all tariffed interstate special and switched access service elements. Thus, for example, incumbent LECs must provide connections to SONET Optical Carrier facilities, whether provided as an unbundled network element (*see* para. 440) or as a tariffed interstate access service; and to the interoffice transport facilities used in providing tariffed interstate access services.

The Commission should also clarify that carriers may interconnect with incumbent LECs through the collocated equipment of a third-party carrier, and therefore that the incumbent LECs have an obligation to provide cross-connects to such a third-party carrier. For example, if Carrier A (which may be a competitive LEC or a wireless service provider) desires to interconnect to an incumbent LEC's network at a particular central office, but has no transmission facilities of its own in that vicinity, it may choose to interconnect via the facilities of Carrier B which has collocated equipment in that central office. Even assuming that Carrier B were not otherwise providing telephone exchange service or exchange access (*see* paras. 184-185), the incumbent LEC should be required to provide cross-connections to Carrier B's collocated equipment pursuant to Section 251(c)(6) to enable Carrier A to interconnect at that location as it is entitled to do under the Act and the Commission's rules.

V. PRICING OF INTERCONNECTION AND UNBUNDLED ELEMENTS

A. The Commission Should Clarify Procedural Requirements for State Commission Review of TELRIC Studies

Section 51.505(e)(2) of the rules promulgated by the Commission requires that any state proceeding conducted to review a TELRIC study "shall provide notice and an opportunity for comment to affected parties," and that the cost study shall be included in the factual record of the proceeding. These requirements are also mentioned in paras. 619, 770, and 1089, but none of these

references provides any additional guidance or explanation of these procedural requirements. MFS seeks clarification of this rule in two respects.

First, the Commission should clarify whether the requirement for "notice and comment to affected parties" precludes a State commission from reviewing TELRIC studies in an arbitration proceeding between two carriers in which other carriers who may be affected by the outcome have not been permitted to intervene. Many (although not all) State commissions have chosen to limit intervention in arbitrations, in keeping with the intent of the Act to promote bilateral commercial negotiations; and, until the release of the *1st R&O*, MFS generally supported this approach. In light of § 51.505(e)(2), however, it seems that the bilateral approach to arbitrations may not be appropriate in cases where TELRIC studies are in issue, and that State commissions may be required to conduct consolidated or generic proceedings in which all interested parties have an opportunity to contest the TELRIC studies.

Second, the Commission should clarify that the requirement that a cost study be included in the factual record of a proceeding implies that other parties must have a reasonable opportunity to analyze and rebut the study during the course of the State proceeding. In the first round of arbitration proceedings conducted under the 1996 Act, most incumbent LECs have claimed that their cost studies contain proprietary information and have sought protective orders to restrict access to this information. MFS does not necessarily object to such protective orders as long as they do not unreasonably restrict other parties from reviewing and analyzing the data and the underlying algorithms and methodologies used in preparing the studies, and as long as the cost study itself is filed in the record of the proceeding (even if under seal). Any protective order that unreasonably

limits access to the data should be found to violate § 51.505(e)(2), however. Examples of unreasonable restrictions include withholding any part of the input data, algorithms, or formulas used to compute TELRIC; denying other parties copies of the study materials, or refusing to make the materials available in computer-readable format so that the data and algorithms can be tested and analyzed; and denying access to cost study materials to costing experts who are employees of a competitor of the incumbent LEC.

B. The Commission Should Clarify the Rules Regarding Geographically Deaveraged Rates

Paras. 764-65 explain the Commission's requirement that rates for interconnection and network elements must be geographically deaveraged, and that States must establish a minimum of three geographic zones to reflect geographic cost differences. MFS seeks clarification of this requirement in several respects. First, the Commission should clarify that the three-zone requirement applies on a State-wide basis, and not to each individual study areas. Some independent LEC study areas are quite small, and it would not be practicable to divide them into three zones. Further, some small study areas may not have nearly as wide a variety of geographic conditions as would be found in an entire State, so dividing a small study area into three zones might not serve any useful purpose even if it were practicable.

Second, it seems likely that there are at least some specific categories of cost that do not vary significantly among geographic areas within a State (for example, non-recurring charges are primarily determined by labor costs, which may be uniform throughout a LEC's serving area due to requirements of union contracts). The Commission should therefore clarify that it is not necessary that every individual rate element or component be geographically deaveraged.

Third, para. 784 provides that when a State uses a proxy rate, it "shall set rates such that the average rate for the particular element *in a study area* does not exceed the applicable proxy ceiling or lie outside the proxy range." (Emphasis added.) MFS does not object to this approach in general, since most of the proxy rates are either based on company-specific data or are not likely to be subject to major geographic variation. The critical exception to this, however, is the proxy loop rate, which is subject to very great geographic variation and which the Commission derived from State-wide rather than company-specific data, as explained in detail in paras. 792-794. Para. 794, in particular, specifically says that Appendix D lists "the proxy ceilings *on a statewide basis*[.]" (Emphasis added.) Also, para. 797, which deals specifically with applying the geographic deaveraging rule to the loop proxies, refers again to the "proxy ceiling set for the *statewide average* loop cost[.]" (Emphasis added.)

