

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF AN ORDER )  
APPROVING UTILITY ARTICLES )  
PURSUANT TO 170 IAC 1-6. )

APPROVED: OCT 10 2012

ORDER OF THE COMMISSION

The Indiana Administrative Code provides for Thirty-Day Administrative Filing Procedures and Guidelines pursuant to the authority of Ind. Code 8-1-1-3 and Ind. Code 8-1-2-42. The thirty-day filing process is available for certain routine and non-controversial requests to facilitate expedited consideration of these matters by the Commission. The rule sets forth the requirements for the thirty-day administrative filings.

The thirty-day filings received pursuant to 170 IAC 1-6 and ripe for Commission action are attached hereto and collectively referred to as the Utility Articles. There are no controversial filings in the Utility Articles approved today.


Pursuant to the rule, the Commission Technical Divisions have submitted their recommendations to the Commission. Therefore, the Commission finds that the requirements of 170 IAC 1-6 have been met and that the Utility Articles attached are hereby approved.

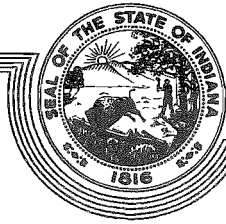
**IT IS SO ORDERED.**

LANDIS, MAYS AND ZIEGNER CONCUR; ATTERHOLT AND BENNETT ABSENT:

APPROVED: OCT 10 2012

I hereby certify that the above is a true and correct copy of the Order as approved.

  
Brenda A. Howe  
Secretary to the Commission



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MEMORANDUM

TO: Chairman James D. Atterholt  
 Commissioners Ziegner, Landis, Mays, and Bennett

FROM: Commission Technical Divisions

DATE: October 4, 2012

RE: 30-Day Utility Articles for Conference on *Wednesday, October 10, 2012 @ 2:00 P.M.*

The following thirty-day filings have been submitted to the Commission. Each item was reviewed by the appropriate Commission Technical Divisions and all regulations were met in accordance with 170 IAC 1-6 Thirty-Day Administrative Filing Procedures and Guidelines. Therefore, the following filings listed below and attached hereto are recommended to be considered by the Commission at the next conference:

<u>Attachment Number</u>	<u>30-Day Filing No.</u>	<u>Name of Utility Company</u>	<u>Type of Request</u>	<u>Date Received</u>
1	3054	AT&T Communications of Indiana, GP ("AT&T")	VoIP-PSTN Intrastate Access Service Request	08/20/2012
2	3055	TCG Indianapolis	VoIP-PSTN Intrastate Access Service Request	08/20/2012
3	3058	Lebanon Municipal Electric Utility	Power Cost Adjustment Factor	08/29/2012
4	3060	Crawfordsville Electric Light & Power	Power Cost Adjustment Factor	08/29/2012

Submitted By: Pamela D. Taber   
Director, Communications Division

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**Filing Party:** AT&T Communications of Indiana, GP (“AT&T”)<sup>1</sup>  
**30-Day Filing ID No.:** 3054  
**Date Filed:** August 20, 2012  
**Filed Pursuant To:** 170 IAC 1-6-3(6); Cause No. 44004 (July 13, 2011); *Connect America Fund, et al.*, WC Docket No. 10-90, et al., Second Order on Reconsideration, para. 35 (FCC 12-47: rel. April 25, 2012); 47 C.F.R. § 51.913(a).

**Request:** The FCC’s Nov. 18, 2011 USF-ICC Transformation Order required local exchange carriers, effective July 13, 2012, to charge their wholesale carrier customers *interstate* access rates for all VoIP-PSTN<sup>2</sup> traffic, including *intrastate* VoIP-PSTN<sup>3</sup>, in the absence of an agreed-up alternative rate. AT&T made a tariff filing with the Commission on April 23, 2012, to implement this mandate, which was approved on June 6, 2012.

