

MORRISON & FOERSTER

SAN FRANCISCO
LOS ANGELES
ORANGE COUNTY
WALNUT CREEK
PALO ALTO

ATTORNEYS AT LAW
2000 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20006-1812
TELEPHONE (202) 887-1500
TELEFACSIMILE (202) 887-0763
TELEX 90-4030 MRSN FOERS WSH

NEW YORK
DENVER
LONDON
HONG KONG
TOKYO

ORIGINAL
FILE

April 29, 1992

DIRECT DIAL NUMBER
(202) 887-1510

BY HAND DELIVERY

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

RECEIVED

'APR 29 1992

Federal Communications Commission
Office of the Secretary

Re: CC Docket No. 92-13

Dear Ms. Searcy:

Pursuant to Section 1.419 of the Commission's rules, 47 C.F.R. § 1.419, and the Notice of Proposed Rulemaking released by the Commission on January 28, 1992 in the above-captioned proceeding, enclosed please find the original and five copies of the Reply Comments of the Custom Network Services Users Group to be filed in the above-captioned proceeding. Please file-stamp the extra copy and return it to our messenger.

Very truly yours,

Henry D. Levine
Henry D. Levine

Attorney for the Custom Network
Services Users Group

cc: Chairman Alfred C. Sikes
Commissioner James H. Quello
Commissioner Sherrie P. Marshall
Commissioner Andrew C. Barrett
Commissioner Ervin S. Duggan
Richard M. Firestone
James D. Schlichting
Gary Phillips
Andy LaChance
Downtown Copy Center

No. of Copies rec'd 0+5
List A B C D E

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

RECEIVED

'APR 29 1992

Federal Communications Commission
Office of the Secretary

In the Matter of)
)
Tariff Filing Requirements for) CC Docket No. 92-13
Interstate Common Carriers)

REPLY COMMENTS OF
THE CUSTOM NETWORK SERVICES USERS GROUP

The Custom Network Services Users Group ("CNS Users Group")¹ submits these reply comments pursuant to the Notice of Proposed Rulemaking ("NPRM") released by the Commission on January 28, 1992 in the above-captioned proceeding.

1 The Group's members are The Bank of America, NTSA, The Bank of California, N.A., Baxter Healthcare Corp., City National Bank, First Interstate Bank of California, Goldman Sachs & Co., Grumman Data Systems, MasterCard International Incorporated, Metropolitan Life Insurance Co., Morgan Stanley & Co., NationsBank Corporation, the New York Clearing House Association, PaineWebber Inc., Pearson, Inc., The Prudential Insurance Company of America, Public Service Enterprises, Inc., QVC Network, Inc., Sanwa Bank California, Securities Industry Association, Security Pacific Automation, Time-Warner, Inc., Union Bank, and Wells Fargo Bank. The New York Clearing House Association's members are The Bank of New York, Chase Manhattan Bank, N.A., Citibank, N.A., Chemical Bank, Morgan Guaranty Trust Company of New York, Manufacturers Hanover Trust Company, Bankers Trust Company, Marine Midland Bank, N.A., United States Trust Company of New York, National Westminster Bank, USA, European American Bank and Republic National Bank of New York.

No. of Copies rec'd _____
List A B C D E

INTRODUCTION

Other parties have defended the legality of the Commission's forbearance policy for non-dominant carriers in light of the Communications Act, recent amendments thereto, and relevant court decisions.² The CNS Users Group agrees with those analyses, and therefore limits these reply comments to two alternative regulatory structures that the Commission should consider adopting for the OCCs if it (incorrectly, in our view) feels compelled to revise its present policies.

If the Commission believes -- despite strong legal support -- that it must amend the forbearance policy that has served the marketplace so well for a dozen years, the CNS Users Group urges the Commission to fashion a regulatory regime that recognizes the highly competitive market for high-end business services. Any regime adopted should allow customers and carriers maximum flexibility, consistent with the Commission's regulatory obligations. Of the two approaches we favor, one involves acknowledging that non-dominant carriers may provide competitive services on a private carriage basis, and adopting non-intrusive rules to facilitate private carriage. The other foresees a very streamlined tariff regime, expressly intended to be the minimum necessary to comply with the Communications Act.

