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Telecommunications Industry Rules

Industry Rule 1. Additional Definitions

In addition to the definitions in General Rules 3 to 3.16, the following definitions apply to the defined terms, which will appear with the initial letter capitalized when used in these Industry Rules.

1.1 Basic Service

“Basic Service” means the service elements, as specified in Decision 96-10-066 (Appendix B, Part 4) and as modified from time to time by the Commission, that a provider of local exchange service must offer to each residential customer who requests local exchange service from the provider.

1.2 Carrier of Last Resort

“Carrier of Last Resort” means a carrier that has specific duties regarding the provision of Basic Service and universal service, as specified in Decision 96-10-066 and as modified from time to time by the Commission.

1.3 Category I, II, or III Service

“Category I, II, or III Service” refers to distinctions adopted by the Commission for services that a NRF-LEC may offer. The distinctions indicate the degree of flexibility that the NRF-LEC has in the pricing and offering of a particular service, as specified by the Commission in Decision 89-10-031 and as modified from time to time by the Commission.

1.4 Compliance Advice Letter

“Compliance Advice Letter” means an advice letter seeking approval of the Utility’s proposed implementation of a specific requirement in a statute or Commission order.

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1.5 Freezing of Service

“Freezing” or “Freezing of Service” means discontinuing a service’s availability to customers, other than those customers receiving the service from the Utility as of the date that the Utility freezes the service.

1.6 GRC-LEC

“GRC-LEC” is a local exchange carrier that is regulated through periodic general rate case review of its costs, revenues, and services, after which review the Commission sets the Utility’s rates and charges, based on its authorized rate of return.

1.7 Industry Rule

“Industry Rule” means an Industry Rule in the Telecommunications Industry Rules, as set forth in General Order 96-B or its successor.

1.8 Market Trial; Technical Trial

“Market Trial” or “Technical Trial” means a New Service offered only for a specified limited duration for the purpose of testing or evaluating the service.

1.9 New Service

“New Service” refers to a service proposed by a Utility, which service is distinguished from any existing service offered by the Utility by virtue of the technology employed and/or features, functions, and means of access provided.

1.10 NRF-LEC

“NRF-LEC” is a local exchange carrier that is regulated through the Commission’s new regulatory framework, as specified in Decision 89-10-031 and as modified from time to time by the Commission.

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1.11 Price Floor, Ceiling

Price “Floor” and “Ceiling” refer, respectively, to a lower and upper limit established by the Commission for pricing a Category II Service of a NRF-LEC.

1.12 Promotional Offering; Promotional Platform

“Promotional Offering” means an existing service offered under tariffed terms temporarily deviating from the otherwise applicable tariff in order to promote the service. “Promotional Platform” means a tariffed description of service for which a GRC-LEC or a NRF-LEC may make a Promotional Offering.

1.13 Staff

“Staff” means the Telecommunications Division (or its successor).

1.14 Telecommunications Advice Letter Coordinator

“Telecommunications Advice Letter Coordinator” means the person who processes documents submitted to the Telecommunications Division for filing.

1.15 Transfer

“Transfer” means a Transfer of assets (including customer base) and/or Transfer of control.

1.16 Utility

“Utility” means a public Utility that is a telephone corporation as defined in the Public Utilities Code.

1.17 Wholesale Service

“Wholesale Service” means a tariffed service that a carrier offers to another carrier for resale.

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1.18 Withdrawal of Service

“Withdrawal” or “Withdrawal of Service” means discontinuing a service’s availability to all customers, including those customers receiving the service as of the date it is withdrawn.

Industry Rule 2. Submitting Documents for Filing; Telephone Directories

An advice letter, a document pertaining to an advice letter (e.g., protest, response, reply, or supplement), or an information-only filing shall be submitted for filing to the Telecommunications Advice Letter Coordinator, Telecommunications Division, 505 Van Ness Ave., 3rd Floor, San Francisco, CA 94102-3298. A Utility submitting an advice letter shall provide an original and three copies; if the Utility is requesting confidential treatment of any information (see General Rule 9), the Utility shall submit a single, sealed copy of such information. A Utility submitting an information-only filing shall provide an original and one copy.

A Utility that issues a telephone directory shall submit, concurrent with publication, two copies of each directory to the Telecommunications Advice Letter Coordinator; however, a directory is not a tariff and will not be listed in the table of contents of the Utility’s tariffs or given Cal. P.U.C. sheet numbers. GRC-LECs, NRF-LECs, and competitive local carriers shall provide without charge copies of their current directories to public libraries in California.

Industry Rule 3. Notice to Affected Customers

On the date that is 25 days before the advice letter’s requested effective date, or on the date that the Utility submits the advice letter to the Telecommunications Advice Letter Coordinator, whichever date is earlier, the Utility shall give notice to each affected customer of the advice letter if it requests approval of a Transfer, Withdrawal of Service, or higher rates or charges or more restrictive terms or conditions.

