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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

DA 95-1155

In the Matter of)	
)	CC Docket No. 93-162
Pacific Bell)	
Revisions to Tariff F.C.C. No. 128)	Transmittal No. 1795

ORDER

Adopted: May 25, 1995; Released: May 26, 1995

By the Chief, Tariff Division, Common Carrier Bureau:

1. On April 14, 1995, Pacific Bell filed Transmittal No. 1795 to revise its Tariff F.C.C. No. 128. Transmittal No. 1795, which is scheduled to become effective on May 29, 1995, would revise the service intervals in several Pacific Bell wire centers where expanded interconnection is offered. This transmittal would increase the service intervals from 90 or 105 days to 120 days in certain wire centers currently offering expanded interconnection. Transmittal No. 1795 would also decrease the service interval of the SNJSCA21 wire center from 300 days to 120 days.¹

2. On May 1, 1995, MFS Communications Company, Inc. (MFS) filed a petition to reject, or suspend and investigate, the Pacific Bell transmittal. MFS contends that Pacific Bell should offer virtual collocation in lieu of physical collocation if it cannot meet a 90 day service interval to provide interconnection arrangements.²

3. On May 11, 1995, Pacific Bell filed a reply. Pacific Bell contends that the proposed service intervals are reasonable.³ Additionally, Pacific Bell maintains that it would have to increase its rates for physical collocation if a 90 day service interval were required.⁴

¹ According to Pacific Bell, the service interval for the SNJSCA21 wire center had been temporarily increased to 300 days due to a building addition, which is now completed.

² MFS Petition at 2-3.

³ Pacific Bell Reply at 3.

⁴ *Id.*

4. Transmittal No. 1795 raises the same issues regarding rate levels, rate structures, and terms and conditions of service as those identified in the *Physical Collocation Tariff Suspension Order*.⁵ Therefore, Transmittal No. 1795 is suspended for one day, following the effective date, and will be subject to the investigation initiated in the *Physical Collocation Tariff Suspension Order*. These rates will also be subject to an accounting order to facilitate any refunds that may later prove necessary.

5. IT IS ORDERED that the petition to reject, or suspend and investigate, Pacific Bell Transmittal No. 1795, Tariff F.C.C. No. 128, filed by MFS Communications Company, Inc. IS GRANTED to the extent indicated above and otherwise IS DENIED.

6. Accordingly, IT IS ORDERED that, pursuant to Section 204(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 204(a), and Section 0.291 of the Commission's Rules, 47 C.F.R. § 0.291, the revisions to Pacific Bell Tariff F.C.C. No. 128, Transmittal No. 1795, ARE SUSPENDED for one day and an investigation of the referenced tariff transmittal IS INSTITUTED.

7. IT IS FURTHER ORDERED that Pacific Bell SHALL FILE tariff revisions within five business days of the release date of this Order to reflect this suspension.

8. IT IS FURTHER ORDERED that, for these purposes, we waive Sections 61.56, 61.58, and 61.59 of the Commission's Rules, 47 C.F.R. §§ 61.56, 61.58, and 61.59. Pacific Bell should cite the "DA" number of the instant Order as the authority for this filing.

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

FEDERAL COMMUNICATIONS COMMISSION



Geraldine A. Matis
Chief, Tariff Division
Common Carrier Bureau

⁵ Ameritech Operating Companies, *et. al.*, CC Docket No. 93-162, Order, 8 FCC Rcd 4589 (1993) (*Physical Collocation Tariff Suspension Order*).