

**PROJECT NO. 24640**

|  |          |                                  |
|--|----------|----------------------------------|
| <b>ISSUES RELATED TO</b>               | <b>§</b> | <b>PUBLIC UTILITY COMMISSION</b> |
| <b>ESTABLISHMENT OF, AND ANNUAL</b>    | <b>§</b> |                                  |
| <b>REVISIONS TO, ACCESS LINE RATES</b> | <b>§</b> | <b>OF TEXAS</b>                  |
| <b>FOR TEXAS MUNICIPALITIES</b>        | <b>§</b> |                                  |
|  | <b>§</b> |                                  |

**ORDER APPROVING REVISED ACCESS LINE RATES  
FOR THE CITY OF EDEN**

This Order grants the request of the City of Eden (Eden) to increase its municipal access line rates effective January 1, 2002.

**I. Introduction**

Under TEX. LOC. GOV'T CODE § 283.055(b), the Public Utility Commission of Texas (Commission) is required to establish: (1) rates per access line by category for each municipality; and (2) the statewide average of those rates per access line by category for each certificated telecommunications provider (CTP). Both of these requirements were met when the Commission adopted municipal rates and CTP statewide averages.<sup>1</sup>

Pursuant to P.U.C Subst. R. 26.467(h)(1), Texas municipalities may annually ask to revise the Commission-established final rates. A municipality may request an increase or decrease of its access line rates (to be at or below the Commission-established maximum rates) by notifying the Commission before September 1 of each calendar year. Upon approval by the Commission, CTPs are required to implement the revised rates in January of the next calendar year and compensate the municipality pursuant to the revised rates.

**II. Findings of Fact**

1. In a letter dated August 1, 2001, Eden asked the Commission to adjust its rates as follows:

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<sup>1</sup> *Implementation of House Bill 1777*, Docket No. 20935, Order (May 3, 2000).

| Municipality: <i>City of Eden</i>                               | Residential | Business | Point-to-point |
|---|-------------|----------|----------------|
| Maximum rates   | \$1.44      | \$3.30   | \$5.02         |
| Actual rates for 2001   | \$0.41      | \$0.95   | \$1.45         |
| Desired rates to begin in 2002<br>( <i>requested revision</i> ) | \$0.48      | \$1.10   | \$1.67         |

### III. Conclusions of Law

1. The Commission has jurisdiction of this matter under TEX. LOC. GOV'T CODE §§ 283.005, 283.051, 283.055, and 283.058, as well as PURA<sup>2</sup> §§ 14.001, 14.002, 14.003, and 52.002.
2. The revised access line rates requested by Eden satisfy the requirements of TEX. LOC. GOV'T CODE Ch. 283 and P.U.C. SUBST. R. 26.467(h)(1).

### IV. Ordering Paragraphs

In accordance with these findings of fact and conclusions of law, the Commission issues the following Orders:

1. The access line rates for Eden shall be as follows:

| Municipality: <i>City of Eden</i> | Residential | Business | Point-to-point |
|-----------------------------------|-------------|----------|----------------|
| Rates to begin in 2002            | \$0.48      | \$1.10   | \$1.67         |

2. CTPs shall implement the rates in Ordering Paragraph No. 1 no later than January 1, 2002.
3. All other relief requested, unless granted herein, is denied.

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<sup>2</sup> Public Utility Regulatory Act (PURA), as codified in TEX. UTIL. CODE ANN. §§ 11.001 – 64.158 (Vernon 1998 & Supp. 2001).

**SIGNED AT AUSTIN, TEXAS the \_\_\_\_\_ day of October, 2001.**

**PUBLIC UTILITY COMMISSION OF TEXAS**

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**MAX YZAGUIRRE, CHAIRMAN**

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**BRETT A. PERLMAN, COMMISSIONER**

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**REBECCA KLEIN, COMMISSIONER**