Whenever this customer notice is of an advice letter submitted or required to be submitted in Tier 3 (see Industry Rule 7.3), the notice shall contain information regarding procedure for protests, as follows: “The proposed */insert*

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Transfer, Withdrawal of Service, or higher rates or charges or more restrictive terms or conditions, as appropriate] is being submitted by Advice Letter _____ *[insert advice letter number]* for review and possible approval by the California Public Utilities Commission. Anyone may object to that advice letter by sending a written protest to: Telecommunications Advice Letter Coordinator, Telecommunications Division, 505 Van Ness Ave., 3rd Floor, San Francisco, CA 94102-3298. The protest shall state specifically the grounds on which it is based. The protest must be received by the Telecommunications Advice Letter Coordinator no later than 20 days after the date that the advice letter is reported in the Daily Calendar of the California Public Utilities Commission. On or before the day that the protest is sent to the Telecommunications Advice Letter Coordinator, the protestant shall send a copy of the protest to _____ *[insert name and address of person whom the Utility has designated in the advice letter to receive protests]*. To view the Commission's Daily Calendar or to get further information about the Commission's procedures for advice letters and protests, go to the Commission's Internet site (www.cpuc.ca.gov)."

3.1 Customer Notice of Transfer

If a Utility requests approval of a Transfer, the notice shall identify the new service provider, describe the changes (if any) in rates, charges, terms, or conditions of service, and state that customers have the right to select a new service provider.

3.2 Customer Notice of Withdrawal

If a Utility requests approval of a Withdrawal of Service, the notice shall also describe the proposed Withdrawal. In the case of a Withdrawal from providing Basic Service, the notice shall describe the arrangements the Utility has made to ensure continuity of service to affected customers. If the Utility resells Basic Service (or service element thereof), the arrangements shall include notice to affected customers that they may choose another service provider or (if no other service provider is chosen) receive Basic Service from the underlying carrier or Carrier of Last Resort. If the Utility is proposing Withdrawal of Basic Service that it provides using its own facilities, the Utility must arrange for Transfer of its customers to another Utility. (See Industry Rules 3.1, 8.5, 8.6.)

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3.3 Customer Notice of Higher Rates, More Restrictive Terms

If a Utility requests approval of higher rates or charges or more restrictive terms or conditions, the notice shall also state the current and proposed rates, charges, terms, or conditions (as appropriate). If the Utility requesting such approval is a GRC-LEC, the notice shall also state the reasons for the proposed change and the impact of any proposed change to a rate or charge, expressed in dollar and percentage terms.

Industry Rule 4. Contracts and Other Deviations

The Commission may authorize a Utility, on a case-by case basis, to provide service under a contract or other deviation that departs from rates, charges, terms, or conditions offered in the Utility's tariffs.

The requirements of General Rule 8.5.6 (requiring a Utility's tariffs to include a list of its contracts and other deviations) shall apply to GRC-LECs; all other Utilities are excused from maintaining this list. However, nothing in this Industry Rule excuses a Utility from submitting any contract otherwise required to be submitted for filing with the Commission.

Industry Rule 5. Detariffed Service

The Commission may grant exceptions from the general requirement (see General Rule 8.2.1) that a Utility serve its California customers under its filed tariffs. Such exceptions, allowing the Utility to provide detariffed service, may be granted to a specific Utility or type of Utility, or for specific services offered by the Utility or type of Utility. Industry Rule 5.1 et seq., which will be updated as necessary, list the currently authorized exceptions and certain requirements.

5.1 Market Trial; Technical Trial

A Market Trial or Technical Trial shall be submitted as an information-only filing (see Exhibit F), and shall follow guidelines set forth in Resolution T-14944 (June 17, 1992). Such an information-only filing will be treated as confidential pursuant to Resolution T-14944.

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5.2 Commercial Mobile Radio Service Provider

A commercial mobile radio service provider cannot file tariffs with the Commission but shall make available to the public schedules showing its rates, charges, terms, and conditions of service.

5.3 Interexchange Carriers

A currently certificated interexchange carrier that is unaffiliated with a GRC-LEC or NRF-LEC may submit an advice letter requesting Commission approval to detariff in whole or part. A currently certificated interexchange carrier that is affiliated with a GRC-LEC or NRF-LEC must file an application to request detariffing approval.

In all instances, an interexchange carrier that is detariffed in whole or part, regardless of whether it is detariffed at or after certification, shall make available to the public schedules showing its rates, charges, terms, and conditions for detariffed service.

Industry Rule 6. Advice Letter Contents

An advice letter shall include (1) a copy of the notice to affected customers, if such notice is required by Industry Rule 3, and (2) the following statement: "Anyone may object to this advice letter by sending a written protest to: Telecommunications Advice Letter Coordinator, Telecommunications Division, 505 Van Ness Ave., 3rd Floor, San Francisco, CA 94102-3298. The protest shall state specifically the grounds on which it is based. The protest must be received by the Telecommunications Advice Letter Coordinator no later than 20 days after the date that the advice letter is reported in the Daily Calendar of the California Public Utilities Commission. On or before the day that the protest is sent to the Telecommunications Advice Letter Coordinator, the protestant shall send a copy of the protest to _____ *[insert name and address of person whom the Utility has designated in the advice letter to receive protests]*. To view the Commission's Daily Calendar or to get further information about the Commission's procedures for advice letters and protests, go to the Commission's Internet site (www.cpuc.ca.gov)."