In the instant filing, AT&T is proposing revisions to its tariff to: (1) implement recent FCC rule changes that delayed the interstate rate treatment of *originating* intrastate toll VOIP-PSTN traffic Minutes of Use (MOU) until July 1, 2014<sup>4</sup> and permitted LECs to charge the otherwise-existing intrastate originating access rates, through June 30, 2014<sup>5</sup>; (2) modify the formulas it uses to estimate the percentage of total intrastate access minutes that are considered toll VoIP-PSTN minutes, to enable correct billing of intrastate vs. interstate access rates consistent with the new FCC rules; and (3) charge the lower of its applicable *terminating* interstate or intrastate rates for terminating toll VoIP-PSTN minutes of use (MOU).

These tariff revisions affect only AT&T’s wholesale carrier customers; they do not apply to AT&T’s retail end user customers.

**Retail Customer Impact:** N/A  
**Tariff Page(s) Affected:** I.U.R.C. No. T-3, Part 1, Sec. 2: Various pages.  
**Staff Recommendations:** Requirements met. Recommend approval.

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<sup>1</sup> AT&T Communications of Indiana, GP, is a CLEC affiliate of AT&T Indiana (Indiana Bell).

<sup>2</sup> “PSTN” is an acronym referring to the Public Switched Telephone Network. The FCC defines VoIP-PSTN traffic as “traffic exchanged over PSTN facilities that originates and/or terminates in IP format...” USF/ICC Transformation Order, para. 940; 47 C.F.R. § 51.913(a)(3), as modified in the Second Order on Reconsideration.

<sup>3</sup> See, USF/ICC Transformation Order, para. 944, which states that “default charges for ‘toll’ VoIP-PSTN traffic will be equal to interstate rates applicable to non-VoIP traffic...” In paragraph 934, the FCC also permitted LECs to specify, in their tariffs, how they will distinguish VoIP-PSTN traffic from other types of traffic.

<sup>4</sup> Second Order on Reconsideration, para. 35; 47 C.F.R. § 51.913(a)(2).

<sup>5</sup> For CLECs (such as AT&T) who benchmark their rates to price cap ILEC rates, the default rates are the originating intrastate access rates as capped (at interstate rate levels) by the USF/ICC Transformation Order. (See, para. 801 & figure 9) However, if the FCC reduces interstate originating access rates before July 1, 2014, “those new rates will form the basis of the default origination charges for toll VoIP traffic.” Second Order on Reconsideration, n. 97.

Submitted By: Pamela D. Taber *P.D.T.*  
Director, Communications Division

**Filing Party:** TCG Indianapolis<sup>1</sup>

**30-Day Filing ID No.:** 3055

**Date Filed:** August 20, 2012

**Filed Pursuant To:** 170 IAC 1-6-3(6); Cause No. 44004 (July 13, 2011); *Connect America Fund, et al.*, WC Docket No. 10-90, et al., Second Order on Reconsideration, para. 35 (FCC 12-47: rel. April 25, 2012); 47 C.F.R. § 51.913(a).

**Request:** The FCC's Nov. 18, 2011 USF-ICC Transformation Order required local exchange carriers, effective July 13, 2012, to charge their wholesale carrier customers *interstate* access rates for all VoIP-PSTN<sup>2</sup> traffic, including *intrastate* VoIP-PSTN<sup>3</sup>, in the absence of an agreed-up alternative rate. AT&T made a tariff filing with the Commission on April 23, 2012, to implement this mandate, which was approved on June 6, 2012.

In the instant filing, AT&T is proposing revisions to its tariff to: (1) implement recent FCC rule changes that delayed the interstate rate treatment of *originating* intrastate toll VOIP-PSTN traffic Minutes of Use (MOU) until July 1, 2014<sup>4</sup> and permitted LECs to charge the otherwise-existing intrastate originating access rates, through June 30, 2014<sup>5</sup>; (2) modify the formulas it uses to estimate the percentage of total intrastate access minutes that are considered toll VoIP-PSTN minutes, to enable correct billing of intrastate vs. interstate access rates consistent with the new FCC rules; and (3) charge the lower of its applicable *terminating* interstate or intrastate rates for terminating toll VoIP-PSTN minutes of use (MOU).

