

CHAPTER 26. SUBSTANTIVE RULES APPLICABLE TO TELECOMMUNICATIONS SERVICE PROVIDERS.

Subchapter L. WHOLESALE MARKET PROVISIONS.

§26.272. Interconnection.

- (a) **Purpose.** The purpose of this section is to ensure that a telecommunications service provider that is certificated provides local exchange service, basic local telecommunications service, or switched access service within the state interconnect and maintains interoperable networks such that the benefits of local exchange competition are realized as envisioned under the provisions of the Public Utility Regulatory Act (PURA). The commission finds that interconnection is necessary to achieve competition in the local exchange market and is therefore in the public interest.
- (b) **Definition.** The term “customer” when used in this section, means an end-user customer.
- (c) **Application and Exceptions.**
- (1) **Application.** This section applies to a certificated telecommunications utility (CTU) that provides local exchange service.
 - (2) **Exceptions.** Except as provided under this paragraph, a CTU providing local exchange service must comply with the requirements of this section.
 - (A) Holders of a service provider certificate of operating authority (SPCOA).
 - (i) The holder of an SPCOA that does not provide dial tone and only resells the telephone services of another CTU is subject only to the requirements of subsection (e)(1)(B)(ii) and (D)(i)-(vii) of this section and subsection (i)(1)-(3) of this section.
 - (ii) The underlying CTU providing service to the holder of an SPCOA referenced in clause (i) of this subparagraph must comply with the requirements of this section with respect to the customers of the SPCOA holder.
 - (B) Small incumbent local exchange companies (ILECs).
 - (i) This section applies to small ILECs to the extent required by 47 United States Code (U.S.C.) §251(f) (1996).
 - (ii) Notwithstanding the requirement in clause (i) of this subparagraph, small ILECs must terminate traffic of a CTU which originates and terminates within the small ILEC’s extended local calling service (ELCS) or extended area service (EAS) calling scope, where the small ILEC has an ELCS or EAS arrangement with another DCTU. The termination of this traffic must be at rates, terms, and conditions prescribed by subsection (d)(4)(A) of this section.
 - (C) Rural telephone companies.
 - (i) This section also applies to rural telephone companies as defined in 47 U.S.C. §153 (1996) to the extent required by 47 U.S.C. §251(f) (1996).
 - (ii) Rural telephone companies must terminate traffic of a CTU that originates and terminates within the rural telephone company’s ELCS or EAS calling scope, where the rural telephone company has an ELCS or EAS arrangement with another DCTU. The termination of this traffic must be at rates, terms, and conditions as described in subsection (d)(4)(A) of this section.
 - (D) Small CTUs.
 - (i) A small CTU may petition for a suspension or modification of the application of this section in accordance with 47 U.S.C. §251(f)(2) (1996).
 - (ii) Small CTUs must terminate traffic of a CTU that originates and terminates within the small CTU’s ELCS or EAS calling scope, where the small CTU has an ELCS or EAS arrangement with another DCTU. The termination of this traffic must be at rates, terms, and conditions as described in subsection (d)(4)(A) of this section.