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Industry Rule 7. Advice Letter Review

A Utility submitting an advice letter shall designate the appropriate tier, based on the content of the advice letter. A Tier 1 or Tier 2 advice letter is subject to disposition under General Rule 7.6.1; a Tier 3 advice letter is subject to disposition under General Rule 7.6.2.

7.1 Matters Appropriate to a Tier 1 Advice Letter (Effective Pending Disposition)

A Utility submitting an advice letter in Tier 1 must comply with the applicable customer notice requirements, as set forth in Industry Rules 3 to 3.3 and as referenced in (1) to (16) of this Industry Rule, and the advice letter may be returned without filing if the Utility has not complied. Pursuant to General Rule 5.6(7), the Utility shall document its compliance with applicable customer notice requirements; if an advice letter accepted for filing is found not to have been noticed in compliance with these requirements, Staff will reject the advice letter.

- (1) An editorial change to the text of a tariff that does not affect a rate, charge, term, or condition under the tariff.
- (2) A change to the name of a product or service.
- (3) A Compliance Advice Letter, unless the Commission order directing the submission of the advice letter specifies another tier.
- (4) An exchange area boundary realignment that does not result in an increase to a rate or charge or in a more restrictive term or condition.
- (5) A contract for a tariffed service by an interexchange carrier, competitive local carrier, or NRF-LEC, which contract meets the requirements of Industry Rule 8.2 et seq.
- (6) A contract for a tariffed service by a GRC-LEC, if (i) the contract repeats the rates, charges, terms, and conditions of a NRF-LEC's contract, (ii) the contract involves a service for which the GRC-LEC concurs in that NRF-LEC's corresponding tariff, and (iii) the GRC-LEC participates in the intercompany settlement pool. Any such contract

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shall meet the requirements of Industry Rules 8.2 to 8.2.3. This procedure for submitting such a contract for approval by a Tier 1 advice letter is available only so long as the intercompany settlement pool is available.

- (7) A change by an interexchange carrier or a competitive local carrier to a rate, charge, term, or condition (not including an exchange area boundary realignment, as described in Industry Rules 7.2(2) and 7.3(4)), which change has been noticed in compliance with Industry Rules 3 and 3.3 (as applicable).
- (8) A change by a NRF-LEC to a rate or charge for a Category II Service, which change has been noticed in compliance with Industry Rules 3 and 3.3 (as applicable), and is at or within the applicable Price Floor and Ceiling.
- (9) A change by a NRF-LEC to (i) a Wholesale Service rate or charge, if the change has been noticed in compliance with Industry Rules 3 and 3.3 (as applicable), and such rate or charge is linked to a tariffed Category II Service rate or charge by a discount adopted by the Commission, or (ii) a Wholesale Service term or condition, if the change has been noticed in compliance with Industry Rules 3 and 3.3 (as applicable), and such term or condition incorporates a term or condition approved by the Commission for the corresponding Category II Service.
- (10) A change by a NRF-LEC to a rate, charge, term, or condition for a Category III Service, which change has been noticed in compliance with Industry Rules 3 and 3.3 (as applicable).
- (11) A New Service of an interexchange carrier, which service meets the requirements of Industry Rule 8.3.
- (12) A new Promotional Offering, or continuation of a Promotional Offering, by a GRC-LEC or NRF-LEC for which there is a Commission-approved Promotional Platform (see Industry Rule 7.3(10)).
- (13) A new Promotional Offering, or continuation of a Promotional Offering, by a competitive local carrier or interexchange carrier.

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- (14) Freezing of Service (not including a Freezing subject to Industry Rule 7.3(3) or 7.4(1)) by a competitive local carrier or interexchange carrier.
- (15) Freezing of a Category III Service (not including a Freezing subject to Industry Rule 7.3(3) or 7.4(1)) by a NRF-LEC.
- (16) A change to a tariff for an existing service by a GRC-LEC, which change has been noticed in compliance with Industry Rules 3 and 3.3 (as applicable), and adopts without modification the corresponding tariff of a NRF-LEC.

7.2 Matters Appropriate to a Tier 2 Advice Letter (Effective After Staff Approval)

A Utility submitting an advice letter in Tier 2 must comply with the applicable customer notice requirements, as set forth in Industry Rules 3 to 3.3 and as referenced in (1) to (6) of this Industry Rule, and the advice letter may be returned without filing if the Utility has not complied. Pursuant to General Rule 5.6(7), the Utility shall document its compliance with applicable customer notice requirements; if an advice letter accepted for filing is found not to have been noticed in compliance with these requirements, Staff will reject the advice letter.