Under standard canons of interpretation, a more specific provision such as para. 797 (which relates specifically to unbundled loop proxies) would govern over a more general provision such as para. 784 (which applies to all types of proxies). In order to avoid any ambiguity, however, the Commission should specify that loop proxies are to serve as a ceiling on a statewide average basis, and not on a study area-specific basis. Application of these statewide proxies to individual study areas could produce absurd results—for example, if a State comprises two study areas, one of which is predominantly urban and the other predominantly rural, a literal application of para. 784 would require that the average loop rate be the same in both study areas (on an interim basis), even though the costs would obviously be higher in the rural area and the intent of the Commission's rule was that rates should reflect such cost differences.

VI. RESALE

A. The Presumption Against Restrictions on Resale Should Extend to Geographic and Premises Restrictions That Plainly Target Resellers

The Commission makes it very clear in the *1st R&O* that conditions and limitations that restrict the resale of any telecommunications service are presumed unreasonable. In particular, para. 963 mentions shared tenant services, and states that "restrictions on the resale of flat-rated offerings to multiple end users" shall be presumed unreasonable. The Commission should clarify its order, however, to establish that LECs may not accomplish the same result indirectly through tariff provisions that limit the geographic area within which a service may be used, or the number of premises that may be connected to a particular service. Historically, many LECs have not prohibited shared tenant services and other limited forms of resale, but have effectively limited the scope of resale indirectly through geographic and/or premises restrictions. These restrictions have virtually no effect on end users, since end users by nature almost always occupy either a single premise or a very limited number of closely grouped premises; but they severely limit the ability of resellers to aggregate traffic volumes from multiple end users. The Commission should declare that any tariff condition or limitation that has a disparate or disproportionate effect on resellers as compared to end users (even if it does not on its face single out resellers) should be presumed unreasonable.

B. The Commission Should Reconsider Its Rule Regarding "Grandfathered" Services.

The Commission's decision in para. 968 to require incumbent LECs to permit resale of "grandfathered" services only to those end users who are eligible to buy the service directly under the "grandfathered" tariff falls far short of solving the problem identified in the comments. As

explained below, the Commission's approach merely preserves the *appearance* of resale while forfeiting nearly all of its public interest benefits. The Commission should reverse this decision in order to avoid creating a loophole that would defeat the purpose of the resale provisions of the Act.

As the Commission has recognized in past decisions, resale can take a variety of forms. The simplest form may be called "re-branding," in which a reseller utilizes no actual facilities of its own to provide a service, and in fact purchases substantially the entire service in substantially the final form it is delivered to the customer, directly from some other underlying provider. This type of resale is typical in the long distance industry, where it is known as "switchless resale." A second form of resale is "Volume Service Aggregation," in which a carrier purchases a high-volume service or set of high volume services that are typically only available to or usable by very large customers, and then repackages and resells that service in multiple individual increments that resemble the services typically purchased by small and medium-size customers, thus enabling small and medium-size customers to avail themselves of some of the benefits that of volume purchasing that are available to large customers directly from the incumbent. This repackaging may or may not require the carrier to utilize its own equipment to some extent. Shared tenant service is a form of volume service aggregation, as is WATS resale in the interexchange market. A third form of resale is actually a hybrid facilities-based and resale strategy in which a carrier leases discrete facilities or functions from an underlying carrier, such as the use of unbundled network elements pursuant to Section 251(c)(3) of the Act, and combines these elements with features of its own network to provide a service that is functionally different from the underlying service. This method of operation is typical of many "third-tier" interexchange carriers, which

combine limited switching and transmission facilities of their own with facilities and services acquired from the larger, national carriers, to provide end-to-end service to customers.

Section 251(c)(4)(B) of the Act, by prohibiting *all* unreasonable and discriminatory conditions and limitations on resale, was plainly intended to promote all these varieties of resale. The public interest benefits of competition will be maximized if competitive entrants have the greatest degree of flexibility in deciding whether to use their own facilities, to resell services of other carriers, or to combine both these approaches in delivering services to their own customers. Under the Commission's order, however, incumbent LECs will be able to eliminate that flexibility by "grandfathering" those services that are most likely to be useful to aggregators and hybrid resellers, as US West has already attempted to do by withdrawing its Centrex Plus tariffs. "Grandfathered" services will still be available to "re-branders" who want to resell the service in precisely the same form as the incumbent LEC provides it to precisely the same user group, but other resellers will no longer have the ability to aggregate traffic from multiple end users or combine the resold service with elements of their own network in order to produce a new service. Consumers will be denied the economic efficiency benefits that could otherwise be obtained by allowing competitors unrestricted resale of the service, while the incumbent LEC will continue to provide the service, perhaps indefinitely, to the closed group of "grandfathered" users. Moreover, the incumbent LEC will presumably be free to design a "new" service that will be attractive to end users but will be designed so that it cannot easily be used by resellers, thereby further frustrating the intent of Congress and defeating the achievement of efficiency gains.