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- (E) Deregulated companies and nondominant telecommunications utilities. Subsection (i)(2) and (3) of this section does not apply to deregulated companies holding a certificate of operating authority or to exempt carriers that meets the criteria of PURA §52.154.
- (d) **Principles of interconnection.**
 - (1) **General principles.**
 - (A) Interconnection between CTUs must be established in a manner that is seamless, interoperable, technically and economically efficient, and transparent to the customer.
 - (B) Interconnection between CTUs must utilize nationally accepted telecommunications industry standards or mutually acceptable standards for construction, operation, testing and maintenance of networks, such that the integrity of the networks is not impaired.
 - (C) A CTU may not unreasonably:
 - (i) discriminate against another CTU by refusing access to the local exchange;
 - (ii) refuse or delay interconnections to another CTU;
 - (iii) degrade the quality of access provided to another CTU;
 - (iv) impair the speed, quality, or efficiency of lines used by another CTU;
 - (v) fail to fully disclose in a timely manner, on request, all available information necessary for the design of equipment that will meet the specifications of the local exchange network; or
 - (vi) refuse or delay access by any person to another CTU.
 - (D) An interconnecting CTU must negotiate rates, terms, and conditions for facilities, services, or any other interconnection arrangements required in accordance with this section.
 - (E) This section does not authorize an interconnecting CTU access to another CTU's network proprietary information or customer proprietary network information, customer-specific as defined in §26.5 of this title (relating to Definitions) unless otherwise permitted in this section.
 - (2) Technical interconnection principles. An interconnecting CTU must make a good-faith effort to accommodate each interconnecting CTU's technical requests, provided that the technical requests are consistent with national industry standards and are in compliance with §26.52 of this title (relating to Emergency Operations), §26.53 of this title (relating to Inspections and Tests), §26.54 of this title (relating to Service Objectives and Performance Benchmarks), §26.57 of this title (relating to Requirements for a Certificate Holder's Use of an Alternate Technology to Meet its Provider of Last Resort Obligation), §26.89 of this title (relating to Nondominant Carriers' Obligations Regarding Information on Rates and Services), §26.107 of this title (relating to Registration of Interexchange Carriers (IXCs), Prepaid Calling Services Companies (PPC), and Other Nondominant Telecommunications Carriers), §26.128 of this title (relating to Telephone Directories), §26.206 of this title (relating to Depreciation Rates), and implementation of the requests would not cause unreasonable inefficiencies, unreasonable costs, or other detriment to the network of the CTU receiving the requests.
 - (A) An interconnecting CTU must ensure that each customer of other interconnecting CTUs are not required to dial additional digits or incur dialing delays that exceed industry standards to complete local calls as a result of interconnection.
 - (B) An interconnecting CTU must provide other interconnecting CTUs non-discriminatory access to signaling systems, databases, facilities, and information as required to ensure interoperability of networks and efficient, timely provision of services to customers.
 - (C) An interconnecting CTU must provide other interconnecting CTUs Common Channel Signaling System Seven connectivity where technically available.

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- (D) An interconnecting CTU is permitted a minimum of one point of interconnection in each exchange area or group of contiguous exchange areas within a single local access and transport area (LATA), as requested by the interconnecting CTU, and may negotiate with the other CTU for additional interconnection points. An interconnecting CTU must agree to construct, lease, and maintain the facilities necessary to connect networks, either by having one CTU provide the entire facility or by sharing the construction and maintenance of the facilities necessary to connect networks. The financial responsibility for construction and maintenance of such facilities is borne by the party who constructs and maintains the facility, unless the parties involved agree to other financial arrangements. Each interconnecting CTU is responsible for delivering its originating traffic to the mutually agreed upon point of interconnection or points of interconnection. Nothing in this subparagraph precludes a CTU from recovering the costs of construction and maintenance of facilities if such facilities are utilized by other CTUs.
 - (E) An interconnecting CTU must establish joint procedures for troubleshooting the portions of jointly used networks. Each CTU is responsible for maintaining and monitoring its own network such that the overall integrity of the interconnected network is maintained with service quality that is consistent with industry standards and is in compliance with §26.53 of this title.
 - (F) If an interconnecting CTU has sufficient facilities in place, it must provide intermediate transport arrangements between other interconnecting CTUs, upon request. A CTU providing intermediate transport must not negotiate termination on behalf of another CTU, unless the terminating CTU agrees to such an arrangement. Upon request, DCTUs within major metropolitan areas must contact other CTUs and arrange meetings, within 15 days of such request, to facilitate negotiations and provide a forum for discussion of network efficiencies and inter-company billing arrangements.
 - (G) Each interconnecting CTU is responsible for ensuring that traffic is properly routed to the connected CTU and jurisdictionally identified by percent usage factors or in a manner agreed upon by the interconnecting CTUs.
 - (H) An interconnecting CTU must allow other interconnecting CTUs non-discriminatory access to all facility rights-of-way, conduits, pole attachments, building entrance facilities, and other pathways, provided that the requesting CTU has obtained all required authorizations from the property owner or appropriate governmental authority.
 - (I) An interconnecting CTU must provide other interconnecting CTUs physical interconnection in a non-discriminatory manner. Physical collocation for the transmission of local exchange traffic must be provided to a CTU upon request, unless the CTU from which collocation is sought demonstrates that technical or space limitations make physical collocation impractical. Virtual collocation for the transmission of local exchange traffic must be implemented at the option of the CTU requesting the interconnection.
 - (J) Each interconnecting CTU is responsible for contacting the North American Numbering Plan (NANP) administrator for its own NXX codes and for initiating NXX assignment requests.
- (3) **Principles regarding billing arrangements.**
- (A) An interconnecting CTU must cooperatively provide other interconnecting CTUs with both answer and disconnect supervision as well as accurate and timely exchange of information on billing records to facilitate billing to customers, to determine intercompany settlements for local and non-local traffic, and to validate the jurisdictional nature of traffic, as necessary. Such billing records must be provided