- (1) A New Service of a GRC-LEC, NRF-LEC, or competitive local carrier, where the New Service complies with Industry Rule 8.3.
- (2) An exchange area boundary realignment by a Utility other than a Carrier of Last Resort, which realignment results in an increase to a rate or charge or in a more restrictive term or condition, and has been noticed in compliance with Industry Rules 3 and 3.3 (as applicable).
- (3) A Withdrawal or Freezing of Service (not including a Withdrawal or Freezing subject to Industry Rule 7.1(14), 7.1(15), 7.3(3), 7.3(11), or 7.4(1)), where the Withdrawal has been noticed in compliance with Industry Rules 3 and 3.2.
- (4) Detariffing by an interexchange carrier that is not affiliated with a GRC-LEC or NRF-LEC.

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- (5) Request to Transfer by an interexchange carrier or a competitive local carrier. (See Industry Rule 8.6.2.)
- (6) An advice letter otherwise appropriate to Tier 1 but for which the Utility submitting the advice letter requests review and disposition under Tier 2.

7.3 Matters Appropriate to a Tier 3 Advice Letter (Effective After Commission Approval)

A Utility submitting an advice letter in Tier 3 must comply with the applicable customer notice requirements, as set forth in Industry Rules 3 to 3.3 and as referenced in (1) to (12) of this Industry Rule, and the advice letter may be returned without filing if the Utility has not complied. Pursuant to General Rule 5.6(7), the Utility shall document its compliance with applicable customer notice requirements; if an advice letter accepted for filing is found not to have been noticed in compliance with these requirements, Staff will reject the advice letter.

- (1) A matter appropriate to an advice letter but not subject to review and disposition under Tier 1 or Tier 2. (See General Rule 5.1.)
- (2) A negotiated interconnection agreement pursuant to Section 252 of the Telecommunications Act of 1996 (47 USC § 252). (See Industry Rule 8.1.)
- (3) Withdrawal or Freezing of Basic Service (or service element thereof) or of Wholesale Service where a Carrier of Last Resort continues to offer such service within the affected area. In the case of a Withdrawal, it shall have been noticed in compliance with Industry Rules 3 and 3.2, and shall meet all applicable requirements of Industry Rule 8.5.
- (4) An exchange area boundary realignment by a Carrier of Last Resort, which realignment results in an increase to a rate or charge or in a reduction in service to existing customers, and has been noticed in compliance with Industry Rules 3 and 3.3 (as applicable).

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- (5) Except for a change appropriate for review and disposition under Industry Rule 7.1(8) or 7.1(12), a change for a Category II Service by a NRF-LEC to the applicable Price Floor or Ceiling, or to a term or condition, which change has been noticed in compliance with Industry Rules 3 and 3.3 (as applicable).
- (6) An annual update by a NRF-LEC to its Commission-adopted price cap.
- (7) Except for a change appropriate for review and disposition under Industry Rule 7.1(12) or 7.1(16), a change by a GRC-LEC to a rate, charge, term, or condition, which change has been noticed in compliance with Industry Rules 3 and 3.3 (as applicable).
- (8) An update by a GRC-LEC regarding its allocation from the high cost fund.
- (9) A contract for a tariffed service by a GRC-LEC, except for a contract appropriate for review and disposition under Industry Rule 7.1(6).
- (10) A Promotional Platform of a GRC-LEC or NRF-LEC.
- (11) Except where review in a formal proceeding is required by Industry Rule 7.4(1), Withdrawal or Freezing of Service by a GRC-LEC. In the case of a Withdrawal, it shall have been noticed in compliance with Industry Rules 3 and 3.2, and shall meet all applicable requirements of Industry Rule 8.5.
- (12) Emergency service pursuant to General Rule 8.2.3.

7.4 Matters Requiring Review in a Formal Proceeding

Staff will reject without prejudice an advice letter that requests relief or raises issues requiring an evidentiary hearing or otherwise requiring review in an application or other formal proceeding. (See General Rules 5.2, 5.4.) Matters requiring such review include, but are not limited to:

- (1) Withdrawal or Freezing of Basic Service (or service element thereof) or Wholesale Service where no Carrier of Last Resort continues to offer such service within the affected area. In the case of a Withdrawal, it

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shall have been noticed in compliance with Industry Rules 3 and 3.2, and shall meet all applicable requirements of Industry Rule 8.5.

- (2) Detariffing by a GRC-LEC, NRF-LEC, competitive local carrier, or an interexchange carrier that is affiliated with a GRC-LEC or NRF-LEC.
- (3) Request by a NRF-LEC to change (i) a rate, charge, term, or condition of a Category I Service, or (ii) the category of a Category I, II, or III Service.
- (4) Request for operating authority or for authority to expand service area.
- (5) Request to Transfer by a GRC-LEC or NRF-LEC.

Industry Rule 8. Procedures for Specific Types of Advice Letters

8.1 Negotiated Interconnection Agreements

Promptly upon execution of an interconnection agreement arrived at through negotiation pursuant to Section 252 of the Telecommunications Act of 1996 (47 USC § 252), the agreement shall be submitted by advice letter for Commission approval. Staff will prepare a proposed resolution approving or rejecting the agreement, and the proposed resolution will be placed before the Commission for its consideration at a meeting no later than 60 days after staff accepts the advice letter for filing.

