



COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

General Information and Filing Instructions for Registration/Statement of Business Operations

The Department of Telecommunications and Cable (“Department”) has general supervision, regulation of, and jurisdiction and control over the provision of telecommunications services when furnished or rendered for public use within the Commonwealth. M.G.L. c. 159, § 12(d).

In addition, M.G.L. c. 159, § 19 requires telecommunications service providers furnishing service within the Commonwealth to have on file with the Department all rates, rules and regulations, conditions, and limitations for the provision of intrastate services.

Questions regarding this information should be addressed to the Competition Division at (617) 305-3580.

Package Materials

This package contains the following:

1. Filing and Reporting Requirements for Telecommunications Services Providers Offering Service in Massachusetts.
2. Sample Transmittal and Combined Transmittal/Explanation Letters, and Tariff Format.
3. Guidelines regarding Residential Billing and Termination Practices for Telecommunications Service Providers.

1. Filing and Reporting Requirements for Local and Interexchange Telecommunications Service Providers Offering Service in Massachusetts

A. Registration/Statement of Business Operations

All telecommunications service providers proposing to offer telecommunications services (“Registrants”) must first register with the Department before commencing providing telecommunications service in the state. Registrants must submit a Registration/Statement of Business Operations (“Registration/SBO”) and certify that they will abide by all applicable rules, policies, and Orders of the Department. The Registration/SBO form is not included in this packet of material, and is posted as a separate document on the Department’s webpage <https://www.mass.gov/how-to/register-as-a-telecommunications-provider> as Registration/SBO.

The Department will presume that Registrants possess the necessary qualifications to operate, a presumption which is subject to further analysis if a problem is raised by the public, another provider, or the Department.

When completing the Registration/SBO, please respond fully to each item. If an item is not applicable, please enter “N/A” and explain why. If more space is needed to respond, use a separate sheet of paper.

Submit the completed Registration/SBO, along with any attachments to dte.filing@mass.gov or:

Department Secretary
Department of Telecommunications and Cable
1000 Washington Street, Suite 600
Boston, MA 02118-6500

There is no filing fee for the Registration/SBO.

B. Tariff and Rate Schedule Filings

Pursuant to M.G.L. c. 159, § 19 and 207 C.M.R. 12.00, Registrants are also required to have an approved schedule of rates, terms, and conditions on file with the Department before offering intrastate services in Massachusetts. All tariffs and rate schedule filings are subject to Department approval. The filing fee for proposed initial tariffs and proposed revisions is \$100.00 per tariff/per filing, regardless of page length.

Multiple proposed revisions to the same tariff are considered one filing. A proposed revision to multiple tariffs is considered three separate filings.

Transmittal Letter and Letter of Explanation

Pursuant to the Department's regulations, 207 C.M.R. § 12.03, all proposed tariffs must be accompanied by a transmittal letter that indicates the **name of filing party, the individual tariff number, the specific pages being filed, the effective date, and a clear explanation of the proposed filing**. A sample transmittal letter is provided in this package.

Effective Date of Tariffs and Rate Schedules

Pursuant to M.G.L. c. 159, § 19 and 207 C.M.R. 12.00, common carrier proposed tariffs become effective **30 days after the Department receives the filing**, unless otherwise ordered by the Department. When filing a proposed tariff with the Department, the filer should allow sufficient time to cover transmittal of the filing (i.e., three days if by First Class U.S. Mail), to ensure that tariffs can become effective on the proposed effective date.

Requests for Expedited Effective Date of Tariffs and Rate Schedules

M.G.L. c. 159, § 19 provides the Department with the *discretion* to allow tariffs to take effect before the expiration of the statutory 30 days ("expedited effective date"). A request for an expedited effective date must be made in a separate letter accompanying the transmittal letter, and the tariff pages must reflect the statutory 30-day issued/effective dates. Such a request must: (1) specify the reason the company is requesting effectiveness of the tariff on less than the statutory 30-day time frame; (2) specify the requested effective date; and (3) include the necessary filing fee of \$100.00 per request (in addition to the standard tariff filing fee).

Tariff and rate schedule filings will be reviewed for compliance with statutes and Department policies. If the Department has any questions regarding a filing, a staff person will contact the party responsible for the filing.

Each service provider must maintain a copy of its tariff(s) and rate schedule(s) to be made available for public inspection, both at the Department's office, and at the carrier's local office.

C. *Annual Return and Revenue Statement*

M.G.L. c. 166, § 11 states that all telecommunications services providers doing business in Massachusetts must file an Annual Return and Revenue Statement with the Department, reporting, among other things, the amount of Massachusetts intrastate operating revenues, along with a \$5.00 filing fee, **on or before March 31**, for the year ending December 31 preceding. Failure to file an Annual Return may result in penalties, as outlined in M.G.L. c. 166, § 12. Pursuant to M.G.L. c. 25C, § 7, the amount of Massachusetts intrastate operating revenues will be used for assessment purposes.

Pertinent forms can be found at <https://www.mass.gov/how-to/file-an-annual-return>. Questions can be directed to the Department at (617) 305-3580.

IMPORTANT - Please Note:

Certain service providers may also be subject to additional state reporting or filing requirements.

The Massachusetts Secretary of the Commonwealth (SOC) requires that certain corporations, limited partnerships, limited liability companies, and limited liability partnerships, file with the Corporations Division. Please refer to the Corporations Division link on the SOC's website at <http://www.sec.state.ma.us/>.

State tax information can be obtained from the Massachusetts Department of Revenue (DOR) by going to its website at <https://www.mass.gov/dor> or by calling DOR's Taxpayer Services at (617) 887-MDOR or toll-free within Massachusetts at (800) 392-6089.