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in accordance with national industry standards. For a billing interexchange carrier for jointly provided switched access services, such billing records include meet point billing records, interexchange carrier (IXC) billing name, IXC billing address, and Carrier Identification Codes (CICs). If exchange of CIC codes is not technically feasible, an interconnecting CTU must negotiate a mutually acceptable settlement process for billing IXCs for jointly provided switched access services.

- (B) A CTU must enter into mutual billing and collection arrangements with other CTUs that are comparable to those existing between or among DCTUs, to ensure acceptance of each other's non-proprietary calling cards and operator-assisted calls.
 - (C) Upon a customer's selection of a CTU for local exchange service, that CTU must provide notification to the primary IXC through the Customer Account Record Exchange (CARE) database, or comparable means if CARE is unavailable, of all information necessary for billing that customer. At a minimum, this information must include the name and contact person for the new CTU and the customer's name, telephone number, and billing number. In the event a customer's local exchange service is disconnected at the option of the customer or the CTU, the disconnecting CTU must provide notification to the primary IXC of such disconnection.
 - (D) A CTU must cooperate with IXCs to ensure that customers are properly billed for IXC services.
- (4) **Principles regarding interconnection rates, terms, and conditions.**
- (A) Criteria for setting interconnection rates, terms, and conditions. Interconnection rates, terms, and conditions must not be unreasonably preferential, discriminatory, or prejudicial, and must be non-discriminatory. The following criteria must be used to establish interconnection rates, terms, and conditions.
 - (i) Local traffic of a CTU that originates and terminates within the mandatory single or multiexchange local calling area available under the basic local exchange rate of a single DCTU will be terminated by the CTU at local interconnection rates. The local interconnection rates under this clause also apply with respect to mandatory EAS traffic originated and terminated within the local calling area of a DCTU if such traffic is between exchanges served by that single DCTU.
 - (ii) If a non-dominant certificated telecommunications utility (NCTU) offers, on a mandatory basis, the same minimum ELCS calling scope that a DCTU offers under its ELCS arrangement, a NCTU must receive arrangements for its ELCS traffic that are not less favorable than the DCTU provides for terminating mandatory ELCS traffic.
 - (iii) With respect to local traffic originated and terminated within the local calling area of a DCTU but between exchanges of two or more DCTUs governed by mandatory EAS arrangements, DCTUs must terminate local traffic of NCTUs at rates, terms, and conditions that are not less favorable than those between DCTUs for similar mandatory EAS traffic for the affected area. A NCTU and a DCTU may agree to terms and conditions that are different from those that exist between DCTUs for similar mandatory EAS traffic. The rates applicable to the NCTU for such traffic must reflect the difference in costs to the DCTU caused by the different terms and conditions.
 - (iv) With respect to traffic that originates and terminates within an optional flat rate calling area, whether between exchanges of one DCTU or between exchanges of two or more DCTUs, a DCTU must terminate such traffic of NCTUs at rates, terms, and conditions that are not less favorable than those between DCTUs for similar traffic. A NCTU and a DCTU may agree to

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terms and conditions that are different from those that exist between DCTUs for similar optional EAS traffic. The rates applicable to the NCTU for such traffic must reflect the difference in costs to the DCTU caused by the different terms and conditions.