8.2 Contracts for Tariffed Services

Contracts for tariffed services shall be submitted for approval under this Industry Rule and Industry Rules 8.2.1 to 8.2.5. Except for negotiated interconnection agreements, a contract that involves only detariffed services is not subject to Commission approval and is not to be submitted for filing.

8.2.1 Deadline for Submittal; Effective Date

Within 15 days after the execution of a contract for a tariffed service, the contract shall be submitted by advice letter for Commission approval. A Utility that violates the deadline for submittal is liable to such sanctions as the

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Commission may impose, including but not limited to the penalties set forth in Decision 91-07-010 and the Public Utilities Code. Violation of the deadline does not, in itself, invalidate a contract. In the case of a contract properly submitted for review and disposition by Tier 1 advice letter, the contract may be made effective as soon as the date of execution.

8.2.2 Required Clauses

A contract for a tariffed service shall contain the following clause: “This contract at all times shall be subject to such modifications as the California Public Utilities Commission may direct from time to time in the exercise of its jurisdiction.” If the contract is for tariffed service from a NRF-LEC, the contract shall also contain the following clause: “If any Category II Service rate or charge in this contract conflicts with an applicable Commission-approved Price Floor or Ceiling, the contract rate or charge shall be null and void, and the contract may be rescinded or renegotiated.” If the contract is required to be submitted for review and disposition by Tier 3 advice letter, the contract shall also contain the following clause: “This contract does not become effective unless and until approved by the California Public Utilities Commission.”

8.2.3 Availability of Contract Rates

The rate or charge under a contract then in effect shall be made available to any similarly situated customer that is willing to enter into a contract with the same terms and conditions of service.

8.2.4 Cost Justification

An advice letter by a NRF-LEC or GRC-LEC requesting approval of a contract shall show that each rate set in the contract is at or above cost, or in compliance with the applicable Commission-approved Price Floor and Ceiling. In the latter case, the advice letter shall state (1) the contract rate for each covered Category II Service, and (2) each Commission-approved Price Floor or Ceiling that applies to such service. Cost data provided in support of the contract may be submitted under seal together with a request for confidential treatment. (See General Rule 9.)

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8.2.5 Contract Rate Violating Commission Standards

If a contract rate is below cost, or differs from the Utility's applicable tariff rate for a Category I Service, or violates any applicable Commission-approved Price Floor or Ceiling for a Category II Service, the Commission may invalidate the contract rate, or may require an amendment to conform the contract to the tariff rate or the Price Floor or Ceiling, as appropriate. In addition, the Commission may impose sanctions, including but not limited to a penalty on the Utility of the greater of \$10,000 or twice the difference between the revenue to be realized over the term of the contract and the revenue that would have been realized by the Utility under the proper rate, as determined by the Commission. If the Commission finds that the Utility has engaged in a pattern of below-cost pricing, the Commission may impose further sanctions.

8.3 New Service

An advice letter requesting approval of a New Service shall demonstrate that the proposed service would:

- (1) comply with all applicable provisions of the Public Utilities Code, including without limitation Sections 2891 to 2894.10, and with the applicable consumer protection rules adopted by the Commission;
- (2) not result in a degradation in quality of other service provide by the Utility submitting the advice letter; and
- (3) not be activated for a particular customer unless affirmatively requested by the customer.

An advice letter submitted by a GRC-LEC or NRF-LEC to request approval of a New Service shall demonstrate that the proposed rate for the New Service is above cost, except that if a GRC-LEC adopts or concurs in a NRF-LEC's tariff, the GRC-LEC is exempt from the requirement to demonstrate that the proposed rate for the New Service is above cost. Cost data, which must be provided for the purpose of this Industry Rule, may be submitted under seal together with a request for confidential treatment. (See General Rule 9.) An advice letter

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submitted by a NRF-LEC to request approval of a New Service shall indicate and justify the proposed category for the service.

8.4 Change to Tariffed Rate, Charge, Term, or Condition

An advice letter by a NRF-LEC or GRC-LEC requesting approval of a change to a tariffed rate, charge, term, or condition, if the change is required to be submitted for review and disposition by Tier 3 advice letter, shall demonstrate that the rate, charge, term, or condition, as proposed to be changed, would be just and reasonable. Cost data, which must be provided for the purpose of this Industry Rule, may be submitted under seal together with a request for confidential treatment. (See General Rule 9.) If Staff determines that a change requested by an advice letter to a rate, charge, term, or condition requires a hearing or otherwise requires review in a formal proceeding, Staff will reject the advice letter without prejudice. (See General Rule 5.4.)

8.5 Withdrawing Basic Service

Prior to a Utility's Withdrawal, in whole or part, from offering Basic Service (or service element thereof) within its service area, the Utility shall submit an advice letter or application, as appropriate (see Industry Rules 7.2(3), 7.3(3), 7.3(11), and 7.4(1)), requesting the Commission's authorization for such Withdrawal. The request shall state the date and method by which the Utility notified affected customers of the proposed Withdrawal (see Industry Rules 3 and 3.2), and shall describe the arrangements the Utility has made to ensure continuity of service to affected customers. If the Utility resells Basic Service (or service element thereof), the arrangements shall include notice to affected customers that they may choose another service provider or (if no other service provider is chosen) receive Basic Service from the underlying carrier or Carrier of Last Resort. If the Utility uses its own facilities to provide Basic Service, the arrangements shall include notice to affected customers of the Utility's plans for Transfer of the customers to another carrier. (See Industry Rule 3.1, 8.6.)