² See, e.g., Comments of the Ad Hoc Telecommunications Users Committee (Mar. 30, 1992); Comments of the International Communications Association (Mar. 30, 1992).

I. IF IT FEELS COMPELLED TO MODIFY
FOREBEARANCE, THE COMMISSION SHOULD
CONSIDER A BROAD AUTHORIZATION OF PRIVATE
CARRIAGE

Service providers that function as common carriers may also offer private carriage. The Commission has claimed "significant leeway" to permit interexchange carriers to offer some high-end interstate services on a private carriage basis,³ and the courts have affirmed the Commission's ability to authorize private carriage in such circumstances.⁴

The Commission took a step in this direction in Competition in the Interstate Interexchange Marketplace, Report and Order, 6 FCC Rcd 5880 (1991), ("IXC Order") it concluded "that the business services market is substantially competitive" and that "significant forces . . . are driving competition in this market segment." Id. at 5887. In light of this, the Commission decided to permit all interexchange carriers to offer competitive services pursuant to individually negotiated contracts. The Commission described contract carriage as a means of allowing single-customer contracts that "would enable users to purchase services that match their needs in specific ways," and would "facilitate

3 See, e.g., Competition in the Interstate Interexchange Marketplace, NPRM, 5 FCC Rcd 2627, 2644-45 (1990) (and cases cited therein) ("IXC NPRM")

4 See, e.g., Wold Communications, Inc. v. FCC, 735 F.2d 1465, 1474-76 (D.C. Cir. 1984) (affirming Commission's authorization of the provision of transponder satellite service on a private carriage basis).

planning by users and IXCs alike through the greater availability of long-term commitments and price protection."⁵ carriage so described is strikingly similar to private carriage.⁶ "Private carriers" make individualized decisions regarding the terms and conditions of their service offerings, while "common carriers" who indifferently hold themselves out to service the public.⁷ Private carriers generally contract with relatively stable classes of customers on a medium- or long-term basis, often for specialized services. Id. The competitive business services offered by the OCCs pursuant to contract carriage share these characteristics -- they are long-term, specifically tailored offerings to a finite number of large customers.⁸ By exercising its authority to allow the

5 IXC NPRM, 5 FCC Rcd at 2642.

6 The Commission previously considered a proposal to permit AT&T to offer certain business services on a private carriage basis. IXC Order 6 FCC Rcd at 5897 n.150. Whatever the Commission's reasons for abandoning that proposal, there appears to be no legal or practical impediments to applying it to non-dominant carriers who have, after all, operated in a largely unregulated environment for a dozen years.

7 National Ass'n of Regulatory Util. Comm'rs v. FCC, 525 F.2d 630, 643 (D.C. Cir. 1976), cert. denied, 425 U.S. 992 (1976) ("NARUC I").

8 See IXC NPRM, 5 FCC Rcd at 2645 (high-end customized service packages "may well, in some cases, be taking on the characteristics of private carriage); Norlight Request for Declaratory Ruling, 2 FCC Rcd 132, 134-35 (1987) (sale of tailored fiber optic service to a limited and stable group of large business entities and institutions selected on an individualized basis for one to ten year contract terms is private carriage). These reply comments address only the high-end market for competitive services, in particular custom network service agreements involving multi-year agreements and commitments of (at least) millions of dollars. Other market segments may present different issues and concerns.

OCCs to provide network services on a private carriage basis, the Commission will further foster competition in this market.⁹

To users, the principal disadvantage of private carriage to users is the absence of Section 201-203 protections against unjust and unreasonable practices, notably discrimination and refusals to serve. Ongoing against this concern is the fact that services provided by non-dominant carriers to sophisticated customers in highly competitive markets are not likely to be susceptible to discrimination or other unreasonable practices:

[N]on-dominant common carriers . . . facing strong competition in the marketplace . . . could be treated by forbearance because the Section 208 complaint process, market forces and the Commission's power to reimpose tariff filing and facilities authorization requirements were sufficient to check these carriers' ability to charge unjust, unreasonable or discriminatory rates.¹⁰

Because the market for services provided on a contract carriage basis is highly competitive, private carriage of

9 See IXC NPRM, 5 FCC Rcd at 2644 (private carriage is "consistent with the thriving competition that prevails in the high-end marketplace").

