

- (1) Name and telephone number or identifying number under which service is billed.
- (2) Any previous balance due.
- (3) The ending date of the bill cycle or the invoice date.
- (4) Either the due date of the bill or the total payable upon receipt and, if applicable, the date on which a late payment charge will be imposed.
- (5) Itemization of the charges including any applicable taxes.
- (6) Name and a toll free telephone number of the TP for billing inquiries.

**Rule 12.05. Over- and Underbilling**

Where a TP has overbilled a customer, the TP shall make a refund or billing credit in a subsequent billing cycle following discovery and computation of the overbilled amount. When a TP bills a customer an amount correcting a previous underbilling, and it results in an undue hardship on a customer, the customer may call and make special payment arrangements, unless the underbilling was caused by unauthorized or fraudulent use or procurement of service.

**Rule 12.06. Wrong Number Credit**

When a customer reaches a wrong number on an intrastate toll call and promptly notifies the appropriate TP representative, the TP shall credit the customer's account for that call.

**Rule 12.07. Prepaid Services**

Prepaid services shall be permitted. Amounts received for prepaid services shall not be treated as deposits.

**Rule 12.08. Deposits**

TPs may require deposits from customers and shall pay interest thereon at the rate prescribed by the Commission.

### III. INTEREXCHANGE SERVICE

#### SECTION 13. RURAL SAVER OPTIONAL CALLING PLAN

##### Rule 13.01. Description

The Rural Saver Optional Calling Plan provides for residential calling to a customer's county seat plus calling to other exchanges within a 41 mile (radius) circle. The plan is further defined as follows:

- A. Only intrastate, intraLATA calls will be included in the plan.
- B. The plan will be limited to 60 minutes of calling each month.
- C. Calling to a county seat greater than 41 miles away shall be limited to only those customers residing in the county and not all customers in the exchange.
- D. Usage shall be rated in the same or smaller increments than was used for rating optional calling plans on April 20, 2001 (effective date for Act 1769 of 2001).
- E. The calling distance shall be measured using the industry standard method of V and H coordinates of the rate centers serving the originating customer and the called telephone number.
- F. Customers shall be required to dial 1+10 digits.
- G. Customers shall be allowed to select, if available, at least one additional optional calling plan.

##### Rule 13.02. Availability

- A. The Commission shall determine the ILEC exchanges to be served based on total access lines. Initially, the exchange size to be served shall be no more than 2,600 total access lines.

The plan shall not be available in exchanges meeting the total access line requirement but where it is not possible to make intrastate, intraLATA calls within a 41 mile circle.

- B. Each ILEC shall make the plan available to customers located in such exchanges.
- C. Each CLEC that is also an ETC shall make the plan available to customers located within the ILEC exchanges defined by Subsection A. of this rule.
- D. On an exchange basis, the plan shall continue to be available to existing plan customers when the exchange access line count at the end of September exceeds the cutoff established in Subsection A. of this rule, but the plan will no longer be offered to new customers starting January 1<sup>st</sup> of the next year.
- E. Starting January 1<sup>st</sup> of the next year, the plan shall be available in all exchanges where the exchange access line count at the end of the preceding September is less than the cutoff established in Subsection A. of this rule.

**Rule 13.03. Rates**

- A. The Commission shall determine rates pursuant to Ark. Code Ann. §23-17-120(b)(1). The initial rates shall be:
 

(1) Monthly End-User Charge Per Access Line	\$2.50
(2) Per Minute Usage Charge	\$0.00
(3) Other Monthly End-User Charge	\$0.00
(4) Non-recurring Charge	None
- B. The plan provider may receive additional funding from the ACPF as set out in Rule 13.04.

**Rule 13.04. Arkansas Calling Plan Fund**

- A. **Request for Calling Plan Funds**
  - (1) Each ILEC/ETC providing the Rural Saver Optional Calling Plan shall provide a monthly fund request to the administrator on a form the administrator prescribes.

- (2) Each ILEC/ETC shall request funds from the administrator no later than the first day of the fourth month following the end of the month in which service is provided.
- (3) Each request shall contain the monthly billed minutes of use associated with the plan, the total number of billed access lines subscribed to the plan, and the billed monthly usage charges and the billed other monthly end-user charges associated with the plan.
- (4) If an ILEC/ETC requests funds for reimbursement of one time costs for initial customer notification, initial tariff filing, or initial reprogramming of billing systems, it shall do so only with its initial request.
- (5) Each ILEC/ETC making correcting requests for funds shall do so by month and on a form the administrator prescribes. Such correcting requests shall be limited to the 16 calendar months immediately preceding the current month.
- (6) An ILEC/ETC may renew its request for funds in a subsequent month if the administrator denies a request.
- (7) Each ILEC/ETC making fund requests shall provide to the administrator by the end of each November a listing of exchanges where the plan will be made available in the following year pursuant to Rules 13.02.D. and E. and any other information required by the administrator to prepare the annual estimate required by Subsection D.(4) of this rule. The information shall be provided on a form the administrator prescribes.