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8.6 Transfer

8.6.1 Transfer of GRC-LEC or NRF-LEC

Commission approval for the Transfer of a GRC-LEC or NRF-LEC shall be requested by formal application jointly submitted by the transferor and proposed transferee. See Rules 35-36 of the Commission's Rules of Practice and Procedure.

8.6.2 Transfer of Interexchange or Competitive Local Carrier

Commission approval for the Transfer of an interexchange carrier or competitive local carrier shall be requested by advice letter submitted by the proposed transferee. If the proposed transferee does not have authority from the Commission to operate as a Utility, the transferee shall (1) either register to operate as an interexchange carrier (using the registration form available at the Commission's Internet site) or apply to operate as a competitive local carrier, and (2) upon the grant of operating authority by the Commission, submit an advice letter requesting approval of the Transfer. The advice letter shall include a financial statement, which may be submitted under seal together with a request for confidential treatment (see General Rule 9), demonstrating that the transferee has sufficient assets to operate through the transition period.

8.6.3 Transfer of Commercial Mobile Radio Service Provider

The transferee of a commercial mobile radio service provider shall submit an information-only filing setting forth changes in the provider's registration information.

8.7 Promotional Offering

A GRC-LEC or NRF-LEC may not submit an advice letter requesting approval of a Promotional Offering unless and until the Utility has received approval for its Promotional Platform.

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Industry Rule 9. Notification of DBAs

If a Utility does business under a name other than the name under which it was granted operating authority by the Commission, the Utility shall list, as part of its preliminary statement (see General Rule 8.5.3), each name under which the Utility does business. The Utility shall update this list, as necessary, by submitting an advice letter (see Industry Rule 7.1(1)). If a detariffed carrier does business under a name other than the name under which it was granted operating authority by the Commission, the carrier shall inform the Commission by submitting an information-only filing with a list of all names under which the carrier does business. The detariffed carrier shall update this list, as necessary, by information-only filing.

APPENDIX C**Exhibit A – Schedule with Preferred Numbering System**

CONGLOMERATE COMMUNICATIONS (U357C)
Sacramento, California

SCHEDULE CAL. P.U.C. NO. A1.
2ND Revised Sheet 1
Cancels 1st Revised Sheet 1

COMPETITIVE LOCAL CARRIER

A1. BASIC EXCHANGE ACCESS SERVICE

1.1 GENERAL

1.1.1 APPLICABILITY

Applicable to individual and party line business and residence basic exchange access service.

1.1.2 TERRITORY

Within the exchange areas in the state of California as said areas are defined on maps and verbal descriptions filed as part of the tariff schedules.

1.2 RATES

	Monthly Flat Rate	CSOC	Monthly Measured Rate	CSOC
--	----------------------	------	--------------------------	------

1.2.1 RESIDENCE SERVICE *

Each individual primary line	\$ 9.50 (I) 1FRPL	\$ 4.00 (R)(\$6.00) 1MRPL
---------------------------------	-------------------	---------------------------

* Customers may change from flat rate service to measured rate service or from measured rate service to flat rate service, once, at no charge, within 90 days from the effective date of Advice Letter No. 123.

() Zone 1 Usage Measurement allowance.

(continued)

(To be inserted by utility)	Issued by	(To be inserted by Cal.P.U.C.)
Advice No. <u>123</u>	<u>J.D. Magnum</u>	Date Filed <u>Jan 17 2001</u>
	Vice President	Effective <u>Jan 21 2001</u>
Dec. No. <u>D.01-01-011</u>	<u>Regulatory Affairs</u>	Resolution No. _____

TITLE

APPENDIX C**Exhibit B – Schedule with GO 96-A Numbering System**

ACME TELEPHONE Company(U123C)
Desert Air, California

Revised Cal. P.U.C. Sheet No.864-T
Canceling Original Cal. P.U.C.Sheet
No.21-T

LOCAL EXCHANGE CARRIER

Schedule No. A1

FLAT RATE EXCHANGE SERVICE

APPLICABILITY

Applicable to individual and party service access line business and residence flat rate services.

TERRITORY

Within the base rate areas, as said areas are defined on maps and verbal descriptions filed as part of the tariff schedules.

RATES

<u>Wadi and Bitterwater Exchanges</u>	<u>Rate per Month</u>		
	<u>Business Service</u>	<u>Residence Service</u>	
First individual access line	\$ 101.99	\$ 50.99	(I)
Each additional access line	50.99	25.49	(R)

(continued)

(To be inserted by utility)	Issued by	(To be inserted by Cal.P.U.C.)
Advice Letter No. <u>972</u>	<u>Wyl E. Coyote</u>	Date Filed <u>Jan 17 2001</u>
	Vice President	Effective <u>Jan 21 2001</u>
Dec. No. <u>D.01-01-010</u>	<u>Regulatory Affairs</u>	Resolution No.
	Title	

APPENDIX C

Exhibit C – Example of Tariff Title Page

ACME TELEPHONE COMPANY (U123C)
Desert Air, California

Original Cal. P.U.C. Sheet No. 1-T
Canceling Cal. P.U.C. Sheet No.

