



Louisiana Public Service Commission

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May 24, 1996

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Office of the Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Room 222  
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

**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  
FCC 96-123, CC Docket No. 96-61**

Dear Sir:

Enclosed is an original and eleven (11) copies of comments being submitted by the Louisiana Public Service Commission on the above docketed case. As requested, we are sending a copy of these comments to Ms. Janice Myles of the Common Carrier Bureau and the International Transcription Services, Inc.

I would appreciate these comments being filed with your Commission

Sincerely yours

Paul F. Guarisco  
Staff Attorney

jcp

File of Commission records  
List #10105 0810

Before the  
Federal Communications Commission  
Washington, D.C. 20554

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MAR 22 1996

In the Matter of ) FCC 96-123  
)  
Policy and Rules Concerning the ) CC Docket No. 96-61  
Interstate, Interexchange Marketplace )  
)  
Implementation of Section 254(g) of the )  
Communications Act of 1934, as amended )

REPLY COMMENTS OF THE  
LOUISIANA PUBLIC SERVICE COMMISSION

I. INTRODUCTION

The Louisiana Public Service Commission ("LPSC") hereby submits the following reply comments in response to the Federal Communications Commission ("FCC") Notice of Proposed Rulemaking ("NPRM") in the above captioned case issued on March 25, 1996.<sup>1</sup> This NPRM was issued in order to implement the Congressional directive set out in Section 254(g) of the Telecommunications Act of 1996 (1996 Act),<sup>2</sup> and to determine whether in advancing the policy of facilitating the growth of competition in the domestic long-distance market, the FCC should adopt a mandatory detariffing policy for domestic services of non-dominant, interexchange carriers. The following reply comments will address only regulatory forbearance.

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<sup>1</sup>*In The Matter of Policy and Rules Concerning the Interstate, Interexchange Marketplace, and Implementation of Section 254(g) of the Communications Act of 1934, as amended*, CC Docket No. 96-61, Notice of Proposed Rulemaking, FCC 96-123 (Adopted March 21, 1996 and Released on March 25, 1996).

<sup>2</sup>Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996) (to be codified at 47 U.S. C. §§ 151 et seq.). Hereinafter, the provisions of the 1996 Act will be referred to using the sections at which they will be codified.

## II. REGULATORY FORBEARANCE

In the LPSC's Comments previously submitted in this docket, the LPSC stated:

"The LPSC is genuinely concerned regarding the possible far reaching effects of the FCC's tentative proposed action in this rulemaking. If the FCC forbears from requiring the filing of tariffs by non-dominant interstate, interexchange carriers, the issue becomes whether the FCC is forbearing from enforcing a provision of the Act and hence, is prohibiting State commissions from requiring the filing of tariffs by non-dominant intrastate, interexchange carriers. Since the FCC's tentative decision may have the effect of prohibiting the LPSC and other State commissions from requiring the filing of tariffs by intrastate, interexchange carriers, the LPSC files the following comments in disagreement with the FCC's tentative conclusion to forbear." LPSC Comments at page 3.

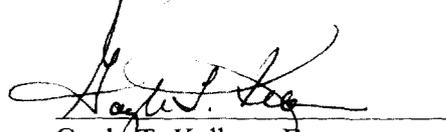
This statement was made in the prefatory remarks to the actual comments presented by the LPSC in response to the FCC proposed rulemaking. Out of an abundance of caution, the LPSC wishes to state clearly that it does not concede that if the FCC does implement a detariffing policy with regard to interstate interexchange carriers that Louisiana is preempted from requiring the filing of tariffs by intrastate interexchange carriers.

Base on the above, this comment is being submitted.

Respectfully submitted,



Lawrence C. St. Blane  
Secretary



Gayle T. Kellner, Esq.

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