

DEFINITIONS

§ 61.3 Definitions.

(a) *Act*. The Communications Act of 1934 (48 Stat. 1004; 47 U.S.C. chapter 5), as amended.

(b) *Actual Price Index (API)*. An index of the level of aggregate rate element rates in a basket, which index is calculated pursuant to § 61.46.

(c) *Association*. This term has the meaning given it in § 69.2(d).

(d) *Band*. A zone of pricing flexibility for a service category, which zone is calculated pursuant to § 61.47.

(e) *Base period*. For carriers subject to §§ 61.41–61.49, the 12-month period ending six months prior to the effective date of annual price cap tariffs, or for carriers regulated under § 61.50, the 24-month period ending six months prior to the effective date of biennial optional incentive plan tariffs. Base year or base period earnings shall not include amounts associated with exogenous adjustments to the PCI for the sharing or lower formula adjustment mechanisms.

(f) *Basket*. Any class or category of tariffed service or charge:

(1) Which is established by the Commission pursuant to price cap regulation;

(2) The rates of which are reflected in an Actual Price Index; and

(3) The related costs of which are reflected in a Price Cap Index.

(g) *Change in rate structure*. A restructuring or other alternation of the rate components for an existing service.

(h) *Charges*. The price for service based on tariffed rates.

(i) *Commercial contractor*. The commercial firm to whom the Commission annually awards a contract to make copies of Commission records for sale to the public.

(j) *Commission*. The Federal Communications Commission.

(k) *Concurring carrier*. A carrier (other than a connecting carrier) subject to the Act which concurs in and assents to schedules of rates and regulations filed on its behalf an issuing carrier or carriers.

(l) *Connecting carrier*. A carrier engaged in interstate or foreign communication solely through physical connection with the facilities of another

carrier not directly or indirectly controlling or controlled by, or under direct or indirect common control with, such carrier.

(m) *Contract-based tariff*. A tariff based on a service contract entered into between an interexchange carrier subject to § 61.42 (a) through (c) or a nondominant carrier and a customer.

(n) *Corrections*. The remedy of errors in typing, spelling, or punctuations.

(o) *Dominant carrier*. A carrier found by the Commission to have market power (i.e., power to control prices).

(p) *GDP Price Index (GDP-PI)*. The estimate of the “Fixed Weight Price Index for Gross Domestic Product, 1987 Weights” published by the United States Department of Commerce, which the Commission designates by Order.

(q) *GNP Price Index (GNP-PI)*. The estimate of the “Fixed-Weighted Price Index for Gross National Product, 1982 Weights” published by the United States Department of Commerce, which the Commission designates by Order.

(r) *Issuing carrier*. A carrier subject to the Act that publishes and files a tariff or tariffs with the Commission.

(s) *Local Exchange Carrier*. Any person that is engaged in the provision of telephone exchange service or exchange access as defined in section 3(26) of the Act.

(t) *New service offering*. A tariff filing that provides for a class or sub-class of service not previously offered by the carrier involved and that enlarges the range of service options available to ratepayers.

(u) *Non-dominant carrier*. A carrier not found to be dominant.

(v) *Other participating carrier*. A carrier subject to the Act that publishes a tariff containing rates and regulations applicable to the portion or through service it furnishes in conjunction with another subject carrier.

(w) *Price Cap Index (PCI)*. An index of costs applying to carriers subject to price cap regulation, which index is calculated for each basket pursuant to § 61.44 or 61.45.

(x) *Price cap regulation*. A method of regulation of dominant carriers provided in §§ 61.41 through 61.49.

(y) *Price cap tariff.* Any tariff filing involving a service that is within a price cap basket, or that requires calculations pursuant to § 61.44, 61.45, 61.46, or 61.47.

(z) *Productivity factor.* An adjustment factor used to make annual adjustments to the Price Cap Index to reflect the margin by which a carrier subject to price cap regulation is expected to improve its productivity relative to the economy as a whole.

(aa) *Rate.* The tariffed price per unit of service.

(bb) *Rate increase.* Any change in a tariff which results in an increased rate or charge to any of the filing carrier's customers.

(cc) *Rate level change.* A tariff change that only affects the actual rate associated with a rate element, and does not affect any tariff regulations or any other wording of tariff language.

(dd) *Regulations.* The body of carrier prescribed rules in a tariff governing the offering of service in that tariff, including rules, practices, classifications, and definitions.

(ee) *Restructured service.* An offering which represents the modification of a method of charging or provisioning a service; or the introduction of a new method of charging or provisioning that does not result in a net increase in options available to customers.

(ff) *Service Band Index (SBI).* An index of the level of aggregate rate element rates in a service category, which index is calculated pursuant to § 61.47.

(gg) *Service category.* Any group of rate elements subject to price cap regulation, which group is subject to a band.

(hh) *Supplement.* A publication filed as part of a tariff for the purpose of suspending or cancelling that tariff, or tariff publication and numbered independently from the tariff page series.

(ii) *Tariff.* Schedules of rates and regulations filed by common carriers.

(jj) *Tariff publication, or publication.* A tariff, supplement, revised page, additional page, concurrence, notice of revocation, adoption notice, or any other schedule of rates or regulations filed by common carriers.

(kk) *Tariff year.* The period from the day in a calendar year on which a carrier's annual access tariff filing is

scheduled to become effective through the preceding day of the subsequent calendar year.

(ll) *Text change.* A change in the text of a tariff which does not result in a change in any rate or regulation.

(mm) *United States.* The several States and Territories, the District of Columbia, and the possessions of the United States.

[54 FR 19840, May 8, 1989, as amended at 55 FR 42382, Oct. 19, 1990; 56 FR 55239, Oct. 25, 1991; 58 FR 36147, July 6, 1993; 59 FR 10301, Mar. 4, 1994; 60 FR 19527, Apr. 19, 1995; 60 FR 20052, Apr. 24, 1995; 61 FR 59366, Nov. 22, 1996; 62 FR 5777, Feb. 7, 1997; 62 FR 31930, June 11, 1997]

EFFECTIVE DATE NOTE: At 62 FR 31930, June 11, 1997, § 61.3 was amended by revising the introductory text of paragraph (f), effective Jan. 1, 1998. For the convenience of the user, the superseded text is set forth as follows:

§ 61.3 Definitions.

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(f) *Basket.* Any class or category of tariffed services:

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§ 61.11—61.19 [Reserved]

GENERAL RULES

General Rules for Domestic and International Nondominant Carriers

§ 61.20 Detariffing of interstate, domestic, interexchange services.

Except as otherwise provided by Commission order, carriers that are nondominant in the provision of interstate, domestic, interexchange services shall not file tariffs for such services.

[61 FR 59366, Nov. 22, 1996]

§ 61.21 Method of filing publications.

(a) Publications sent for filing must be addressed to "Secretary, Federal Communications Commission, Washington, DC 20554." The date on which the publication is received by the Secretary of the Commission (or the Mail Room where submitted by mail) is considered the official filing date.

(b)(1) In addition, for all tariff publications requiring fees as set forth in