10 Policy and Rules Concerning Rates for Competitive Common Carrier Services, Sixth Report and Order, 99 F.C.C.2d 1020, 1021 (1985). See also Detariffing of Billing and Collection Services, Report and Order, 102 F.C.C. 2d 1150, 1170 (1986) (competition allows market forces to respond to excessive rates or unreasonable practices); Computer and Communications Indus. Ass'n v. FCC, 693 F.2d 198, 207 (D.C. Cir. 1982) (same) ("CCIA"), cert. denied, 461 U.S. 938 (1983).

the same services should not lead to widespread practices of the type prohibited by Title II. As it did in Competitive Common Carrier, however, the Commission can (and should) retain the ability to correct any carrier abuses that occur under a private carriage system.¹¹

Services provided through private carriage differ from services in which regulation has been forborne because Title II is favorably inapplicable to the former. But the Commission has in the past retained the authority to reregulate if necessary,¹² and can do the same here by use of its ancillary jurisdiction under Title I of the Communications Act, 47 U.S.C. §§ 152(a) and 154(i). Section 152(a) gives the Commission jurisdiction over "all persons engaged within the United States in [interstate or foreign] communication," and Section 154(i) empowers the Commission to "perform any and all acts, make such rules and regulations, and issue such orders, not inconsistent with this Chapter, as may be necessary in the execution of its functions." Courts reviewing the legislative history of Title I have found that Congress conferred "broad

11 See Policy and Rules Concerning Rates for Competitive Common Carrier Services and Facilities Authorizations Therefor, First Report and Order, 85 F.C.C.2d 1, 18 (1980) (decision to forbear tariff filing "[did] not relieve non-dominant carriers from [the requirement of] complying with the provisions of Sections 201-205 of the Act").

12 See, e.g., AT&T 900 Dial-It Services and Third Party Billing and Collection Services, Memorandum Opinion and Order, 4 FCC Rcd 3429, 3433 (1989); Wold, 735 F.2d at 1474-75.

authority," a "comprehensive mandate," and "not niggardly but expansive powers" on the Commission.¹³ The Commission has acknowledged and regularly exercised its ancillary jurisdiction.¹⁴ The Commission could use its Title I ancillary jurisdiction to remedy any problems involving unjust or unreasonable carrier rates or practices, unjust or unreasonable discrimination, unlawful restrictions on resale or shared use, inadequate service quality, and other issues adversely impacting customers.¹⁵ Oversight could be

13 United States v. Southwestern Cable Co., 392 U.S. 157, 171-78 (1968) (concluding that Title I confers independent regulatory authority "reasonably ancillary to the effective performance of the Commission's various [regulatory] responsibilities") (citations omitted). See also CCIA, 693 F.2d at 212-14 (D.C. Cir. 1982) (it is "settled beyond peradventure that the Commission may assert jurisdiction under [Title I] over activities that are not within the reach of Title II"). See generally Philadelphia Television Broadcasting Co. v. FCC, 359 F.2d 282, 284 (D.C. Cir. 1966). [I]n a statutory scheme in which Congress has given an agency various bases of jurisdiction and various tools with which to protect the public interest, the agency is entitled to some leeway in choosing which jurisdictional base and which regulatory tools will be most effective in advancing the Congressional objective

14 See, e.g., Norlight, 2 FCC Rcd at 135-36 (Commission retains Title I jurisdiction over private carriage fiber optic service); Detariffing of Billing and Collection Services, Report and Order, 102 F.C.C.2d at 1169 (1986) (billing and collection is not common carrier communications service subject to Title II; although Commission retains discretion to regulate under Title I, it declines to do so because service is competitive); AT&T 900 Dial-It Services and Third Party Billing and Collection Services, Memorandum Opinion and Order, 4 FCC Rcd at 3433 (1989) (same).

