

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

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FCC 96-123

In the Matter of)
)
Policy and Rules Concerning the)
Interstate, Interexchange Marketplace)
)
)
Implementation of Section 254(g) of the)
Communications Act of 1934, as amended)

CC Docket No. 96-61

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COMMENTS OF FONE SAVER, LLC TO
NOTICE OF PROPOSED RULEMAKING

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I. INTRODUCTION

1. The commenter, Fone Saver, LLC is a company formed under the laws of the State of Connecticut dedicated to assisting residential consumers shop for and find the best long distance services for their needs.
2. These comments are directed only to that part of Section III(B) of the rulemaking on "Forbearance from Tariff Filing Requirements for Non-Dominant Interexchange Carriers" and the findings related thereto as they apply to tariff filing requirements for interexchange carriers for service provided to residential consumers. Our comments do not apply to tariff filing requirements for business customers in general or contract tariffs in particular.

II. EFFECT ON RESIDENTIAL CONSUMERS

3. Competition for consumer dollars in interexchange telecommunications services is bewildering to many residential consumers. Claims, advertising and counter advertising, complicated plans and fine print have led many consumers to simply take what they get in long distance rates.
4. Consumers encounter great difficulty today in determining the actual rate structure that they are paying today. The carriers generally will not disclose the bands and rates to average consumers calling. While they will price a particular call, this requires consumers to know who they are going to be calling when shopping for long distance. This diminishes consumers' abilities to shop for long distance.
5. Interexchange carriers have raised rates and changed plans without prior notice to consumers. This ability to change plans and rates without prior actual notice diminishes consumers' abilities to shop for long distance.
6. The existing tariff filing requirement has allowed consumers to check actual tariffs to find out rates and changes. While this is not practical for most consumers, at least this has been available for some.
7. Whenever major changes have been made to AT&T tariffs effecting residential consumers including the time period since AT&T has been declared non-dominant, the media have carried notice of the tariff filings. Without such requirements, it seems unlikely that there would have been press releases about the changes or press coverage at all.
8. While tariff filings may allow the competitors to know and respond to changes in rates, competitors will know of such changes to residential rates anyway. At most removing the tariff filing requirement will make the competitors pay for or spend money to gather the information.

9. There is nothing this commenter knows of to prevent carriers from establishing mandatory contract provisions which would allow them to continue to change their rates and plans at will without notice. Competition has not done so to date, and abolishing the tariff filing requirement does not seem likely to do so.

III. SUMMARY AND CONCLUSION

10. Consumers cannot realistically shop for long distance if they do not know the actual rates they are being charged. Without tariffs or further Commission action, many consumers will not be able to effectively shop for long distance, and will be worse off.

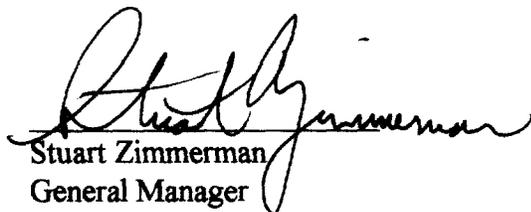
11. In paragraph 29 of the NPRM, the Commission tentatively concludes that, "requiring non-dominant interexchange carriers to file tariffs for domestic offerings is not necessary for the protection of consumers of interexchange services." For the reasons given above, we respectfully disagree as this applies to residential consumers unless other steps are taken.

12. Fone Saver hereby petitions the Commission as part of the current rulemaking to require the following before removing the tariff filing requirement for residential rates and plans:

a. That Interexchange Carriers be prohibited from raising their rates or reducing discounts without previous notice to the customers concerned.

b. That actual rate information including bands in written and oral form be available to residential consumers on request from the carriers.

Respectfully submitted,



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