

Cincinnati Bell Telephone Company

2007 PRICE CAP REVISIONS

May 2007 Tariff Review Plan Filing

May 1, 2007

## Description & Justification

### Introduction

#### A. Background

This filing represents Cincinnati Bell Telephone Company's (CBT's) May 2007 Tariff Review Plan (TRP) Filing.

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 Commission's 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;
- \* 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 2007 Annual Access Charge Tariff Filings* DA 07-1483, released March 29, 2007.

## **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 subelement 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 short form TRP. The Commission, in its Order (DA 07-1483) waived portions of Section 61.49(k) requiring a short form TRP filing 90 days prior to the July 1 annual access filing date. The Commission established May 1, 2007 as the filing date for the short form TRP.

## **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 2.5439 percent in this short-form TRP 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 this traffic sensitive average 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,

CBT's ATS for the July 2007, annual access filing is \$0.00728339. Per the CALLS Order, and as noted in the Commission's *Tariff Review Plans*, DA 07-1484, Released March 29, 2007, the X-factor is set to the inflation rate for the Special Access basket. See Forms TGT1 and TGT2.

### **3. Index Changes**

As directed by the Commission, a workpaper identifying the transmittal or letter filing date where the last index changes were implemented for the price cap categories has been included. See Exhibit IND-TM.

## **Payphone Line Counts**

The Commission exempted payphone lines from Presubscribed Interexchange Carrier Charges (PICC) in its Order On Reconsideration, FCC 03-139, released June 25, 2003. Accordingly, CBT has removed its payphone lines from the PICC Multi-line Business line counts. CBT no longer has a PICC charge therefore there is no revenue impact of the payphone line removal.

## **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 its Notice of Proposed Rulemaking (NPRM) in the Matter of *Assessment and Collection of Regulatory Fees for Fiscal Year 2007* on April 18, 2007. This NPRM specified a Regulatory Fee factor of 0.00266. This factor was multiplied by CBT's end-user interstate revenue from FCC Form 499 to yield CBT's 2007 Regulatory Fee adjustment of \$259,246. CBT's 2007 Regulatory Fee of \$259,246 was subtracted from CBT's 2006 Regulatory Fee of \$172,916 to yield an increase in CBT's Regulatory Fee of \$86,330. CBT adjusted its Common Line Basket and Special Access Basket to reflect the Regulatory Fee adjustment. This adjustment was made based on end-user interstate revenues shown on CBT's FCC 499 Form. See Exhibit EXG-ALLOCATE. CBT reserves the right to modify its filing if the Commission releases a new Regulatory Fee factor prior to the annual access filing.

## **3. Development of Telecom Relay Support (TRS)**

The Commission released its Public Notice in the matter of *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities* on June 29, 2006. The



Commission proposed a revised TRS factor of 0.00535 to be applied to the tariff year July 2006 to June 2007. This factor was multiplied by CBT's end-user interstate revenue from FCC Form 499 to yield CBT's 2007 adjustment of \$521,416. CBT's 2007 TRS adjustment of \$521,416 was subtracted from CBT's 2006 TRS adjustment of \$333,674 to yield an increase in CBT's TRS adjustment of \$187,742. CBT adjusted its Common Line Basket and Special Access Basket to reflect the TRS adjustment. This adjustment was made based on end-user interstate revenues shown on CBT's FCC 499 Form. See Exhibit EXG-ALLOCATE. CBT reserves the right to modify its filing if the Commission releases a new TRS factor prior to the annual access filing.

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

The Commission released Public Notice CC Docket 92-237, DA 06-1000 on May 9, 2006. This Public Notice specified a NANP factor of 0.0000210 for the period from July 2006 through June 2007. This factor was multiplied by CBT's end-user revenue from FCC Form 499A to yield CBT's 2007 NANP exogenous adjustment. CBT's 2007 NANP contribution of \$10,111 was subtracted from CBT's 2006 NANP contribution of \$10,959 to yield a decrease in CBT's NANP support of \$847. CBT adjusted its Common Line Basket and Special Access Basket to reflect the NANP exogenous decrease. This adjustment was made based on end-user interstate revenues shown on CBT's FCC 499

Form. See Exhibit EXG-ALLOCATE. CBT reserves the right to modify its filing if the Commission releases a new NANP factor prior to the annual access filing.

## **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.

## **492A Forms**

Pursuant to the Commission's *Tariff Review Plans* Order, CBT has included its Form 492A for the calendar years 2005 and 2006.

## **New Services**

CBT has included a listing of new services introduced in 2006. See Exhibit CBT-NEW.