15 See, e.g., Detariffing of Billing and Collection Services, Report and Order, 102 F.C.C.2d at 1174 (1986) (detariffed recording service but used Title I jurisdiction to require provision of service at reasonable rates upon reasonable request); CCIA, 693 F.2d at 208, 211-12 (Commission exercised ancillary jurisdiction under Title I to require unbundling of CPE and offering of CPE through separate subsidiary).

accomplished through a complaint-type procedure similar to that established in Section 208 of the Act, or on the Commission's own motion as set forth in Section 403.¹⁶

II. IF THE COMMISSION DETERMINES THAT TARIFF FILINGS ARE REQUIRED, IT SHOULD IMPLEMENT A VERY STREAMLINED REGIME

If the Commission concludes that even non-dominant carriers must tariff all of their services, the CNS Users Group urges it to adopt a flexible, minimal filing regime that reflects the competitive nature of the market. Specifically, the Commission should allow OCC tariffs to take effect on one day's notice, require no cost support, allow tariffs to specify banded rates, and presume charges within rate bands to be lawful. In a typical tariff with banded rates, the tariff specifies a maximum and minimum rate for each service category, and a rate table attached to the end of the tariff specifies the current effective rate for each service category.¹⁷ A rate change is effected by amending the rate table.¹⁸ Such a regime

16 See Detariffing of Billing and Collection Services, NPRM, 100 F.C.C.2d 607, 613 (1985) (proposing that the Section 208 complaint process be used for residual regulation even after removal of Title II authority).

17 In New York, where all carriers are required to file tariffs, the Public Service Commission uses a regime of precisely this sort for nondominant carriers. See MCI Telecommunications Corp. v. Pub. Serv. Comm'n of N.Y., 572 N.Y.S.2d 469 (N.Y. App. Div. 3d Dept. 1991) (construing state statute to require tariff filings plainly showing all rates and charges).

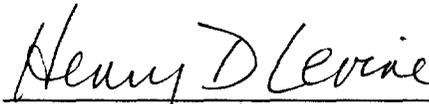
18 Many states use banded rates (or ceiling prices or floor prices only) for OCCs and other providers of competitive (Footnote 18 Continued)

would honor the literal requirement of Section 203 while permitting carriers to respond quickly and flexibly to customer needs.

CONCLUSION

If the Commission decides to abandon its forbearance policy, the CNS Users Group urges the Commission to consider the competitive nature of the high-end customized service market and the need for customer and carrier flexibility to reap the full benefits of competition. The CNS Users Group thus requests that the Commission consider the authorization of private carriage for these services or, if tariff filing requirements are imposed, a streamlined tariff regime.

Respectfully submitted,



Henry D. Levine
Ellen G. Block
Joan E. Neal
Morrison & Foerster
2000 Pennsylvania Avenue, N.W.
Suite 5500
Washington, DC 20006-1888
(202) 887-1500

Attorneys for the Custom
Network Services Users Group

DATED: April 29, 1992

(Footnote 18 Continued)
services. See State Telephone Regulation Report at 3 (Aug. 22, 1991); State Telephone Regulation Report at 3 (Sept. 5, 1991) (both attached as Exhibit A).

INTRASTATE LONG DISTANCE COMPETITION (East)
Intra-LATA Competition? Pricing Flexibility For Long Distance Providers

