



PUBLIC NOTICE

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WIRELINE COMPETITION BUREAU ANNOUNCES POSTING OF 2024 TARIFF REVIEW PLAN FOR EXOGENOUS COST FILINGS BY RATE-OF-RETURN CARRIERS THAT ELECTED INCENTIVE REGULATION FOR BUSINESS DATA SERVICES

WC Docket Nos. 24-41, 17-144

By this Public Notice, the Wireline Competition Bureau (Bureau) announces the release of the 2024 tariff review plan (TRP) workbooks for rate-of-return local exchange carriers that elected incentive regulation for their business data services (BDS) offerings pursuant to the *Rate-of-Return BDS Order* and *Enhanced A-CAM Order* to calculate exogenous cost adjustments to their tariffed BDS rates.¹ This year, the Bureau established November 1, 2024 as the effective date for tariff filings implementing these exogenous cost adjustments.² The TRP workbooks are posted on the Commission's website at: <https://www.fcc.gov/2024-2025-trp-midcourse-exogenous-cost-filings>.

In the *2024 Tariff Review Plan Order*, the Bureau required rate-of-return carriers that elected BDS incentive regulation to file TRP workbooks reflecting any exogenous cost adjustment for Telecommunications Relay Service (TRS), North American Numbering Plan Administration (NANPA), and regulatory fees in rates to be effective October 1, 2024.³ On September 9, 2024, the Bureau extended the effective date for the exogenous cost tariff filing from October 1 to November 1, 2024.⁴ The exogenous cost adjustment for TRS must be "grossed up" to spread the entire adjustment over the remaining eight months in the tariff year. The exogenous cost adjustment for regulatory fees and NANPA fees must be "grossed up" to spread the entire adjustments over the remaining 11 months between November 1, 2024 and September 30, 2025.⁵ The TRP workbooks adjust BDS rates using

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*); *Connect America Fund et al.*, WC Docket No. 10-90 et al., Report and Order, Notice of Proposed Rulemaking, and Notice of Inquiry, 38 FCC Rcd 7040, 38 FCC Rcd 7040, 7078, para. 91 (2023) (*Enhanced A-CAM Order*); see 47 CFR § 61.50; see also *Wireline Competition Bureau Announces Additional 120 Rate-of-Return Carrier Study Areas Electing Incentive Regulation for their Business Data Services*, WC Docket No. 17-144, Public Notice, DA 24-667 (WCB Jul. 11, 2024).

² *July 1, 2024 Annual Access Charge Tariff Filings*, WC Docket No. 24-41, Order, DA 24-877, at 1, para. 1 (WCB/PPD Sept. 9, 2024) (*Extension Order*).

³ See *July 1, 2024 Annual Access Charge Tariff Filings*, WC Docket No. 24-41, Order, DA 24-434, at 15, para. 46 (WCB/PPD May 10, 2024) (*2024 Tariff Review Plan Order*).

⁴ *Extension Order* at 3, para. 6.

⁵ *Id.*

factors for the TRS contribution fees,⁶ NANPA contribution fee,⁷ and the regulatory fee for interstate telecommunications service providers.⁸ For exogenous cost tariff filings to be effective November 1, 2024, tariff filings made on 15 days' notice are due on October 17, 2024 and tariff filings made on 7 days' notice are due on October 25, 2024.⁹

The TRP workbooks posted on the Commission's website were prepared by the National Exchange Carrier Association (NECA) for 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.¹⁰ Carriers that do not participate in the NECA tariff should also file a TRP workbook.¹¹ Commission staff reviewed the TRPs released today and carriers are encouraged to use them. Carriers are free, however, to create and submit their own TRP workbooks, as long as those TRP workbooks comply with the Commission's rules. Carriers should submit their TRP workbooks, data, and formulas in an Excel format rather than PDF format.¹²

Consistent with the *2024 Tariff Review Plan Order*, the November 1, 2024 exogenous cost filing and rate adjustment is optional if the total amount of such adjustments would either increase rates or meet a *de minimis* threshold equal to the \$1,040 standard tariff filing fee applied on the same basis as the tariff filing for which the filing fee is paid.¹³ Per the *Extension Order*, carriers may treat the exogenous cost tariff filing as a tariff transmittal amending their federal universal service (FUSF) contribution factor tariff filing effective October 1, 2024.¹⁴ In their transmittal letter, carriers should refer to the original tariff transmittal number in order to avoid an additional tariff filing fee. If a carrier did not submit the October 1, 2024 FUSF contribution factor tariff filing and submits the November 1, 2024 exogenous cost tariff filing, it must submit the standard tariff filing fee through the Commission's Registration System (CORES).¹⁵

⁶ See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, et al.*, CG Docket Nos. 03-123, 10-51, Order, DA 24-620, at 1-2, para. 3 (CGB June 28, 2024) (approving a carrier contribution factor of 0.00024 for TRS support provided through state programs, and a carrier contribution factor of 0.01952 for Internet-based TRS support—IP captioned telephone service (or CTS), IP relay, and video relay service (or VRS)).

⁷ See *Wireline Competition Bureau Announces the Proposed North American Numbering Plan Administration Fund Size Estimate and Contribution Factor for October 2024 Through September 2025*, CC Docket No. 92-237, Public Notice, DA 24-869 (WCB Aug. 28, 2024) (approving the proposed NANPA contribution factor of 0.0000896 if the Commission takes no action within 14 days following August 28, 2024).

⁸ *Review of the Commission's Assessment and Collection of Regulatory Fees for Fiscal Year 2024 et al.*, MD Docket No. 24-86 et al., Second Report and Order, FCC 24-93, at 57, Appx. C (Sept. 6, 2024) (adopting a fiscal year 2024 regulatory fee (per revenue dollar) for interstate telecommunications service providers of 0.005420).

⁹ *Extension Order* at 3, para. 6.

¹⁰ See 47 CFR § 61.50(c).

¹¹ See *2024 Tariff Review Plan Order* at 15, para. 46. Electing carriers must complete and file one of two Excel workbooks. The "TY 2024-2025 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 2024-2025 Holding Company BDS Midcourse TRP" workbook is for carriers that establish a PCI, API, SBIs and upper SBI limits at the holding company level.

¹² See *2024 Tariff Review Plan Order* at 16, para. 48.

¹³ *Id.* at 15, para. 46; 47 CFR § 1.1105.

¹⁴ *Extension Order* at 3, para. 6.

¹⁵ *Id.*; see 47 CFR § 1.1105; FCC, Commission Registration System for the FCC, <https://www.fcc.gov/licensing-databases/commission-registration-system-fcc> (last visited Sept. 27, 2024).

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