- (v) A DCTU with more than one million access lines and a NCTU must negotiate new EAS arrangements in accordance with the following requirements.
 - (I) For traffic between an exchange and a contiguous metropolitan exchange local calling area, as defined in §26.5 of this title, the DCTU must negotiate with a NCTU for termination of such traffic if the NCTU includes such traffic as part of its customers' local calling area. These interconnection arrangements must not be less favorable than the arrangements between DCTUs for similar EAS traffic.
 - (II) For traffic that does not originate or terminate within a metropolitan exchange local calling area, the DCTU must negotiate with a NCTU for the termination of traffic between the contiguous service areas of the DCTU and the NCTU if the NCTU includes such traffic as part of its customers' local calling area and such traffic originates in an exchange served by the DCTU. These interconnection arrangements must be not less favorable than the arrangements between DCTUs for similar EAS traffic.
 - (III) A NCTU must have the same obligation to negotiate similar EAS interconnection arrangements with respect to traffic between its service area and a contiguous exchange of the DCTU if the DCTU includes such traffic as part of its customers' local calling area
 - (vi) NCTUs are not precluded from establishing their own local calling areas or prices for purposes of retail telephone service offerings.
- (B) Establishment of rates, terms, and conditions.
- (i) A CTU involved in interconnection negotiations must ensure that all reasonable negotiation opportunities are completed prior to the termination of the first commercial call. The date upon which the first commercial call between CTUs is terminated signifies the beginning of a nine-month period in which each CTU must reciprocally terminate the other CTU's traffic at no charge, in the absence of mutually negotiated interconnection rates. Reciprocal interconnection rates, terms, and conditions must be established in accordance with the compulsory arbitration process in subsection (g) of this section. In establishing these initial rates and three years from termination of the first commercial call, no cost studies will be required from a new CTU.
 - (ii) An ILEC may adopt the tariffed interconnection rates approved for a larger ILEC or interconnection rates of a larger ILEC resulting from negotiations without providing the commission any additional cost justification for the adopted rates. If an ILEC adopts the tariffed interconnection rates approved for a larger ILEC, it must file tariffs referencing the appropriate larger ILEC's rates. If an ILEC adopts the interconnection rates of a larger ILEC, the new CTU may adopt those rates as its own rates by filing tariffs referencing the appropriate larger ILEC's rates. If an ILEC chooses to file its own interconnection tariff, the new CTU must also file its own interconnection tariff.

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- (C) Public disclosure of interconnection rates, terms, and conditions. Interconnection rates, terms, or conditions must be made publicly available as provided in subsection (h) of this section.
- (e) **Minimum interconnection arrangements.**
- (1) In accordance with mutual agreements, interconnecting CTUs must provide each other non-discriminatory access to ancillary services such as repair services, E9-1-1, operator services, white pages telephone directory listing, publication and distribution, and directory assistance. The following minimum terms and conditions apply:
 - (A) Repair services. For purposes of this section, a CTU must be required to provide repair services for its own facilities regardless of whether such facilities are used by the CTU for retail purposes, provided by the CTU for resale purposes, or whether the facilities are ordered by another CTU for purposes of collocation.
 - (B) E-9-1-1 services. E-9-1-1 services include automatic number identification (ANI), ANI and automatic location identification (ALI) selective routing, or any combination of 9-1-1 features required by the 9-1-1 administrative entity or entities responsible for the geographic area involved.
 - (i) A CTU must meet the requirements of this clause before providing local exchange telephone service to any customer or any other service by which a customer may dial 9-1-1.
 - (I) A CTU is responsible for ordering the dedicated 9-1-1 trunk groups necessary to provide E9-1-1 service as approved by the appropriate 9-1-1 administrative entity or entities in the relevant 9-1-1 service agreement, and subject to the written process for documenting “unnecessary dedicated 9-1-1 trunks” in clause (vi)(I) of this subparagraph. Connection with the appropriate CTU in the provision of 9-1-1 service may be either directly or indirectly in a manner approved by the appropriate 9-1-1 administrative entity or entities.
 - (II) A CTU is responsible for enabling each customer of the CTU to dial the three digits 9,1,1 to access 9-1-1 service.
 - (III) A CTU is responsible for providing the ANI to the appropriate CTU operating the E911 selective routers, 9-1-1 tandems, IP-based 9-1-1 systems, NG9-1-1 systems, or appropriate PSAPs, as applicable. The ANI must include both the NPA or numbering plan digit (NPD), a component of the traditional 9-1-1 signaling protocol that identifies 1 of 4 possible NPAs, as appropriate, and the local telephone number of the 9-1-1 calling customer that can be used to successfully complete a return call to the customer.
 - (IV) A CTU is responsible for routing a 9-1-1 customer call, as well as interconnecting traffic on its network, to the appropriate E911 selective routers, 9-1-1 tandems, IP-based 9-1-1 systems, NG9-1-1 systems, or PSAPs, as applicable, based on the ANI or ALI. The appropriate 9-1-1 administrative entity or entities or the 9-1-1 network services provider, as applicable, must provide specifications to the CTU for routing purposes.
 - (V) The CTU is responsible for providing the ALI for each of its customers. The ALI must consist of the calling customer name, physical location, appropriate emergency service providers, and other similar standard ALI location data specified by the appropriate 9-1-1 administrative entity. For purposes of this

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subclause, other similar standard ALI data does not include supplemental data that is not part of the standard ALI location record.