State	Carriers	Resellers	AT&T	OCC	Reseller	Telco
Alabama	Partial(1)	Yes	F	A,P	A,P	A,R
Connecticut*	Partial(2)	Yes(2)	B	B	B	B,R
Delaware*	Yes	Yes	P	P	P	P
Florida	Partial(3)	Yes	A	D	D	A,R
Georgia	Partial(4)	Yes	B	B	D	A,R
Illinois	Yes	Yes	F	F	F	A,R
Indiana	Yes	Yes	B,R	D	D	A,R
Kentucky	Yes	Yes	A,R	D	D	A,R
Louisiana	Partial(5)	Yes	C,R	D	D	A,R
Maine*	Yes	Yes(6)	C	C	D	A,R
Maryland	Yes	Yes	D	D	D	D,R
Massachusetts	Yes	Yes	A,R,P	D(7)	D(7)	A,R
Michigan	Yes	Yes	B,R	D	D	B,R
Mississippi	Partial(8)	Yes	B	B	D	A,R
New Hampshire*	Partial(9)	Yes	D	D	D	A,R,P
New Jersey	No	Yes	B,R	B	D,P	A,R
New York	Yes	Yes	B,R(10)	B(10)	B(10)	A,R
North Carolina	No	Yes	C,R	D	D	A,R
Ohio	Yes	Yes	C	C	C	C,R
Pennsylvania	Yes	Yes	A(11)	A(11)	C	A,R
Rhode Island*	Pending	Pending	P	P	P	P
South Carolina	Partial(12)	Yes	C	C	C	C(12)
Tennessee	Yes	Yes	C	D	D	B,R
Vermont*	Yes	Yes	D	D	D	C(13)
Virginia	Pending	Yes	D	D	D	A,R
West Virginia	Yes	Yes	S	S	S	S(14)
Wisconsin	Partial(15)	Yes	C	D	D	B,R

A — No pricing flexibility; tariff change requires prior state approval. P — Pending proceeding may result in changes to regulation.
 B — Banded rates; carrier free to move prices between ceiling and floor levels. R — Rate of return prescribed by state regulators.
 C — Ceiling price only; carrier can set rates at any point below rate cap. S — Streamlined staff review of all tariff and price changes.
 D — Full pricing flexibility; carrier may reprice to match market. OCC — Other common carrier; facilities-based carrier other than AT&T * Single-LATA state
 F — Floor prices only; carrier can set rates at any point above cost floor.

- 1 Alabama limits long distance carriers to intra-LATA high-volume WATS services.
- 2 Connecticut limits long distance carriers to private lines and specialty business services. Resellers must buy underlying facilities only from SNET; no intrastate long distance reseller currently operates.
- 3 Florida allows long distance competition between its unique "mini-LATAs"; full LATA-wide IXC competition begins in 1992.
- 4 Georgia limits long distance carriers to intra-LATA virtual networks and high-volume WATS services.
- 5 Louisiana telcos can compete within LATAs. Long distance carriers limited to high-volume WATS services. Decision due soon on whether to broaden scope of intra-LATA competition.
- 6 No intrastate long distance reseller currently operates. Resellers contend PUC access policies make intrastate resale uneconomic.
- 7 Intrastate operator services in Massachusetts are subject to a rate cap; other services have full pricing flexibility.
- 8 Mississippi limits intra-LATA IXC competition to high-volume WATS services.
- 9 Long distance carriers in New Hampshire sought authority only for WATS, 800 service and virtual network services.
- 10 AT&T New York MTS rates frozen until 1992. Carriers define own rate bands in an initial tariff. AOS firms can't exceed AT&T rate.
- 11 In Pennsylvania, rate changes below threshold level are decided by PUC within 30 days; denial is rare.
- 12 Only one intra-LATA carrier, Telecom USA, allowed because it operated before creation of LATAs. Ceiling applies only to Southern Bell.
- 13 Telco price ceiling in Vermont does not apply to long distance services offered after 1988.
- 14 West Virginia telco streamlining applies only to C&P Telephone.
- 15 Wisconsin limits long distance carriers to intra-LATA virtual networks, high-volume WATS services and 800 services.