**B. Administrator Processing of Requests**

- (1) The administrator shall determine the disbursement of funds to each ILEC/ETC by multiplying the monthly billed minutes of use by the ILEC's/ETC's unique blended rate per minute, defined below, then adding any qualifying one time costs, then subtracting monthly end-user charge revenue, then subtracting billed monthly usage charges, and then subtracting billed other monthly end-user charges. The monthly end-user charge revenue shall be determined by multiplying the number of billed access lines subscribed by the monthly end-user charge.

When revenues exceed costs for an ILEC/ETC the administrator shall carry the excess revenues forward and subtract from costs in the next month. In a similar manner the administrator shall carry forward any excess revenues from the first two months to the next month. The ILEC/ETC shall be billed for any excess revenues remaining after the third month and billed in succeeding months having a revenue excess. The ILEC/ETC shall be billed at the same time funds are disbursed as required by Subsection B. (2) of this rule. The ILEC/ETC shall remit funds to the administrator to cover the bill with the following month's fund request required by Subsection A. (1) of this rule.

- (2) By the fifth workday of the month following the month in which funds are timely requested, the administrator shall disburse funds or advise the ILEC/ETC in writing why funds will not be provided.

**EXCEPTION:**

Funds shall not be disbursed to any ILEC/ETC until funds are available to adequately cover all requests.

- (3) Each month the administrator will pay administrative costs from the annual fund allocation before any funds are distributed to any ILEC/ETC.
- (4) The administrator shall provide to the Commission monthly reports that include the funds collected, funds requested, funds disbursed, administrative costs, and fund balance.
- (5) The monthly reports shall also include for each ILEC/ETC, the funds requested, funds disbursed, billed minutes of use, number of billed access lines subscribed, billed monthly usage charges, and billed other monthly end-user charges.
- (6) The administrator shall file these reports in Docket No. 02-037-A.

**C. Blended Rates**

- (1) The blended rate refers to a unique rate per minute for each ILEC/ETC that combines the different rates for optional calling plans and message telecommunications service into

one rate based on a weighting of minutes of use in each plan or service.

- (2) The blended rate is determined by accumulating the revenue and minutes of use associated with billing for certain optional calling plans and day rated message telecommunications service calls within the 41 mile circle for the initial 60 minutes for 2 consecutive months and dividing the revenue by the minutes of use rounded to 4 decimal places. The data used shall be from 2 consecutive recent months. The revenue for optional calling plans shall be based on the per minute rate for additional calling in excess of the monthly allowance. A composite day rate shall be computed for ILECs/ETCs using mileage banded day rates. The computation shall be to divide the message telecommunications interexchange dollars billed for calls within the 41 mile circle by the corresponding minutes of use.
- (3) The optional calling plan data included in the determination of the ILEC blended rate shall be from the Extended Community Saver, Community Call Saver, Circle Saver, Circle Saver Trial, 1+Saver, IntraLATA, One Price-Residential, Simple Saver, and Single Plans.
- (4) The optional calling plan data included in the determination of the CLEC blended rate shall be from the CLEC's optional calling plans most likely to experience customer migration to the Rural Saver Optional Calling Plan. In the absence of 2 months of historical calling data, the CLEC blended rate shall be set at the weighted average of \$0.1314 per minute determined in Docket No. 01-169-R.
- (5) Once determined, the blended rate for each ILEC/ETC shall not be revised. The blended rate for the ILECs shall be as approved in Docket No. 01-169-R.

**D. Administration of Arkansas Calling Plan Funds**

- (1) The AICCLP Administrator shall assess telecommunications providers pursuant to Ark. Code Ann. §23-17-404(e)(4)(D) to accumulate funds for the ACPF.
- (2) ACPF funds accumulated by the AICCLP shall be transferred to the administrator by the last business day of each month.

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- (3) The administrator shall make a reasonable effort to keep the funds in an interest bearing account.
- (4) The administrator shall prepare an annual estimate of funds required and provide the estimate to the Commission and a copy to the AICCLP Administrator by January 5<sup>th</sup> of the year being estimated. The estimate shall be reduced by the previous end of year balance (if any) in the ACPF. The estimate shall be filed in Docket No. 02-037-A.

**E. Appointment of Administrator**

- (1) The Commission shall select the administrator. Initially, the AICCLP Administrator shall be the ACPF Administrator.
- (2) The administrator shall serve at the Commission's discretion.

**F. Duties of the Administrator**

- (1) The administrator's general duties shall include:
  - a. Determining the sufficiency of the fund;
  - b. Collecting and receiving monies paid into the ACPF;
  - c. Disbursing monies from the ACPF;
  - d. Managing the daily operations and affairs of the ACPF;
  - e. Cooperating in any audits that the Commission deems necessary;
  - f. Resolving disputes;
  - g. Reviewing and determining the consistency and reasonableness of all requests for monies;
  - h. Performing any other duties the Commission orders; and,
  - i. Developing any necessary forms.

- (2) The administrator is expressly authorized to bring actions before the Commission to enforce the provisions of the ACPF.

**G. Audits**

The ACPF is subject to an annual audit by an independent certified public accountant approved by the Commission. Cost of the audit shall be considered an administrative cost and paid from the annual fund allocation.

**H. Appeals from Administrator Decisions**

A party aggrieved by the administrator's decision may appeal that decision within 30 days to the Commission.