Other information can also be obtained from the Commonwealth's homepage at <https://www.mass.gov/>.

2. Sample Transmittal and Combined Transmittal/Explanation Letters, and Tariff Format

A. Sample Transmittal Letters for an initial SBO/Registration and initial tariff with the Department

Date

*Department Secretary
Department of Telecommunications and Cable
1000 Washington Street, Suite 600
Boston, MA 02118-6500*

RE: Your Company Name

Dear Secretary:

Enclosed please find an original and two (2) copies of our Statement of Business Operations/Registration, and our initial Tariff M.D.T.C. No. 1, consisting of Original pages 1 through 37.

The Company proposes to offer resold local and interexchange intrastate telecommunications services to non-residential subscribers in Massachusetts. Also enclosed is the appropriate filing fee in the amount of \$100.00. As required by Massachusetts law, the proposed tariff carries an effective date of at least thirty (30) days after the Department receives the filing.

Please acknowledge receipt of this filing by returning, file-stamped, the extra copy of this cover letter in the self addressed stamped envelope provided for that purpose.

Questions regarding this filing may be directed to [insert name] at [insert direct phone number and email address].

Sincerely,

*Company Representative/Title
or Consultant*

Encs.

B. Sample Transmittal/Explanation Letter for Tariff Revisions

Date

*Department Secretary
Massachusetts Department of Telecommunications and Cable
1000 Washington Street, Suite 600
Boston, MA 02118-6500*

*RE: Company Name
Tariff M.D.T.C. No. 4, Proposed Revisions for effect on [insert date]*

Dear Secretary:

Enclosed please find an original and two (2) copies of revisions to our M.D.T.C. Tariff No. 4, which carry an issued date of [insert date] and effective date of [insert date]. The proposed filing consists of the following pages:

- 3rd Revised Page 6*
- 8th Revised Page 7*
- Original Pages 11 through 19.*

These revisions increase the per-minute rates from \$0.14 to \$0.18 for customers subscribing to Dial One Service, and introduce several new discount plans for volume users. In accordance with Department policy, the Company has provided at least thirty (30) days advance written notice of the increase in rates to its customers. A copy of the customer notice is enclosed with this filing.

We have also enclosed the appropriate filing fee of \$100.00. Any questions regarding this filing should be directed to [insert name] at [insert direct phone number and email address].

Please acknowledge receipt of this filing by returning the duplicate copy of this letter in the enclosed, self-addressed envelope.

Sincerely,

Company Representative

Encs.

C. Tariff Format

Tariffs and proposed tariffs must be typewritten, printed, or otherwise legibly duplicated on paper cut or folded to letter size, 8" to 8½" by 10½" to 11". The impression shall be on only one side of the paper, unless printed and bound. Each proposed tariff filing must include one original submitted on three-hole punched paper and one copy.

1. Page Numbering - Page numbers should appear in the upper right-hand corner of the page. Pages should be numbered sequentially. When a new page is added between existing pages with whole numbers, a decimal is added. For example, a new page added between pages 22 and 23 would be 22.1.
2. Page Revision Numbers - Revision numbers should also appear in the upper right-hand corner of the page. These numbers are used to determine the most current page version on file. For example, the 5th revised page 22 cancels the 4th revised page 22.
3. Numbering Sequence - There are various levels of alphanumeric coding. Each level is subservient to its next higher level. The following is an example of the numbering sequence suggested for use in tariffs.
 - 2.
 - 2.1
 - 2.1.A.
 - 2.1.A.1.(a)
 - 2.1.A.1.(a)I.
4. Coding of Tariff Revisions - Revisions to tariffs should be coded through the use of symbols. These symbols should appear in the right-hand margin of the page. Suggested symbols and their meanings are:

R - to signify a reduction
I - to signify an increase
C - to signify a changed regulation
T - to signify a change in text but no change in rate or regulation
S - to signify a reissued matter
M - to signify text relocated without change
N - to signify a new rate or regulation
D - to signify a discontinued rate or regulation
Z - to signify a correction

Other marginal codes can be used to direct the tariff reader to a footnote for specific information. Codes used for this purpose should be lowercase letters of the alphabet, e.g., x, y, or z).

3. Guidelines regarding Residential Billing and Termination Practices for Telecommunications Service Providers

Providers of residential intrastate telecommunications services in Massachusetts must comply with certain billing and termination practices for residential customers, similar to those adopted by the Department for use by New England Telephone. See Docket D.P.U. 18448 (1977). These practices generally relate to billing and bill collection, residential telephone service termination, security deposit requirements, and the rights of residential telephone customers to be heard by the Department on billing matters that are in dispute with their telecommunications company.

Companies proposing to provide telecommunications services to presubscribed residential customers should refer to these practices, available at <https://www.mass.gov/service-details/residential-billing-and-termination-practices>, as a template in preparing their own billing practices. Companies should file their proposed billing and termination practices with their intrastate tariff. A company may revise certain terminology and rules, or request exemptions from certain requirements, if such provisions, terms, or rules are not applicable, as long as the Department does not consider the change(s) or exemption(s) to result in substantive changes in a residential customers rights.

These billing practices, along with the company's proposed tariff, will be individually reviewed by the Department. A company that is able to comply with all practices set forth in D.P.U. 18448 may choose to adopt such practices by including a statement to that effect in the General Regulations section of its tariff. An example of such a statement would be "The Company will comply with the Billing and Termination Rules as set forth in D.P.U. 18448." In such cases, there is no need to file specific billing and collection practices as an appendix to the company's tariff.