- (ii) A CTU must timely provide to the appropriate 911 administrative entity and the appropriate 9-1-1 database management services provider accurate and timely current information for all published, unpublished or nonpublished, and unlisted or nonlisted information associated with its customers for the purposes of emergency or E-911 services.
 - (I) For purposes of this clause, a CTU timely provides the information if, within 24 hours of receipt, it delivers the information to the appropriate 9-1-1 database management services provider, or if the CTU is the appropriate 9-1-1 database management services provider, it places the information in the 9-1-1 database.
 - (II) For purposes of this clause, the information sent by a CTU to the 9-1-1 database management services provider and the information used by the 9-1-1 database management services provider must be maintained in a fashion to ensure that the information is accurate at a percentage as close to 100% as possible. For purposes of this clause, the term “accurate” means a record that correctly routes a 9-1-1 call and provides correct location information relating to the origination of such call. For purposes of this clause, the term “percentage” means the total number of accurate records in that database divided by the total number of records in that database. In determining the accuracy of records, a CTU is not responsible for erroneous information provided to it by a customer or another CTU.
 - (III) An interconnecting CTU must execute confidentiality agreements with other interconnecting CTUs, as necessary, to prevent the unauthorized disclosure of unpublished or unlisted numbers. An interconnecting CTU must be allowed access to the ALI database or its equivalent by the appropriate 9-1-1 database management services provider for verification purposes. The appropriate 9-1-1 administrative entity must provide non-discriminatory access to the master street address guide.
- (iii) A CTU is responsible for developing a 9-1-1 disaster recovery service restoration plan with input from the appropriate 9-1-1 administrative entity. This plan must identify the actions to be taken in the event of a network-based 9-1-1 service failure. The goal of such actions is the efficient and timely restoration of 9-1-1 service. Each CTU must notify the appropriate 9-1-1 administrative entity or entities of any changes in the CTU’s network-based services and other services that may require changes to the plan.
- (iv) An interconnecting CTU must provide other interconnecting CTUs and the appropriate 9-1-1 administrative entity or entities notification of scheduled outages for direct dedicated 9-1-1 trunks at least 48 hours prior to such outages. In the event of unscheduled outages for direct dedicated 9-1-1 trunks, each interconnecting CTU must provide other interconnecting CTUs and the appropriate 9-1-1 administrative entities immediate notification of such outages.
- (v) Each NCTU’s rates for 9-1-1 service to a public safety answering point is presumed to be reasonable if they do not exceed the rates charged by the ILEC for similar service.

