

**Title 23. Public Utilities and Regulated Industries**  
**Chapter XVI. Arkansas Public Service Commission**  
**Subchapter A. Generally**  
**Part 453. Arkansas Intrastate Carrier Common Line Pool Rules**

**Codification Notes.** This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"Administrative History

Order

Docket	Date	No.	Subject Matter of Docket / Order
04-045-R	06-30-04	4	Adopts rules relating to the membership, operation, management, and administration of the Arkansas Intrastate Carrier Common Line Pool to comply with Ark. Code Ann. §23-17-403, §23-17-404, §23-17-416 and §23-17-417 (Act 1788 of 2003)."

**Subpart 1. General Provisions**

**23 CAR § 453-101. Definitions.**

As used in this part:

(1) "Reporting toll reseller" means a switchless reseller that resells the toll services of an ILEC and is therefore not exempted from monthly reporting requirements; and

(2)(A) "Switchless reseller" means a carrier which:

(i) Resells all the Arkansas intrastate toll services it purchases;

(ii) Does not own or lease switching facilities used to switch telecommunications service which originates and terminates in the State of Arkansas; and

(iii) Neither purchases nor provides switched or special access from any LEC in Arkansas which is used for the provision of intrastate telecommunications service.

(B) Furthermore, a switchless reseller does not provide collocated access from any end-user premise to any LEC or IXC in Arkansas.

**Authority.** Arkansas Code §§ 23-17-404, 23-17-416, 23-17-417.

**Codification Notes.** This section was promulgated as Definitions of the Arkansas Intrastate Carrier Common Line Pool Rules prior to codification in the Code of Arkansas Rules.

"ILEC" means an incumbent local exchange carrier defined in Arkansas Code § 23-17-403.

"LEC" means a local exchange carrier defined in Arkansas Code § 23-17-403.

"IXC" means an interexchange carrier defined in Arkansas Code § 23-17-303.

### **23 CAR § 453-102. Applicability**

These are promulgated pursuant to, and in accordance with, the provisions of Acts 2003, No. 1788, as codified in Arkansas Code Ann. §§ 23-17-403, 23-17-404, 23-17-416, and 23-17-417.

**Authority.** Arkansas Code §§ 23-17-404, 23-17-416, 23-17-417.

**Codification Notes.** This section was promulgated as Rule 1.01 of the Arkansas Intrastate Carrier Common Line Pool Rules prior to codification in the Code of Arkansas Rules.

**23 CAR § 453-103. Purpose and scope.**

(a) Generally, the specific procedures for operating the AICCLP are provided in the Arkansas Code.

(b) These rules, in addition to the Intrastate Flat Rate Carrier Common Line Service Tariff, supplement the law to facilitate proper management of the billing, collection, and distribution of AICCLP revenue requirements.

**Authority.** Arkansas Code §§ 23-17-404, 23-17-416, 23-17-417.

**Codification Notes.** This section was promulgated as Rule 1.02 of the Arkansas Intrastate Carrier Common Line Pool Rules prior to codification in the Code of Arkansas Rules.

"AICCLP" means the Arkansas Intrastate Carrier Common Line Pool defined in Arkansas Code § 23-17-403.

**Subpart 2. Administration of the AICCLP**

**23 CAR § 453-201. Role of the administrator.**

(a) The administrator shall enforce and implement all rules and directives governing the funding, collection, and eligibility for the AICCLP membership.

(b) If, after reasonable efforts, the administrator is unable to obtain compliance with the prescribed rules and procedures, the matter shall be referred to the Arkansas Public Service Commission for resolution.

**Authority.** Arkansas Code §§ 23-17-404, 23-17-416, 23-17-417.

**Codification Notes.** This section was promulgated as Rule 2.01 of the Arkansas Intrastate Carrier Common Line Pool Rules prior to codification in the Code of Arkansas Rules.

"AICCLP" means the Arkansas Intrastate Carrier Common Line Pool defined in Arkansas Code § 23-17-403.

**23 CAR § 453-202. Reporting and remittance.**

(a) The administrator shall:

(1) Provide notice to AICCLP members, other ILECs, underlying carriers, and reporting toll resellers concerning calculations related to each entity; and

(2) Bill all carriers for any amounts due the pool.

(b)(1) No later than July 22, 2003, and no later than the twenty-second day of each month thereafter, or the next business day of each month if the twenty-second day falls on a weekend or holiday, each underlying carrier, reporting toll reseller, and AICCLP member shall report to the administrator its previous month's information necessary for AICCLP calculations.

(2) The information shall be on forms prescribed by the administrator.

(c)(1) To facilitate prompt rendering of monthly statements, the administrator may use the most recent monthly information previously submitted for companies that fail to report in a timely manner.

(2) Differences will be corrected in the next billing cycle following receipt of the missing information.

(d)(1) Should a company detect an error in any report or reports submitted to the administrator, the company shall submit a revised report for each month to correct the error.

(2) The adjustment will be applied by the administrator in a subsequent regular monthly billing cycle.

(e) Claims for adjustment to previously reported information shall be considered null and void twenty-four (24) months after the original due date of the report in question.

(f) Each underlying carrier, reporting toll reseller, AICCLP member, and exiting ILEC shall remit payment due to the administrator by no later than the last business day of the month following the month in which the bill was rendered to the carrier by the AICCLP administrator.

(g) Interest at the prevailing federal discount rate plus five percent (5%) per annum compounded at the end of each monthly billing cycle shall be assessed by the AICCLP administrator for any payments not received by the payment due date.

**Authority.** Arkansas Code §§ 23-17-404, 23-17-416, 23-17-417.

**Codification Notes.** This section was promulgated as Rule 2.02 of the Arkansas Intrastate Carrier Common Line Pool Rules prior to codification in the Code of Arkansas Rules.

"AICCLP" means the Arkansas Intrastate Carrier Common Line Pool defined in Arkansas Code § 23-17-403.

"ILEC" means incumbent local exchange carrier defined in Arkansas Code § 23-17-403.

**23 CAR § 453-203. Audit requirement.**

(a) An audit of the information reported to the AICCLP may be required.

(b) The procedures to be used in completion of the audit will be developed under the supervision of the AICCLP administrator and approved by:

(1) The AICCLP Advisory Procedural Board; and

(2) The Arkansas Public Service Commission General Staff.

(c) The purpose of the audit will be to verify the accuracy of all information reported pursuant to these rules and procedures.

(d) Should the audit detect reporting errors, revised reports must be submitted to the AICCLP administrator within thirty (30) days of audit completion.

**Authority.** Arkansas Code §§ 23-17-404, 23-17-416, 23-17-417.

**Codification Notes.** This section was promulgated as Rule 2.03 of the Arkansas Intrastate Carrier Common Line Pool Rules prior to codification in the Code of Arkansas Rules.

"AICCLP" means the Arkansas Intrastate Carrier Common Line Pool defined in Arkansas Code § 23-17-403.