These tariff revisions affect only AT&T's wholesale carrier customers; they do not apply to AT&T's retail end user customers.

**Retail Customer Impact:** N/A

**Tariff Page(s) Affected:** I.U.R.C. No. T-3, Part 1, Sec. 2: Various pages.

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<sup>1</sup> TCG Indianapolis is a CLEC affiliate of AT&T Indiana (Indiana Bell).

<sup>2</sup> "PSTN" is an acronym referring to the Public Switched Telephone Network. The FCC defines VoIP-PSTN traffic as "traffic exchanged over PSTN facilities that originates and/or terminates in IP format..." USF/ICC Transformation Order, para. 940; 47 C.F.R. § 51.913(a)(3), as modified in the Second Order on Reconsideration.

<sup>3</sup> See, USF/ICC Transformation Order, para. 944, which states that "default charges for 'toll' VoIP-PSTN traffic will be equal to interstate rates applicable to non-VoIP traffic..." In paragraph 934, the FCC also permitted LECs to specify, in their tariffs, how they will distinguish VoIP-PSTN traffic from other types of traffic.

<sup>4</sup> Second Order on Reconsideration, para. 35; 47 C.F.R. § 51.913(a)(2).

<sup>5</sup> For CLECs (such as AT&T) who benchmark their rates to price cap ILEC rates, the default rates are the originating intrastate access rates as capped (at interstate rate levels) by the USF/ICC Transformation Order. (See, para. 801 & figure 9) However, if the FCC reduces interstate originating access rates before July 1, 2014, "those new rates will form the basis of the default origination charges for toll VoIP traffic." Second Order on Reconsideration, n. 97.

Submitted By: *Bradley K. Borum*  
*Director, Electric Division*




**Filing Party:** Lebanon Municipal Electric Utility  
**30-Day Filing ID No.:** 3058  
**Date Filed:** August 29, 2012  
**Filed Pursuant To:** Commission Order No. 36835-S3  
**Request:** A revision to Power Cost Adjustment Tracking Factors, to be applied in October, November, and December 2012.  
**Customer Impact:** See below.

<i>Rate Schedule</i>	<i>Change (\$/kWh)</i>	<i>Resultant (\$/kWh)</i>
Residential Service (RS)	(0.018608)	0.006464
Commercial Service - Single Phase (CS-10)	(0.024210)	0.003367
Commercial Service - Three Phase (CS-30)	(0.031051)	(0.001352)
Municipal Service (MS)	(0.021694)	0.003926
Primary Power Light (PPL - per kVA)	(3.642872)	(0.006452)
Primary Power Light (PPL - per kWh)	(0.013736)	0.001122
Small General Power (SGP)	(0.022426)	(0.001003)
Outdoor Lighting & Street Lighting (OL & SL)	(0.012360)	0.004807

**Tariff Page(s) Affected:** Appendix A

**Staff Recommendations:** Requirements met. Recommend approval.

Submitted By: *Bradley K. Borum*   
Director, Electric Division

**Filing Party:** Crawfordsville Electric Light & Power  
**30-Day Filing ID No.:** 3060  
**Date Filed:** August 29, 2012  
**Filed Pursuant To:** Cause No. 36835-S3  
**Request:** A revision to the Power Cost Adjustment Tracking Factors to be applied in beginning with the October 2012 billing cycle.  
**Customer Impact:** See below.

<i>Rate Schedule</i>	<i>Change (\$/kWh)</i>	<i>Resultant (\$/kWh)</i>
Residential	0.003421	0.008863
General Power	0.000751	0.006988
Primary Power (KVA)	2.819112	3.300656
Primary Power (KWH)	(0.000434)	0.003647
Outdoor Lighting	0.003182	0.007324
Street Lighting	0.003454	0.007126
Traffic Signal	0.000682	0.005580

**Tariff Page(s) Affected:** Appendix A  
**Staff Recommendations:** Requirements met. Recommend approval.