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- (vi) Unless otherwise determined by the commission, nothing in this rule, any interconnection agreement, or any commercial agreement may be interpreted to supersede the appropriate 9-1-1 administrative entity's authority to migrate to newer functionally equivalent IP-based 9-1-1 systems or NG9-1-1 systems or the 9-1-1 administrative entity's authority to require the removal of unnecessary direct dedicated 9-1-1 trunks, circuits, databases, or functions.
 - (I) For purposes of this clause, "unnecessary direct dedicated 9-1-1 trunks" means those dedicated 9-1-1 trunks that generally would be part of a local interconnection arrangement but for: the CTU's warrant in writing that the direct dedicated 9-1-1 trunks are unnecessary and all 9-1-1 traffic from the CTU will be accommodated by another 9-1-1 service arrangement that has been approved by the appropriate 9-1-1 administrative entities; and written approval from the appropriate 9-1-1 administrative entities accepting the CTU's warrant. A 9-1-1 network services provider or CTU presented with such written documentation from the CTU and the appropriate 9-1-1 administrative entities must rely on the warrant of the CTU and the appropriate 9-1-1 entities.
 - (II) Subclause (I) of this clause is intended to promote and ensure collaboration so that 9-1-1 service architecture and provisioning modernization can proceed expeditiously for the benefit of improvements in the delivery of 9-1-1 emergency services. Subclause (I) of this clause is not intended to require or authorize a 9-1-1 administrative entity's rate center service plan specifications or a 9-1-1 network architecture deviation that causes new, material cost shifting between telecommunications providers or between telecommunications providers and 9-1-1 administrative entities. Examples of such a deviation would be points of interconnection different from current LATA configurations and requiring provisioning of the 9-1-1 network with a similar type deviation that may involve new material burdens on competition or the public interest.
- (C) Operator services. An interconnecting CTU must negotiate to ensure the interoperability of operator services between networks, including the ability of operators on each network to perform such operator functions as reverse billing, line verification, call screening, and call interrupt.
- (D) White pages telephone directory and directory assistance. An interconnecting CTU must negotiate to ensure provision of white pages telephone directory and directory assistance services.
 - (i) Appropriate information of each customer of an NCTU, including telephone numbers, must be included on a non-discriminatory basis in each DCTU's white pages directory associated with the geographic area covered by the white pages telephone directory published by the DCTUs. Similarly, any white pages telephone directory provided to a customer of an NCTU by a NCTU must have each corresponding DCTU listings available on a non-discriminatory basis. Each entry of NCTU customers in the DCTU white pages telephone directory must be interspersed in correct alphabetical sequence among the entries of the DCTU customers and must be no different in style, size, or format than the entries of the DCTU customers, unless requested otherwise by the NCTU. The CTU or its affiliate publishing a

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- white pages telephone directory on behalf of the CTU must not directly charge the customer of another CTU located in the geographic areas covered by the white pages telephone directory for white pages listings or directory.
- (ii) Each customer listing located within the local calling area of a NCTU, but not located within the local calling area of the DCTU publishing the white pages telephone directory, must be included in a separate section of the DCTU's white pages telephone directory at the option of the NCTU.
 - (iii) A CTU must provide directory listings and related updates to the CTU or affiliate of the CTU that publishes a white pages telephone directory on behalf of the CTU, or to any CTU providing directory assistance, in a timely manner to ensure inclusion in the annual white page listings and provision of directory assistance service that complies with §26.128 of this title. A CTU or affiliate of the CTU that publishes a white pages telephone directory on behalf of the CTU must be responsible for providing all other CTUs with timely information regarding deadlines associated with its published white pages telephone directory.
 - (iv) A CTU must, upon request, provide accurate and current subscriber listings (name, address, telephone number) and updates in a readily usable format and in a timely manner, on a non-discriminatory basis, to publishers of yellow pages telephone directory. A CTU must not provide listings of subscribers desiring non-listed status for publication purposes.
 - (v) White pages telephone directories must be distributed to each customer located within the geographic area covered by the white pages telephone directory on non-discriminatory terms and conditions by the CTU or affiliate of the CTU that publishes the white pages telephone directory.
 - (vi) A CTU or affiliate of the CTU that publishes a white pages telephone directory on behalf of the CTU must provide every other CTU a single page in the information section of the white pages telephone directory for each CTU to convey critical customer contact information regarding emergency services, billing and service information, repair services and other pertinent information. The CTU's pages must be arranged in alphabetical order. Additional access to the information section of the white pages telephone directory are subject to negotiations.
 - (vii) A CTU must provide information that identifies customers desiring non-listed or non-published telephone numbers or non-published addresses to the CTU or affiliate of the CTU that publishes a white pages telephone directory on behalf of the CTU and to the CTU maintaining the directory assistance database. A CTU or affiliate of the CTU that publishes a white pages telephone directory on behalf of the CTU must not divulge such non-listed or non-published telephone numbers or addresses and the CTU maintaining the directory assistance database must not divulge such non-published telephone numbers or addresses.
 - (viii) CTUs must provide each other non-discriminatory access to directory assistance databases.
- (2) At a minimum, interconnecting CTUs must negotiate to ensure the following:
- (A) Non-discriminatory access to databases such as 800 and Line Information Data Base (LIDB) where technically feasible, to ensure interoperability between networks and the efficient, timely provision of service to customers;
 - (B) non-discriminatory access to Telecommunications Relay Service;
 - (C) Common Channel Signaling interconnection including transmission of privacy indicator where technically available;

