

**BEFORE THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF DELAWARE**

IN THE MATTER OF THE TARIFF FILING            )  
BY VERIZON DELAWARE LLC TO CHANGE            )  
CERTAIN ACCESS RATES TO COMPLY                )  
WITH FCC'S CONNECT AMERICA FUND             )     PSC DOCKET NO. 12-007T  
ORDER, A BASIC SERVICE                         )  
(FILED OCTOBER 4, 2012)                        )

ORDER NO. 8245

**AND NOW**, this 29th day of November, 2012;

**WHEREAS**, on October 4, 2012, Verizon Delaware LLC ("Verizon") filed with the Public Service Commission (the "Commission") proposed revisions to its intrastate switched access tariff to comply with a rule revision adopted by the Federal Communication Commission (the "FCC") in its June 5, 2012 Order (the "Order") in the FCC's *Connect America Fund* docket.<sup>1</sup> The FCC clarified that carriers required to make intrastate switched access rate reductions in 2012 must increase the rate for any intrastate rate element that is below the comparable interstate rate for that element to the intrastate rate no later than July 1, 2013. See 47 C.F.R. §51.907(b)(3) and the Order, ¶8; and

**WHEREAS**, this filing will align Verizon's intrastate switched access rate structure with its interstate rate structure, as per the Order, and increase intrastate rate element

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<sup>1</sup> *Connect America Fund, et al.*, Order, 27 FCC Rcd (June 5, 2012).

levels where they are lower than the corresponding interstate rate levels; and

**WHEREAS**, the filing will also reduce Verizon's per minute Transitional Intrastate Access Service charge on end office switching minutes;<sup>2</sup> and

**WHEREAS**, Verizon states in its filing that the various rate level adjustments will result in revenue neutrality for the prescribed Fiscal Year 2011 intrastate switched access demand period; and

**WHEREAS**, Verizon requested an effective date of December 1, 2012, for the proposed tariff revisions in order to allow it to comply with the Order, and such effective date would be only 57 days after Verizon filed its proposed tariff revisions; and

**WHEREAS**, 26 Del. C. §304(a) provides that unless the Commission otherwise orders, no public utility shall make any change in any existing rate except after 60 days' notice to the Commission; however, the Commission, for good cause shown, may allow changes in rates without requiring the 60-days' notice. 26 Del. C. §304(a); see also 26 Del. Admin. C. §§4003-3.5.1.7 and 3.5.1.8.; and

**WHEREAS**, Verizon requests a waiver of the statutory requirement of 60-days' notice for its proposed tariff revisions and in support of such request states that the tariff revisions are revenue-neutral, will allow Verizon to comply with the FCC's

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<sup>2</sup> The FCC's original order in *Connect America Fund, et al.*, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17633 (Nov. 18, 2011), reduced switched access rates effective July 1, 2012.

Order, and will allow Verizon to maintain uniformity among the states and greater ease in billing; and

**WHEREAS**, the Commission Staff, in its memorandum dated November 21, 2012, recommended that the Commission approve Verizon's request for a waiver of the 60-days' notice and approve the proposed tariff changes;

**NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE VOTE OF NOT FEWER THAN THREE COMMISSIONERS:**

1. That the Commission hereby grants Verizon Delaware LLC's request for a waiver of the 60-days' notice required by 26 Del. C. §304(a) and 26 Del. Admin. C. §§4003-3.5.1.7 for its proposed tariff revisions filed on October 4, 2012, based on "good cause" provided by Verizon Delaware LLC as noted above.

2. That the Commission hereby approves the proposed tariff revisions filed by Verizon Delaware LLC on October 15, 2012. Such proposed tariff revisions, which are attached to this Order as **Exhibit "A"**, will be effective on December 1, 2012.

3. That the Commission reserves jurisdiction and authority to enter such further Orders in this docket as may be deemed necessary or proper.

**BY ORDER OF THE COMMISSION:**

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Chair

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/s/ Joann T. Conaway  
Commissioner

/s/ Jeffrey J. Clark  
Commissioner

/s/ Jaymes B. Lester  
Commissioner

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Commissioner

ATTEST:

/s/ Alisa Carrow Bentley  
Secretary

**EXHIBIT "A"**

PROPOSED TARIFF CHANGES FILED BY VERIZON DELAWARE LLC