INTRASTATE LONG DISTANCE COMPETITION (West)						
	Intra-LATA Competition?		Pricing Flexibility For Long Distance Providers			
State	Long Distance		AT&T	OCC	Reseller	Telco
	Carriers	Resellers				
Alaska*	Partial(1)	Yes	n/a	C	D	P
Arizona	No	Yes	B,R	B	D	B,R
Arkansas	Yes(2)	Yes	S,R	S	S	A,R
California	Partial(3)	Partial(3)	B	D	D	C
Colorado	Yes	Yes	B	D	D	A,R
Hawaii*	Partial(4)	No	n/a	n/a	n/a	A,R
Idaho	Yes	Yes	D	D	D	D
Iowa	Yes	Yes	D	D	D	A,R
Kansas	No	No	B	C	C	A,R
Minnesota	Yes	Yes	D(5)	D(5)	D(5)	A,R
Missouri	Yes	Yes	F	D	D	A,R,P
Montana	Yes	Yes	C,R,P	D	D	A,R
New Mexico*	Yes	Yes	A,R,P	B	B	B
North Dakota	Yes	Yes	F	D	D	F
Nebraska	Yes	Yes	D	D	D	D
Nevada	Pending	Pending	B	B	D	A,R
Oklahoma	Partial(6)	Yes	S	S	D,P	A,R
Oregon	Yes	Yes	D	D	D	A,R
South Dakota*	Yes	Yes	S	S	S	S
Texas	Yes	Yes	B,R	D	D	A,R
Utah*	Yes	Yes	A,R	D	D	A,R
Washington	Yes	Yes	D	D	D	A,R
Wyoming	No	Yes	n/a	n/a	A	A,R

A — No pricing flexibility; tariff change requires prior commission approval. P — Pending proceeding may result in changes to regulation.
 B — Banded rates; carrier free to move prices between ceiling and floor levels. R — Rate of return prescribed by state regulators.
 C — Ceiling price only; carrier can set rates at any point below rate cap. S — Streamlined staff review of all tariff and price changes.
 D — Full pricing flexibility; carrier may reprice to match market. OCC — Other common carrier; facilities-based carrier other
 F — Floor prices only; carrier can set rates at any point above cost floor. than AT&T * Single-LATA state

- Alaska limits long distance carriers to high-density routes connecting the 37 largest cities and towns.
- Arkansas long distance carriers can provide intra-LATA service to any customer having an established inter-LATA or interstate account for the service.
- California limits intra-LATA long distance and reseller competition to high-speed (T-1 and above) digital private line services, pending completion of PUC intra-LATA competition docket.
- Hawaii has permitted competition in inter-island private line data services, but no competitor presently operates. GTE Hawaiian Telephone tariffs prohibit all resale.
- Minnesota can order rollbacks and refunds of any long distance carrier or reseller rate change for 10 months after the effective date.
- Oklahoma limits long distance carriers to "incidental" provision of low-end virtual '800' services and high-volume 800 services. Telcos compensated for lost intra-LATA revenue.

CERTIFICATE OF SERVICE

I, Joan E. Neal, hereby affirm that on April 29, 1992, I served the foregoing Reply Comments of the Custom Network Services Users Group, by first class mail, postage prepaid, on all parties on the attached list.



Joan E. Neal

James S. Blaszak
Patrick J. Whittle
Gardner, Carton & Douglas
1301 K Street, N.W.
Suite 900 East
Washington, D.C. 20005

Stuart G. Meister
V.P. and General Counsel
Fairchild Communications
Services Company
300 West Service Road
Chantilly, VA 22021-0804

Jo Ann Goddard Riley
Director
Federal Regulatory Relations
Pacific Telesis
1275 Pennsylvania Ave., N.W.
Suite 400
Washington, D.C. 20004

R. Michael Senkowski
Jeffrey S. Linder
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006

Andrew D. Lipman
Catherine Wang
Swidler & Berlin, Chartered
3000 K Street, N.W.
Washington, D.C. 20007

Richard E. Wiley
Danny E. Adams
Rachel J. Rothstein
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006

Randolph J. May
David A. Gross
Elizabeth C. Buckingham
Sutherland, Asbill & Brennan
1275 Pennsylvania Ave., N.W.
Washington, D.C. 20004-2404

Josephine S. Trubek, Esq.
RCI Long Distance, Inc.
Rochester Tel Center
180 South Clinton Avenue
Rochester, NY 14646-0700

Philip L. Verveer
Sue D. Blumenfeld
Michele R. Pistone
Willkie Farr & Gallagher
1155 21st Street, N.W.
Suite 600
Washington, D.C. 20036