TARIFFS

Applicable To

TELEPHONE SERVICE

including

Rules Affecting Rates and Services
of
ACME TELEPHONE COMPANY
(Name of Utility)

4 Road Runner Road, Post Office Box 2,
Desert Air, CA 91234
(Mailing Address)

Operating In or Near
Mojave County, Calif.
(City or Town and County)

Contact Person: Mr. Wyl E. Coyote
Telephone No. _____

(Mailing Address if different from above)

The following tariff schedules embracing Rates and Rules have been regularly filed with the Public Utilities Commission of the State of California and are the effective rates and rules of this utility.

No officer, inspector, solicitor, agent or employee of the utility has any authority to waive, alter or amend these tariff schedules or any part thereof in any respect.

(To be inserted by utility)	Issued by	(To be inserted by Cal. P.U.C.)
Advice No. <u>1</u>	<u>Wyl E. Coyote</u>	Date Filed <u>Jan 01 1965</u>
	Chief Financial	Effective <u>Jan 06 1965</u>
Dec. No. <u>D.64-12-001</u>	<u>Officer & Treasurer</u>	Resolution No.
	TITLE	

APPENDIX C

Exhibit D – Example of an Advice Letter

(Letterhead if Available)

Advice Letter No. 973
January 31, 2001

Acme Telephone Company (U 123C)

Public Utilities Commission of the State of California

Acme Telephone Company requests approval of the changes in the following tariff schedules applicable to its (describe service).

Cal P.U.C. Sheet No.	Title of Sheet	Canceling Cal. P.U.C. Sheet No.
_____	_____	_____
_____	_____	_____
_____	_____	_____

The effective date of the tariff schedules is requested to be _____.

(These tariff changes are being submitted pursuant to D._____, dated _____ in A._____, (or) Resolution _____, dated _____.)

Notice has been provided as required by GO 96. The Service List is attached to this Advice Letter (or "This Advice Letter was served on the same parties as Advice Letter #_____, dated _____.")

STANDARD PROTEST STATEMENT

Anyone may protest this advice letter to the California Public Utilities Commission. The protest must set forth the specific grounds on which it is based, including such items as financial and service impacts. A protest must be made in writing and received within 20 days of the date this filing appears on the Commission's Daily Calendar. A copy must be mailed to the Utility on the same date it is mailed or delivered to the Commission. The address for mailing or delivering a protest to the Commission is:

Telecommunications Advice Letter Coordinator,
California Public Utilities Commission
505 Van Ness Avenue, Room 3251
San Francisco, CA 94102-3298

Inquiries concerning this advice letter and service of any protest may be made to:

Name of Designated Individual
Title
Telephone Number
Mailing Address

This advice letter is subject to review by the California Public Utilities Commission; for further information on Notice, Protest, Disposition, and Appeal processes for this advice letter, consult Commission General Order 96-B (General Rules and Telecommunications Industry Rules).

APPENDIX C

TYPICAL WORDING TO OFFER NEW SERVICE

This advice letter provides a new service not previously offered or furnished. This advice letter will not increase any rate or charge, cause the withdrawal of service, or conflict with other schedules or rules. It is desired that this advice letter become effective on _____, pursuant to (cite authorizing statute, rule, or Commission order).

(Include a brief description of the new service.)

TYPICAL WORDING FOR AN INCREASE IN RATES (COMPLIANCE)

These tariff schedules are submitted pursuant to Decision _____, dated _____, in Application _____, dated _____, (or) Resolution _____, dated _____, which states:
(quote ordering paragraph from decision or resolution).

TYPICAL WORDING FOR A DECREASE IN RATES

This advice letter covers a reduction in the rate for (telephone service - give full details) in the _____ service area. There are no increases involved in this advice letter nor will it result in withdrawal of any service or conflict with other schedules or rules. It is desired that this decrease become effective on _____, pursuant to (cite authorizing statute, rule, or Commission order).

