

DO NOT FILE COPY
ORIGINAL
FCC-MAIL SECTION

JUN 11 2 34 PM '92

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

RECEIVED
DA 92-748

In the Matter of)	
)	
Nevada Bell)	Transmittal Nos. 130, 132
Revisions to Tariff F.C.C. No. 1)	
)	
Open Network Architecture Tariffs)	CC Docket No. 92-91
of Bell Operating Companies)	
)	

ORDER DESIGNATING SUPPLEMENTAL ISSUES FOR INVESTIGATION

Adopted: June 10, 1992; Released: June 10, 1992

By the Chief, Common Carrier Bureau:

I. INTRODUCTION

1. On April 16, 1992, the Common Carrier Bureau (Bureau) designated issues to be investigated with respect to initial Open Network Architecture (ONA) tariffs filed by the Bell Operating Companies (BOCs).¹ In this Order, we designate additional issues for investigation relating to tariff filings of Nevada Bell.

II. DISCUSSION

2. On March 13, 1992, Nevada Bell filed Transmittal No. 130, to offer a dedicated network access line (DNAL) as a basic serving arrangement (BSA) and two basic service elements (BSEs) available only with this BSA.² In addition, Nevada Bell intends to provide Direct Inward Dialing (DID) as a BSE.³ This

¹ Open Network Architecture Tariffs of Bell Operating Companies, CC Docket No. 92-91, 7 FCC Rcd 2604 (Com.Car.Bur. 1992)(ONA Designation Order).

² The two BSEs are Verify Integrity of Subscriber Lines and Availability and Stop Hunting Control Arrangement. Nevada Bell, Transmittal No. 130, Description and Justification (D&J) at 6-7. The Common Carrier Bureau (Bureau) earlier granted Nevada Bell a waiver to offer the DNAL as a BSA. Pacific Bell and Nevada Bell, Petitions for Waiver of Part 69 of the Commission's Rules, Dedicated Network Access Lines, Open Network Architecture, 7 FCC Rcd 1933 (Com.Car.Bur. 1992) (Pacific Bell DNAL/PBX Order).

³ Nevada Bell also offered DID Trunk Queuing as a BSE, but later filed a petition for waiver of the requirement that BOCs file tariffs for all BSEs in their ONA plans, including the DID Trunk Queuing BSE. See Filing and Review of Open Network Architecture Plans, CC Docket No. 88-2, Phase I, 6 FCC Rcd 7646,

tariff revision is scheduled to take effect on June 11, 1992, on 90 days' notice. No petitions were filed against Transmittal No. 130.

3. Nevada Bell's BSAs and BSEs are Open Network Architecture (ONA) services. Nevada Bell provided cost support for the BSEs based on the Switching Cost Information System (SCIS), a computer model which quantifies the engineering processes of a switching offices in order to apportion switch capacity and cost among the features and functions the switch provides. Nevada Bell and other BOCs used SCIS to support their initial BSE rates. Thus, these BSEs raise issues similar to those raised by the ONA tariffs now under investigation pursuant to the ONA Designation Order, and accordingly, we suspend Transmittal 130 for one day and include these services in our ongoing ONA investigation.

III. SUPPLEMENTAL DESIGNATION ISSUES

4. Nevada Bell is directed to submit a supplemental direct case answering issues (2), (3), and (4), relating to the reasonableness of its BSE rates, as designated in the ONA Designation Order as they apply to the BSEs in Transmittal 130.⁴ To the extent that BSEs tariffed in Transmittal 130 rely upon the same model office selection procedures and cost of money assumptions, Nevada Bell may incorporate by reference its answers to issue (2) and issue (3) included in its direct case filed on May 18, 1992. Issue (4) should be addressed in terms of the specific BSEs involved.

IV. PROCEDURAL MATTERS

A. Filing Schedules

5. This investigation will be conducted as a notice and comment proceeding. Nevada Bell is directed to respond to the issues described in this Order no later than **July 13, 1992**. This response should be captioned "Supplemental Direct Case." The supplemental direct case must supply all information upon which Nevada Bell relies to support its positions (apart from the possible exceptions noted in para. 4, supra). Parties responding to this direct case must caption their responses as "Opposition to Supplemental Direct Case" or "Comments on Supplemental Direct Case," and may be filed no later than **August 17, 1992**. Nevada Bell may file a "Rebuttal" to oppositions or comments no later than **September 15, 1992**.

