

#### **R9-04 FILING OF TELEPHONE AND TELEGRAPH TARIFFS AND MAPS**

(a) Definitions. — The term "tariff" as used herein means a publication containing rates, charges, rules and regulations of the telephone or telegraph public utility. The term "map" as used herein means a map which is used to define service and rates areas.

(b) Requirements as to Size, Form, Identification, and Filing of Tariffs.

- (1) All tariffs except maps shall be in loose leaf form of size eight and one-half inches by eleven inches and shall be plainly printed or reproduced on paper of good quality.
- (2) Each regulated telephone utility in North Carolina shall have on file with the North Carolina Utilities Commission, for each exchange it serves a map of scale one inch equals one mile showing exchange service area, base rate area, and if any exist, rural zones. Said maps, when originally drawn, shall be made from current North Carolina State Highway Maintenance maps.
- (3) A margin of not less than three-fourths inch without any printing thereon shall be allowed at the binding edge of each tariff sheet.
- (4) Tariff sheets are to be numbered consecutively by section, sheet, and revision number. Each sheet shall show an effective date, a revision number, section number, sheet number, name of the company and the name of the tariff and title of the section in a consistent manner.
- (5) When it is desired to make changes in the rates, rules, maps, or other provisions of the tariff, an official tariff filing shall be made to the North Carolina Utilities Commission addressed as follows: Public Staff — North Carolina Utilities Commission, Communications Division, 4326 Mail Service Center, Raleigh, NC 27699-4326.

(c) Transmittal Letters. — Each tariff filing shall include a letter of transmittal (five copies). All explanations shall be made in such form as to be readily understood by persons not fully familiar with technical language. Each transmittal letter shall include:

- (1) A list of sheets filed by section, sheet and revision.
- (2) A paragraph describing the type of filing (new service, change of regulation, rate increase, rate reduction, etc.).
- (3) A paragraph or more explaining the reasons necessary and a full explanation of each change, new offering, new regulation, etc., and details of operations of each new service.
- (4) A paragraph giving a full explanation of the impact of each proposed change on existing subscribers.
- (5) A paragraph giving the estimated gross revenue and net revenue that a new service will produce annually over a three-year period, explaining how the estimate was obtained.

[NOTE] Each tariff revision of wording, rearrangement, other changes, additions or deletions shall be explained in consecutive order in the transmittal letter in the sequence in which they appear.

Each tariff filing shall be treated as original in that all required information shall be submitted with each filing regardless if similar or identical information such as cost study data or technical data has been submitted with previous filings. Unrelated new service offerings shall not be included in the same tariff filing. Neither shall unrelated tariff changes be included in the same tariff filing.

One copy of technical explanation, marketing data or other information necessary to describe the proposed additions or changes shall be included as a part of the tariff filing.

(d) Cost Study Data. — Full cost data (2 copies) shall be submitted for each new or changed rate by any telephone utility with more than 12,500 access lines. If full cost data is not available, explanation should be given including the available data, the reason full data is not available and on what information the proposed rates are based.

Any telephone utility with 12,500 or fewer access lines in service shall submit cost data or file a rate already on file by some other company in North Carolina. Should the latter choice be made, explanation shall be included as to the name of the company from whom the rates were copied and the tariff section, sheet and item number of the other company's tariff. Supporting data and/or explanations of how dollar amounts appearing on cost studies were obtained shall be included. This subsection shall not apply to a telephone utility that is subject to price regulation unless cost study data (i) is requested by the Public Staff or the Commission; or (ii) is required to be filed in response to a complaint alleging anticompetitive conduct by the utility.

(e) Notice of Change; Special Permission; Symbols. — Each tariff filing shall include new or revised tariff sheets (five copies) with notations in the right hand margin indicating each change made on these sheets. Notations to be used are (C) to signify change in regulation, (D) to signify discontinued rate or regulation, (I) to signify a rate increase, (N) to signify a new rate or regulation, (R) to signify a rate reduction, (T) to signify a change in text, but no change in rate or regulation. Sheets issued under new numbers are to be designated as original sheets. Sheets being revised should show the next number of revision from the existing sheet and should cancel the existing sheet.

Any tariff filings to make changes of existing maps shall include three (3) copies of said map plus a location map so marked with the proposed changes indicated in red pencil in lieu of the right hand margin notation specified in the preceding paragraph.

All tariff filings shall be received at the Commission offices at least 30 days before the date upon which they are to become effective, except as provided in G.S. 62-134, and except those tariff filings made in response to a Commission order.

(f) Commission Order Tariff Filings. — Tariff filings made in response to an order issued by the North Carolina Utilities Commission shall include a transmittal letter stating that the tariffs attached are in compliance with the order, giving the docket number, date of the order, a list of tariff sheets filed and any other information necessary. The transmittal letter shall be exempt from all other requirements of subsection (c) above. Said tariff sheets shall comply with all rules in this Chapter and shall include all changes ordered and absolutely no others. The effective date and/or wording of said tariffs shall comply with the ordering provisions of the order being complied with.

(g) Availability of Tariffs. — Each telephone and telegraph utility shall make available to the public at each of its business offices within North Carolina all of its tariffs currently on file with the North Carolina Utilities Commission and its employees shall lend assistance to seekers of information therefrom and afford inquirers an opportunity to examine any of such tariffs without requiring the inquirer to assign any reason for such desire. Utilities shall not be required to furnish copies without charge.

(h) Effective Date of This Chapter. — The rules of this Chapter shall be applicable to all tariff filings and maps filed on and after a date ten days subsequent to the adoption of this Chapter as a part of the Commission's Rules and Regulations. All maps on file shall be in compliance with Rule R9-4(b) (2) by April 1, 1974. Western Union Telegraph Company is exempt from the map requirements of this Chapter.

(i) Compliance. — Any tariff filings filed with the Commission and found to be noncompliant with this Chapter shall be so marked and one copy shall be returned to the filing utility with a brief explanation advising in what way the tariff does not comply and advise that the Commission does not consider said tariff as having been filed. Record of any tariff filings returned for noncompliance with this Chapter shall be made in the Commission files. Full compliance with this rule shall not guarantee Commission approval or preclude requests for additional information or clarification.

(NCUC Docket No. P-100, Sub 30, 1/15/73; NCUC Docket No. M-100, Sub 75, 10/27/77; NCUC Docket No. P-100, Sub 127, 4/21/94; NCUC Docket No. M-100, Sub 128, 04/10/00; NCUC Docket No. P-100 Sub 164, 4/24/08.)