

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
July 1, 2004)	WCB/Pricing File No. 04-18
Annual Access Charge Tariff Filings)	
)	
)	

ORDER ON RECONSIDERATION

Adopted: July 30, 2004

Released: July 30, 2004

By the Chief, Pricing Policy Division, Wireline Competition Bureau:

1. On June 30, 2004, we suspended for one day and set for investigation the 2004 annual access tariffs for Virgin Islands Telephone Corporation (VITELCO), Concord, Chillicothe, TXU Communications, Fort Bend Telco/TXU, Horry, Coastal Utilities, Blair,¹ ACS of Anchorage, Fort Mill, Lancaster, and Rock Hill.² We reconsider this *Suspension Order* on our motion and, as explained below, hereby terminate the investigation into the tariffs filed by these carriers. The rates for the National Exchange Carrier Association (NECA) that we also suspended remain under investigation.³ The specific issues that are the subject of the NECA investigation will be identified in an upcoming designation order.

2. In the *Suspension Order*, we suspended for one day and set for investigation the annual access tariffs of VITELCO, Fort Mill, Chillicothe, TXU, and Fort Bend due to concerns about whether these carriers exceed the Commission's prescribed rate-of-return.⁴ Questions were also raised about certain aspects of VITELCO's demand, expense, and cost methodology.⁵ In response, VITELCO, Fort Mill, Chillicothe, TXU, and Fort Bend have filed revised rates reducing various charges that enable us to conclude that further investigation is not warranted at this time.⁶

¹ We note that Arlington Tel was affected because it concurred in Blair's tariff.

² July 1, 2004, Annual Access Charge Tariff Filings, WCB/Pricing File No. 04-18, Order, DA No. 04-1997 (WCB/Pricing, adopted June 30, 2004) (*Suspension Order*).

³ *Suspension Order* at 1-3.

⁴ *Suspension Order* at 2.

⁵ *Suspension Order* at 2.

⁶ Chillicothe Telephone Company, Tariff FCC No. 1, Transmittal No. 82 (filed July 29, 2004); Consolidated Communications Companies, Tariff FCC No. 1, Transmittal No. 5 (filed July 30, 2004); John Staurulakis, Inc., Tariff FCC No. 1, Transmittal No. 100 (filed July 29, 2004); Virgin Islands Telephone Corporation, Tariff FCC No. 1, Transmittal No. 55 (filed July 27, 2004).

3. We also noted in the *Suspension Order* AT&T's concerns that the following carriers filed excessive cash working capital requirements: Concord, Coastal Utilities, Horry, Fort Mill, ACS of Anchorage, Lancaster, and Rock Hill.⁷ After further reviewing the manner in which the carriers calculated the cash working capital allowance, we conclude that further investigation is not warranted.

4. In addition, Blair has responded to our concerns that the rate development methodology that it employed in the 2004 annual access filing may not relate its proposed rates for various elements to appropriate costs.⁸ Blair has indicated that it will conduct appropriate cost studies but will need additional time for this effort. Blair has revised its tariff to show clearly that its current rates will expire at the end of November 1, 2004.⁹ In light of this action and the fact that the original tariff filing proposed substantial rate reductions, we reconsider our decision to suspend and investigate Blair's tariff. We hereby provide reasonable time for Blair to conduct new cost studies for the purpose of revising its annual access tariff filing to become effective no later than November 2, 2004.

5. Accordingly, IT IS ORDERED that, pursuant to section 204(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 204(a), and sections 0.91, 0.291, and 1.113 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.113, we reconsider on our own motion our decision in the *Suspension Order* to suspend and investigate the revised tariff rates of Virgin Islands Telephone Corporation (VITELCO), Concord, Chillicothe, TXU Communications, Fort Bend Telco/TXU, Horry, Coastal Utilities, Blair, ACS of Anchorage, Fort Mill, Lancaster, and Rock Hill.

6. IT IS FURTHER ORDERED that, pursuant to section 204(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 204(a), and sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, the investigation and accounting orders imposed in WCB/Pricing File No. 04-18 ARE TERMINATED with respect to VITELCO, Concord, Chillicothe, TXU Communications, Fort Bend Telco/TXU, Horry, Coastal Utilities, Blair, ACS of Anchorage, Fort Mill, Lancaster, and Rock Hill.

FEDERAL COMMUNICATIONS COMMISSION

Tamara L. Preiss
Chief, Pricing Policy Division
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⁷ *Suspension Order* at 2.

⁸ *Suspension Order* at 2.

⁹ Blair Telephone Company, Tariff FCC No. 1, Transmittal No. 3 (filed July 28, 2004).