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- (D) non-discriminatory access to all signaling protocols and all elements of signaling protocols used in routing local and interexchange traffic, including signaling protocols used to query call processing databases, where technically feasible;
 - (E) number portability and the inclusion of the NCTU's NXX code(s) in the Local Exchange Routing Guide and related systems;
 - (F) non-discriminatory handling, including billing, of mass announcement/audiotext calls including 900 and 976 calls;
 - (G) provision of intercept services for a specific telephone number in the event a customer discontinues service with one CTU, initiates service with another CTU, and the customer's telephone number changes;
 - (H) cooperative engineering, operations, maintenance and billing practices and procedures; and
 - (I) non-discriminatory access to Advanced Intelligent Network (AIN), where technically available.
- (f) **Negotiations.**
- (1) A negotiating party, including a CTU, must engage in good-faith negotiations and cooperative planning as necessary to achieve mutually agreeable interconnection arrangements.
 - (2) Before terminating its first commercial telephone call, a CTU requesting interconnection must negotiate with each CTU or other negotiating party that is necessary to complete all telephone calls, including local service calls and EAS or ELCS calls, made by or placed to a customer of the requesting CTU. Upon request, DCTUs within major metropolitan calling areas will contact other CTUs and arrange meetings, within 15 days of such request, to facilitate negotiations and provide a forum for discussions of network efficiencies and intercompany billing arrangements.
 - (3) Unless the negotiating parties establish a mutually agreeable date, negotiations are deemed to begin on the date when the CTU or other negotiating party from which interconnection is being requested receives the request for interconnection from the CTU seeking interconnection. The request must:
 - (A) be in writing and hand-delivered; sent by certified mail or by facsimile;
 - (B) identify the initial specific issues to be resolved, the specific underlying facts, and the requesting CTU's proposed resolution of each issue;
 - (C) provide any other material necessary to support the request, included as appendices; and
 - (D) provide the identity of the person authorized to negotiate for the requesting CTU.
 - (4) The requesting CTU may identify additional issues for negotiation without causing an alteration of the date on which negotiations are deemed to begin.
 - (5) The CTU or negotiating party from which interconnection is sought must respond to the interconnection request no later than 14 working days from the date the request is received. The response must:
 - (A) be in writing and hand-delivered, sent by certified mail, or by facsimile;
 - (B) respond specifically to the requesting party's proposed resolution of each initial issue identified by the requesting party, identify the specific underlying facts upon which the response is based and, if the response is not in agreement with the requesting party's proposed resolution of each issue, the responding party's proposed resolution of each issue;
 - (C) provide any other material necessary to support the response, included as appendices; and
 - (D) provide the identity of the person authorized to negotiate for the responding party.

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- (6) At any point during the negotiations required under this subsection, a CTU or negotiating party may request the commission designee to participate in the negotiations and to mediate any differences arising in the course of the negotiation.
- (7) An interconnecting CTU may, by written agreement, accelerate the requirements of this subsection with respect to a particular interconnection agreement except that the requirements of subsection (g)(1)(A) of this section must not be accelerated.
- (8) Any disputes arising under or pertaining to negotiated interconnection agreements must be resolved in accordance with Chapter 21, Subchapter E, of this title (relating to Post-Interconnection Agreement Dispute Resolution).

(g) Compulsory arbitration process.

- (1) A negotiating CTU that is unable to reach mutually agreeable terms, rates, or conditions for interconnection with any CTU or negotiating party may petition the commission to arbitrate any unresolved issues. To initiate the arbitration procedure, a negotiating CTU:
 - (A) must file its petition with the commission on or between 135 and 160 days after the date on which its request for negotiation under subsection (f) of this section was received by the other CTU involved in the negotiation;
 - (B) must provide the identity of each CTU or negotiating party with which agreement cannot be reached but whose cooperation is necessary to complete all telephone calls made by or placed to the customers of the requesting CTU;
 - (C) must provide all relevant documentation concerning the unresolved issues;
 - (D) must provide all relevant documentation concerning the position of each of the negotiating parties with respect to those issues;
 - (E) must provide all relevant documentation concerning any other issue discussed and resolved by the negotiating parties; and
 - (F) must send a copy of the petition and any documentation to the CTU or negotiating party with which agreement cannot be reached, not later than the day on which the commission receives the petition.
- (2) A non-petitioning party to a negotiation under subsection (f) of this section may respond to the other party's petition and provide such additional information within 25 days after the commission receives the petition.
- (3) The compulsory arbitration process must be completed no later than nine months after the date on which a CTU receives a request for interconnection under subsection (f) of this section.
- (4) Any disputes arising under or pertaining to arbitrated interconnection agreements must be resolved in accordance with Chapter 21, Subchapter E of this title.

