

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Presubscribed Interexchange Carrier Charges)	CC Docket No. 02-53
)	CCB/CPD File No. 01-12
)	RM-10131
)	

**COMMENTS OF ACUTA, INC.: THE ASSOCIATION FOR
TELECOMMUNICATIONS PROFESSIONALS IN HIGHER EDUCATION**

SUMMARY

ACUTA: The Association for Telecommunications Professionals in Higher Education is a non-profit association whose members include over 870 colleges and universities throughout the United States, Canada and other countries. ACUTA members include both large and small non-profit institutions of higher education, ranging from colleges with several hundred students to major research and teaching institutions with 25,000 students or more. ACUTA member representatives are responsible for managing telecommunications services on college and university campuses.¹

On May 16, 2001, Competitive Telecommunication Association (“CompTel”) petitioned the Federal Communications Commission (“Commission” or “FCC”) to initiate a rule making proceeding to examine pre-subscribed inter-exchange carrier-change charges

¹ ACUTA members are primarily classified as business users, although some are also classified as residential customers based on various state classifications of telecommunications services provided to students in campus housing.

(“PIC-change charges”). The FCC granted CompTel’s petition on March 20, 2002.² PIC-change charges “are federally tariffed charges imposed by incumbent local exchange carriers (“ILECs”) on end user subscribers when these subscribers change their pre-subscribed interexchange carriers (“IXCs”).³ Although these charges are subject to a \$5.00 “safe harbor” within which the PIC-change charges are considered reasonable, this “safe harbor” amount is too high and should be reduced. The Commission should also limit the size of PIC-change charges for Centrex users.

I. THE PIC-CHANGE CHARGE CURRENTLY ASSESSED ON COLLEGES BY ILECs VARIES SIGNIFICANTLY FROM ONE ILEC TO ANOTHER.

ACUTA’s members have experienced PIC-change charges ranging from \$1.49 to \$5.00 per line. For a college or university with 20,000 lines, a PIC-change charge of \$5.00 per line, the “safe harbor” amount, represents a significant cost, and potential disincentive to switch providers. Various colleges and universities have actually received bills for \$75,000, \$100,000 and more, simply due to making PIC-changes on lines owned by the institution. It appears that some ILECs are not even attempting to calculate their actual costs, but are merely charging the “safe harbor” amount allowed. ACUTA agrees with CompTel that technology has greatly reduced the actual cost to process PIC-changes since 1984. In the interest of keeping telecom costs down for students, the end users of our services, ACUTA is confident that a review of the actual costs of PIC-changes will reveal that a “safe harbor” charge of \$5.00 is too high, as evidenced by BellSouth’s much lower PIC-change charge of \$1.49.

II. PIC-CHANGE CHARGES SHOULD NOT EXCEED THE ACTUAL NUMBER OF TRUNKS UTILIZED BY USERS.

² *In the Matter of Presubscribed Interexchange Carrier Charges*, Order and Notice of Proposed Rulemaking, CC Docket No. 02-53, FCC 02-79 (2002) (“NPRM”).

³ NPRM ¶1.

Currently, PIC-change charges are assessed equally on the total number of either Centrex lines or trunks. However, the FCC has previously acknowledged there is a Centrex line-to-trunk ratio in businesses and institutions providing service to their customers.⁴

Adjusting the overall PIC-change charge by reducing the Centrex PIC-change charge to 1/9 of that assessed to trunks would provide appropriate relief to Centrex customers when they change providers for a range of numbers. Thus, if a school changes carriers service-wide, the PIC-change charge should be assessed by trunks, not by the line.⁵

III. SUMMARY

ACUTA respectfully urges the Commission to take action to alleviate unreasonably high PIC-change charges by significantly reducing the “safe harbor” charge from its current amount of \$5.00. We suggest that the Commission adopt a substantial reduction in the cap that would reflect the lower actual costs associated with PIC-change charges. In addition, we suggest that a reasonable approach to PIC-change charges for Centrex customers would be to restrict the fee to a maximum of the “safe harbor” fee on the number of trunks used.

ACUTA appreciates the opportunity to submit these comments for consideration by the Commission.

⁴ The Commission has established the precedent for a specialized formula for charges for Centrex lines by establishing the 1:9 ratio for Presubscribed Interexchange Carrier (PICC) charges. In FCC 97-368, Second Order on Reconsideration and Memorandum Opinion and Order in the Matter of Access Charge Reform, Price Cap Performance Review for Local Exchange Carriers, and Transport Rate Structure, ¶ 31, the Commission found that, “we grant the petitions of USTA, ICA, and Los Angeles that the PICC be assessed on Centrex lines using a line-to-trunk equivalency ratio. For the reasons discussed below, we adopt USTA's proposal to use a uniform 9:1 ratio.”

⁵ If the Centrex arrangement allows a student to change carriers individually, then the vendor should be allowed to charge the full PIC-change fee against that line.

Respectfully submitted,

By: _____

On behalf of ACUTA

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Dated: June 10, 2002