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ORIGINAL
FILE

Rochelle D. Jones
Director-Regulatory

June 22, 1992

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Ms. Donna R. Searcy
Federal Communications Commission
Room 222
1919 M Street NW
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

RE: RM-7967, AAD 92-39

Ms. Searcy:

The Southern New England Telephone Company (SNET) hereby files an original and fourteen copies of SNET's comments in opposition to the ICA, CFA Petition for Rulemaking To Require Service Quality Standards in LEC Tariffs.

Should you have any questions, please contact Paul M. Beck, Manager - Federal Regulatory at (203) 771-8787.

Respectfully submitted,

A handwritten signature in cursive script that reads "Rochelle D. Jones".

Rochelle D. Jones

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Before the
FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of)
ICA, CFA Petition for)
Rulemaking to Require)
Service Quality Standards)
in LEC Tariffs)

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

CC Docket No. RM-7967
AAD 92-39

Comments

of

The Southern New England Telephone Company

The Southern New England Telephone Company (SNET) is filing comments in opposition to the Joint Petition filed by the International Communications Association (ICA) and the Consumer Federation of America (CFA) in the above referenced proceeding.

The Joint Petitioners ask the Commission to initiate a rulemaking proceeding to require those local exchange carriers (LECs) subject to mandatory price cap regulation¹ to include certain internal quality of service standards in their annual access tariff filings.² While SNET is not a LEC subject to mandatory price cap regulation, it did elect

¹ The Public Notice of the Common Carrier Bureau, DA 92-634, released May 21, 1992, did not limit its request for Comments only to mandatory price cap LECs. See also ICA/CFA Joint Petition for Rulemaking, (Joint Petition) dated April 6, 1992 at page 11 where the petitioners state: "all of the LECs subject to price cap regulation (should) include the same service quality standards in their tariffs."

² Joint Petition at page ii.

price cap regulation effective July 1, 1991. As an elective price cap carrier, SNET files the same quarterly service quality reports with the Common Carrier Bureau (Bureau) as do the mandatory price cap carriers.³ These reports provide a means to monitor price cap LECs service quality.⁴

SNET urges the Commission to dismiss or otherwise deny the Joint Petition. No compelling reasons exist for the Commission to change its findings in the Service Quality Order⁵ whereby the Bureau specifically declined to require LECs to file all service quality standards in their respective interstate tariffs.

Contrary to the Joint Petitioners' assertion that technical standards can be tariffed with a "minimum of effort on the part of the LECs" (Id. at page iii), such a requirement would result in making the tariff a cumbersome document.⁶

³ CCB, Memorandum Opinion and Order, CC Docket No. 87-313, released May 17, 1991, para. 45; and CCB, Memorandum Opinion and Order, CC Docket No. 87-313, released August 2, 1991, footnote 3. As an elective price cap LEC, SNET files only FCC Report 43-05, ARMIS Quarterly Service Quality Reports.

⁴ CCB, Memorandum Opinion and Order, CC Docket No. 87-313, released May 17, 1991, 6 FCC Rcd 2974 at para. 5.

⁵ Id. at para. 44.

⁶ See Reply Comments of SNET, SNET Transmittal No. 531, Tariff F.C.C. No. 39, dated January 7, 1992 at page 5.

SNET supports the continued inclusion of performance standards within its tariffs through referencing technical publications.⁷ SNET opposes a requirement to include performance standards directly in access tariffs.⁸ Accepted performance standards are not static and can be expected to become more stringent as technology advances.⁹ SNET's tariffs frequently reference publications of technical forums, thereby incorporating the most recently agreed upon national performance and specifications standards. These publications are available to interexchange carriers and other users, who are frequently represented on these same technical forums and standards bodies.¹⁰

To require publication of each standard in the tariff would itself be burdensome and costly. Moreover, as standards improve, requiring tariff publication would be to

⁷ See Tariff F.C.C. No. 39, Sections 7.15.2, Digital Data Special Access Service Technical Information.

⁸ See also Price Cap Service Quality and Infrastructure Reporting, DA 91-475, CC Docket No. 87-313, Reply Comments of SNET dated April 25, 1991 at pp. 9 - 11; and Reply Comments of USTA dated April 25, 1991 at page 5.

⁹ See Reply Comments of SNET dated April 25, 1991 in Price Cap Service Quality and Infrastructure Reporting, DA 91-475, CC Docket No. 87-313 at p. 10.

¹⁰ See Tariff F.C.C. No. 39 - 82nd Revised Page 1, SNET Transmittal No. 532 dated December 31, 1991, which included changes to technical publication references to reflect current industry standards.

the customer's disadvantage, due to the inevitable lag in the publication and effective date of the tariff.

Based on the foregoing, SNET respectfully urges the Commission to dismiss or otherwise deny the Joint Petition.

Respectfully submitted,

THE SOUTHERN NEW ENGLAND
TELEPHONE COMPANY

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June 22, 1992

CERTIFICATE OF SERVICE

I, Melanie G. Raycroft, hereby certify that copies of the foregoing Comments by The Southern New England Telephone Company have been served this 22nd day of June 1992, by United States mail, first class postage prepaid, to the parties on the attached service list.


Melanie G. Raycroft
Melanie G. Raycroft

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RM-7967
AAD92-39

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