Francine J. Berry
Mark C. Rosenblum
Roy E. Hoffinger
American Telephone and
Telegraph Company
Room 3244J1
295 North Maple Avenue
Basking Ridge, N.J. 07920

Leon M. Kestenbaum
Phyllis A. Whitten
Sprint Communications
Company L.P.
1850 M Street, N.W.
Suite 1110
Washington, D.C. 20036

Mitchell F. Brecher
Dow, Lohnes & Albertson
1255 Twenty-third Street, N.W.
Washington, D.C. 20037

Joseph W. Miller
Williams Telecommunications
Group, Inc.
Suite 3600
P.O. Box 2400
One Williams Center
Tulsa, OK 74102

Frank W. Krogh
Donald J. Elardo
MCI Telecommunications Corp.
1801 Pennsylvania Ave., N.W.
Washington, D.C. 20006

Lawrence E. Sarjeant
James T. Hannon
U S West Communications, Inc.
1020 19th Street, N.W.
Suite 700
Washington, D.C. 20036

Brian R. Moir
Glenn S. Richards
Fisher, Wayland, Cooper and Leader
1255 23rd Street, N.W., Suite 800
Washington, D.C. 20037-1170

James D. Ellis
William J. Free
Paul G. Lane
Mark P. Royer
Southwestern Bell Corp.
One Bell Center, Room 3512
St. Louis, MO 63101-3099

J. Roger Wollenberg
William T. Lake
Jonathan Jacob Nadler
Wilmer, Cutler & Pickering
2445 M Street, N.W.
Washington, D.C. 20037

Joan M. Griffin
GTE Service Corporation
1850 M Street, N.W.
Suite 1200
Washington, D.C. 20036

Patrick A. Lee
Edward E. Niehoff
New York Telephone Company and
New England Telephone and
Telegraph Company
120 Bloomingdale Road
White Plains, NY 10605

Thomas J. Casey
Jay L. Birnbaum
Simone Wu
Timothy R. Robinson
Skadden, Arps, Slate,
Meagher & Flom
1440 New York Avenue, N.W.
Washington, D.C. 20005

L. Marie Guillory
National Telephone Cooperative
Association
2626 Pennsylvania Ave., N.W.
Washington, D.C. 20037

Joe D. Edge
Sue W. Bladek
Hopkins & Sutter
888 Sixteenth Street, N.W.
Washington, D.C. 20006

Alan Y. Naftalin
Charles R. Naftalin
Koteen & Naftalin
1150 Connecticut Avenue, N.W.
Washington, D.C. 20036

Martin W. Bercovici
Carol Moors Toth
Keller and Heckman
1001 G Street, N.W.
Washington, D.C. 20001

Spencer L. Perry, Jr.
Executive Director
Interexchange Resellers Association
P.O. Box 5090
Hoboken, NJ 07030

David L. Nace
Marci E. Greenstein
Lukas, McGowan, Nace & Gutierrez
1819 H Street, N.W.
Seventh Floor
Washington, D.C. 20006

Andrew O. Isar
Director of Industry Relations
Telecommunications Marketing
Association
14405 SE 36th Street
Suite 300
Bellevue, WA 98006

Robert W. Healy
Smithwick & Belendiuk, P.C.
2033 M Street, N.W.
Suite 207
Washington, D.C. 20036

Andrew D. Lipman
Russell M. Blau
Swidler & Berlin, Chartered
3000 K Street, N.W.
Washington, D.C. 20007

R. Michael Senkowski
Jeffrey S. Linder
Todd M. Stansbury
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006

Genevieve Morelli
Vice President and General
Counsel
Competitive Telecommunications
Association
1140 Connecticut Avenue, N.W.
Washington, D.C. 20036

Andrew D. Lipman
Ann P. Morton
Swidler & Berlin, Chartered
3000 K Street, N.W.
Washington, D.C. 20007

Andrew D. Lipman
Helen E. Disenhaus
Swidler & Berlin, Chartered
3000 K Street, N.W.
Washington, D.C. 20007