

## **PICCs May be Assessed on Toll-Restricted Centrex Lines**

ACUTA has received a legal interpretation that Local Exchange Carriers may assess PICC charges to Centrex lines that are restricted from making toll calls.

In response to a question posed by the ACUTA Legislative/Regulatory Affairs Committee, ACUTA attorneys have responded that the FCC has interpreted the Access Charge rules to state that, "PICC is not a charge based on toll usage or the ability to place toll calls." In the FCC's view, the PICC is a charge that allows recovery of LEC local loop costs that are not recovered by the SLC.

This FCC interpretation was contained in Para. 42 of the Second Order on Reconsideration in the matter of Access Charge Reform released October 9, 1997, in which the Commission denied a petition for reconsideration that sought to exempt PICCs from toll-restricted Centrex lines. The relevant paragraph is quoted below, and the full Order on Reconsideration is available on the Web at [http://www.fcc.gov/Bureaus/Common\\_Carrier/Orders/1997/fcc97368.txt](http://www.fcc.gov/Bureaus/Common_Carrier/Orders/1997/fcc97368.txt).

*?42. We deny ICA's petition that we not assess PICCs on toll-restricted Centrex lines. Although the PICC is assessed upon IXCs for all lines that are presubscribed to an IXC, the PICC is not a charge based on toll usage or on the ability to place toll calls. The Commission anticipated that some lines might not be used for long distance when it adopted a rule allowing PICCs to be assessed directly upon end users for any line not presubscribed to an IXC. The fact that toll-restricted Centrex lines incur no long-distance charges is, therefore, irrelevant. Also, costs for these lines are assigned to the interstate jurisdiction by separations, regardless of whether the lines are toll-restricted.?*

It does not appear that the Commission has directly addressed the question of whether this interpretation would also apply to DID lines.