the Traffic Sensitive Basket in Exhibit TS-RATE and in the

Trunking Basket in Exhibit TR-Rate. SBIs for each Traffic Sensitive service category are calculated as proposed revenue of each category, divided by current revenue of each category, multiplied by the existing SBI of each service category.

I. Special Access Basket

The CALLS Order created a Special Access Basket containing Voice Grade, WATS, Metallic, Telegraph, Audio, Video, High Cap, DDS and Wideband services. The Special Access Basket is subject to an X-factor of 6.5 percent in accordance with Paragraphs 149 and 151 of the CALLS Order.

1. Base Period Demand

CBT's Special Access recurring demand is obtained from CBT's Carrier Access Billing System (CABS). Recurring demand is obtained as a count of in-service quantities.

2. SBI Limits

As illustrated on TRP Form IND-1, CBT is in compliance with all SBI requirements.

3. API and SBI Calculations

The Special Access API is calculated as proposed revenue (base period demand times proposed rates), divided by current revenue (base period demand times current rates), times the existing API per Part 61.46 of the Commission's Rules. See TRP Form IND-1.

SBIs for each Special Access service category are calculated as proposed revenue of each category, divided by current revenue of each category, multiplied by the existing SBI of each service category. Base Period Demand, current rates and proposed rates are displayed on Exhibit SP-Rate.

J. Services Excluded From Price Cap Regulation

The Commission requested in its *Tariff Review Plans* Order that Price Cap ILECs provide a list of services not in price caps, the Tariff Section associated with those services, and the authorization for removal. CBT has attached form OUTPC-1 listing services not included in Price Cap regulation. CBT has also attached OUTPC-2 to list services that were in Price Caps and have been removed.

K. 492A Forms

Pursuant to the Commission's *Tariff Review Plans* Order, CBT has included its Form 492A for the calendar years 2000 and 2001.

L New Services

CBT has included a listing of new services introduced in 2001. See Exhibit CBT-NEW.