7653 (1991); Amendments of Part 69 of the Commission's Rules Relating to the Creation of Access Charge Subelements for Open Network Architecture, CC Docket Nos. 89-79, 88-2, 7 FCC Rcd 811 (Com.Car.Bur. 1992). That waiver petition is still pending.

⁴ Issue (1) is directed to carriers developing unit investment for BSEs on the basis of the (short run) marginal investment option of SCIS and SCM. As Nevada Bell develops unit investment for the BSEs in Transmittal 130 using the average basis assumption within the SCIS model, issue (1) is not applicable to Nevada Bell in this case.

6. An original and seven copies of all pleadings shall be filed with the Secretary of the Commission. In addition, one copy shall be delivered to the Commission's commercial copying firm, Downtown Copy Center, Room 246, 1919 M Street, N.W., Washington, D.C. 20554. Also, one copy shall be delivered to the Tariff Division, Room 518, 1919 M Street, N.W., Washington, D.C. 20554. Members of the general public who wish to express their views in an informal manner regarding the issues in this investigation may do so by submitting one copy of their comments to the Secretary, Federal Communications Commission, 1919 M Street, N.W., Room 222, Washington, D.C. 20554. Such comments should specify the docket number of this investigation.

7. All relevant and timely pleadings will be considered by the Commission. In reaching a decision, the Commission may take into account information and ideas not contained in pleadings, provided that such information or a writing containing the nature and source of such information is placed in the public file, and provided that the fact of reliance on such information is noted in the Order.

B. Ex Parte Requirements

8. Ex parte contacts (i.e., written or oral communications which address the procedural or substantive merits of the proceeding which are directed to any member, officer, or employee of the Commission who may reasonably be expected to be involved in the decisional process in this proceeding) are permitted in this proceeding until the commencement of the Sunshine Agenda period. The Sunshine Agenda period terminates when a final Order is released and the final Order itself is issued. Written ex parte contacts and memoranda summarizing oral ex parte contacts must be filed on the day of the presentation with the Secretary and Commission employees receiving each presentation. For other requirements, see generally Section 1.1200 et seq. of the Commission's Rules, 47 C.F.R. §§ 1.1200 et seq.

C. Paperwork Reduction Act

9. The investigation established in this Order has been analyzed with respect to the Paperwork Reduction Act of 1980 and found to contain no new or modified form, information collection, or recordkeeping, labeling, disclosure or other record retention requirements as contemplated under the statute. See 44 U.S.C. § 3502(4)(A).

V. ORDERING CLAUSES

10. Accordingly, IT IS ORDERED that, pursuant to Section 204(a) of the Communications Act of 1934, 47 U.S.C. § 204(a), and Section 0.291 of the Commission's Rules, 47 C.F.R. § 0.291, the tariff revisions contained in Nevada Bell Transmittal Nos. 130 and 132⁵ ARE SUSPENDED for one day and an investigation of the referenced tariff transmittals, and any future tariff revisions modifying those Transmittals, IS INSTITUTED.

⁵ On April 27, 1992, Nevada Bell filed Transmittal No. 132, to defer Transmittal 130 to June 11, and make minor textual corrections.

11. IT IS FURTHER ORDERED, pursuant to Sections 4(i), 4(j), 201(b), 203(c), 204(a), 205, and 403 of the Communications Act, 47 U.S.C. §§ 154(i), 154(j), 201(b), 203(c), 204(a), 205, and 403, that the issues set forth in this Order ARE DESIGNATED FOR INVESTIGATION.

12. IT IS FURTHER ORDERED that Nevada Bell SHALL FILE tariff revisions reflecting this suspension no later than 10 days from the release date of this Order. For these purposes, we waive Sections 61.58 and 61.59 of the Commission's Rules, 47 C.F.R. §§ 61.58, 61.59, and assign Special Permission No. 92-388.

13. IT IS FURTHER ORDERED that, pursuant to Section 204(a) of the Communications Act of 1934, 47 U.S.C. § 204(a), Nevada Bell shall keep accurate account of all amounts received by reason of the rates that are the subject of this investigation.

14. IT IS FURTHER ORDERED that Nevada Bell and Pacific Bell shall include a response to each item of information requested in Section III of this Order in its direct case.

15. IT IS FURTHER ORDERED that this Order shall become effective on the date of its adoption.

FEDERAL COMMUNICATIONS COMMISSION



Cheryl A. Tritt
Chief, Common Carrier Bureau