(End of Exhibit D)

APPENDIX C**Exhibit E – Advice Letter Cover Sheet****CALIFORNIA PUBLIC UTILITIES COMMISSION****ADVICE LETTER COVER SHEET
TELECOMMUNICATIONS UTILITY**

MUST BE COMPLETED BY UTILITY	
Company name: _____	
Utility type: <input type="checkbox"/> LEC <input type="checkbox"/> IEC <input type="checkbox"/> IER <input type="checkbox"/> CLC <input type="checkbox"/> CLR	CPUC utility #: U- _____ Contact name: _____ Phone #: (_____) _____
EXPLANATION OF UTILITY TYPE LEC = Incumbent Local Exchange Carrier IEC = Interexchange Carrier IER = IEC Reseller only CLC = Competitive Local Carrier CLR = CLC Reseller only	(Date Filed/ Received Stamp by CPUC)
Filing #: _____ Requested Tier Review: _____	
Keyword (See list on reverse, or www.cpuc.ca.gov): _____	
Authorization for filing (e.g., decision, resolution, legislation #): _____	
Requested effective date: _____ Number of tariff sheets: _____	
Estimate annual revenue effect: \$ _____ (Applicable only if carrier is a GRC-LEC)	
Tariff schedules affected: _____	
Affected Service: _____	
Subject of advice letter: _____	
Customer privacy implications: <input type="checkbox"/> Yes. If yes, please explain in advice letter. <input type="checkbox"/> No	
FOR CPUC OFFICE USE ONLY	
<input type="checkbox"/> No Resolution Required (Analysis attached)	Assigned Supv/Analyst: _____ / _____ AL Due
<input type="checkbox"/> Resolution Required (Draft attached) _____ To Supervisor _____ To Branch Chief _____ To Director	Date: _____ Due to Supv: _____ Analyst Completion Date: _____ Supv. Review Date: _____ AL/Tariff Effective Date: _____
<input type="checkbox"/> Executive Action Resolution	Notes: _____
Resolution #: T- _____	

APPENDIX C**CALIFORNIA PUBLIC UTILITIES COMMISSION****ADVICE LETTER KEYWORD LIST
TELECOMMUNICATIONS UTILITY**

<u>Keyword</u>	<u>Description</u>
GRC	Any General Rate Case filing.
Initial Filing	The first utility tariff filing.
Contract	Any contract or agreement other than a negotiated interconnection agreement.
Compliance	Any non-elective filing made in compliance with a Commission order.
Interconnection Agreement	Any negotiated interconnection agreement per Section 252 of the Telecommunications Act.
New Service	Any new service.
Price-Cap Filing	The annual price cap filing.
Rate Increase	Any increase in rates or charges including surcharges and surcredits.
Rate Decrease	Any decrease in rate or charges including surcharges and surcredits.
Restrictive Language Change	Any change in service terms and conditions that result in a restriction from previous terms and condition. E.g., a service reduction.
Less-restrictive Language Change	Any change in service terms and conditions that result in less-restrictions than previous terms and conditions. E.g., a service expansion.
Neutral Language Change	Any change in service description that has no impact on service terms and conditions.
Promotion	Any temporary change in rates, charges, terms, and conditions of service for less than one year.
Utility Name Change	Any change in utility DBA / or ownership name.

(End of Exhibit E)

APPENDIX C**Exhibit F – Information-Only Filing Cover Sheet****CALIFORNIA PUBLIC UTILITIES COMMISSION****INFORMATION-ONLY FILING COVER SHEET
TELECOMMUNICATIONS UTILITY****MUST BE COMPLETED BY UTILITY**

Company name: _____

Utility type:

☐ LEC ☐ IEC ☐ IER
☐ CLC ☐ CLR ☐ CMRS

CPUC utility #: U-_____

Contact name: _____

Phone #: (____) _____

EXPLANATION OF UTILITY TYPE

LEC = Incumbent Local Exchange Carrier
 IEC = Interexchange Carrier
 IER = IEC Reseller only
 CLC = Competitive Local Carrier
 CLR = CLC Reseller only
 CMRS = Commercial Mobile Radio Service

(Date Filed/ Received Stamp by CPUC)

Filing Type (see list on reverse): _____

Filing Due Date: _____

Additional notes: _____

FOR CPUC OFFICE USE ONLY

Assigned Supv/Analyst: _____ / _____

Review Date: _____

Non-compliance letter: _____

Notes: _____

Filed Date: Analyst Completion Date: _____

APPENDIX C**CALIFORNIA PUBLIC UTILITIES COMMISSION****INFORMATIONAL ONLY FILINGS KEYWORD LIST
TELECOMMUNICATIONS UTILITY**

<u>Keyword</u>	<u>Description</u>
Annual Financial Report	All carriers must file financials in accordance with _____.
CPCN attachments	Letters of compliance with CPCN requirements— State business license, employee badges, financial fitness, must be filed with the CPCN application.
Complaint reports	Statistics of complaints received by local exchange carriers must be filed quarterly.
Cell site locations	CMRS carriers must provide a list cell site location in accordance with_____.
Interconnection Agreement	Any negotiated interconnection agreement per Section 252 of the Telecommunications Act, must be filed with the CPUC.
Construction reports	All facilities based carriers must provide a description of construction activities in accordance with _____.
Quarterly financial reports	All carriers subject to price caps or NRF.
General Order 65	All local exchange carriers must provide a copy of financials
General Order 77	All local exchange carriers must provide a list of officer salaries in accordance with GO77.
Number utilization and forecast report	All carriers that hold numbers must file semi-annually with the FCC a number utilization and forecast report. A copy of this report must be provided the CPUC.
Name change	Name or DBA change or addition (non-tariffed carriers only – tariffed carriers must submit an advice letter)

(End of Exhibit F)

(END OF APPENDIX C)