(h) Filing of rates, terms, and conditions.

- (1) Rates, terms and conditions resulting from negotiations, compulsory arbitration process, and statements of generally available terms.
 - (A) A CTU from which interconnection is requested must file each agreement adopted by negotiation or by compulsory arbitration with the commission. The commission will make such an agreement available for public inspection and copying within ten days after the agreement is approved by the commission in accordance with subparagraphs (C) and (D) of this paragraph.
 - (B) An ILEC serving greater than five million access lines may prepare and file with the commission, a statement of terms and conditions that the ILEC generally offers within the state in accordance with 47 U.S.C. §252(f) (1996). The commission will make such a statement available for public inspection and copying within ten days after the statement is approved by the commission in accordance with subparagraph (E) of this paragraph.

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- (C) The commission will reject an agreement, in whole or in part, adopted by negotiation if it finds that:
 - (i) the agreement (or any portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
 - (ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity.
- (D) The commission will reject an agreement, in whole or in part, adopted by compulsory arbitration under subsection (g) of this section, in accordance with guidelines found in 47 U.S.C. §252(e)(2)(B) (1996).
- (E) The commission will review the statement of generally available terms filed under subparagraph (B) of this paragraph, in accordance with guidelines found in 47 United States Code §252(f) (1996). The submission or approval of a statement under this paragraph does not relieve an ILEC serving greater than five million access lines of its duty to negotiate the terms and conditions of an agreement in accordance with 47 U.S.C. §251(c)(1) (1996).
 - (2) Rates, terms or conditions among DCTUs. Within 15 days of a request from a CTU negotiating interconnection arrangements with a DCTU, a non-redacted version of any agreement reflecting the rates, terms, and conditions between or among DCTUs which relate to interconnection arrangements for similar traffic must be disclosed to the CTU, subject to commission-approved non-disclosure or protective agreement. A non-redacted version of the same agreement must be disclosed to commission staff at the same time if requested, subject to commission-approved non-disclosure or protective agreement.

(i) Customer safeguards.

- (1) **Requirements for provision of service to customers.** Nothing in this section or in a = CTU's tariffs precludes a customer of a CTU from purchasing local exchange service from more than one CTU at a time. A CTU is prohibited from connecting, disconnecting, or moving any wiring or circuits on the customer's side of the demarcation point without the customer's express authorization as specified in §26.130 of this title, (relating to Selection of Telecommunications Utilities).
- (2) **Requirements for CTUs ceasing operations.** If a CTU ceases operations, the CTU is responsible for notifying the commission and each customer of the CTU at least 61 working days in advance that each customer's service will be terminated. The notification must include a listing of all alternative service providers available to customers in the exchange and specify the date on which service will be terminated.
- (3) **Requirements for service installations.** A DCTU that interconnect with an NCTU is responsible for meeting the installation of service requirements under §26.54 of this title in providing service to the NCTU. NCTUs must make a good-faith effort to meet the requirements for installation in §26.54 of this title, and may negotiate with the DCTU to establish a procedure to meet this goal.
 - (A) For those customers for whom the NCTU provides dial tone but not the local loop, 95% of the NCTU's service orders must be completed in no more than ten working days from request for service, unless a later date is agreed to by the customer.
 - (B) For those customers for whom the NCTU does not provide dial tone and resells the telephone services of a DCTU, 95% of the NCTU's service orders must be completed no more than seven working days from request for service, unless the customer agrees to a later date.

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- (C) For those customers where the NCTU uses facilities other than a DCTU's resale facilities obtained through Public Utility Regulatory Act §60.041, the NCTU must complete service orders within 30 calendar days from the request for service, unless a later date is agreed to by the customer.
- (D) A DCTU must not discriminate between the DCTU's customers and the customers of an NCTU if the DCTU is able to install service in less than the time permitted under §26.54 of this title.