MFS submits that the Commission failed to consider that "grandfathered" services might be used by resellers in other ways beyond simple re-branding. If only re-branding were at issue, the resolution reached in the *1st R&O* might be adequate, but the Commission failed to provide any protection for other types of resale. MFS therefore seeks reconsideration of this aspect of the decision, and requests that the Commission find that LECs are prohibited from "grandfathering" a retail telecommunications service, unless they provide the service to resellers without unreasonable conditions and limitations for the same length of time that the service remains available to grandfathered end users.

VII. RECIPROCAL COMPENSATION

A. The Commission Should Clarify the Circumstances Under Which New Entrants Are Entitled to Symmetric Transport and Tandem-Switching Charges.

The concept of symmetric compensation for transport and termination of traffic is central to the Commission's model establishing the relationship between incumbent carriers and new entrants in the local exchange markets. MFS strongly supports the Commission's decision requiring that the new entrant's rates should be equal to those of the incumbent LEC. Para. 1085; 47 CFR § 51.711(a).

In para. 1090, the Commission concludes that States may establish transport and termination rates that vary according to whether the traffic is routed through a tandem switch or directly to an end office switch. The Commission then applies the principle of symmetry to tandem interconnection in the following terms—

> In such event, states shall also consider whether new technologies (*e.g.*, fiber ring or wireless networks) perform functions similar to those performed by an incumbent LEC's tandem switch and thus, whether some or all calls terminating on the new entrant's network should be priced the same as the sum of transport and termination

> via the incumbent LEC's tandem switch. Where the interconnecting carrier's switch serves a geographic area comparable to that served by the incumbent LEC's tandem switch, the appropriate proxy for the interconnecting carrier's additional costs is the LEC tandem interconnection rate.

Id. The second sentence quoted above (but not the first) is restated in only slightly different terms in 47 CFR § 51.711(a)(3).

This provision has already given rise to controversies over interpretation in several state arbitration proceedings (including MFS' arbitrations with U S West in Arizona, Colorado, Minnesota, Oregon, and Washington, and with Sprint in Florida). Because the concept of symmetry is so critical to establishing a competitive market structure, MFS urges the Commission to resolve these controversies by clarifying its decision in several respects.

First, the Commission should clarify the relationship between the two sentences quoted above from para. 1090. U S West has argued in arbitration that an interconnecting carrier must demonstrate *both* that its network performs tandem-like switching functions *and* serves a geographic area comparable to that served by the LEC's tandem in order to qualify for symmetric compensation. Since § 51.711(a)(3) provides that symmetric rates shall apply if the non-incumbent's switch serves a geographic area comparable to the area served by the incumbent LEC's tandem switch, and does not impose any other requirement, U S West's interpretation is evidently incorrect. The Commission should confirm that a non-incumbent LEC is entitled to symmetric compensation if *either* its switch serves a geographic area comparable to that of the LEC tandem, *or* its network performs functions similar to those performed by a tandem. Further, MFS is installing switches that provide tandem switching functionality. When the company has traffic sufficient to warrant two switches in an area, it likely will use its own switch for tandem features. And, it may use those features immediately by

offering tandem switching services to other new local service entrants, interexchange carriers or CMRS operators.

Second, the Commission should clarify that a "comparable" geographic area does not necessarily mean an "identical" geographic area, and that the geographic area served by a new entrant's switch includes areas that may be served exclusively through resale of the incumbent's unbundled network elements. U S West has argued that MFS' switches do not serve a "comparable" geographic area by comparing the physical extent of MFS' network facilities with those of U S West. (Sprint has made a similar argument in Florida.) Since MFS is a new entrant that has only recently begun developing networks, while U S West is an incumbent that has deployed facilities ubiquitously throughout its service territories, this comparison will always favor U S West. But, since MFS can obtain access to unbundled elements of U S West's and other LEC's networks in order to augment its own facilities, the comparison is misleading and irrelevant. MFS, or any other new entrant, should be entitled to symmetric compensation if it demonstrates that its switch will be capable of terminating traffic over a geographic area substantially larger than that served by the incumbent's *end offices*, whether through use of its own facilities or through use of unbundled network elements of the incumbent LEC.

Third, the Commission should clarify that the "tandem interconnection rate" referred to in § 51.711(a)(3) includes all rate elements assessed by the incumbent LEC for transport and termination of traffic routed through a tandem switch. This would include the tandem switching charge, transport between the tandem and the end office, as well as any charges applicable for end office termination. Sprint has argued that the "tandem interconnection" rate should be limited to the

tandem *switching* element, with no compensation for transport. This argument, however, is contradicted by para. 1090, where the Commission stated that where a new entrant's network is functionally similar to a tandem, the appropriate charge would be "the same as the *sum of transport and termination* via the incumbent LEC's tandem switch." (Emphasis added.) The Commission should therefore clarify that the "tandem interconnection" rate refers to the sum of all transport and termination charges applicable to termination via the incumbent LEC's tandem switch.

B. The Commission Should Clarify That Reciprocal Compensation Is Due on All Traffic Exchanged by the Parties.

At least one ILEC (U S West) has proposed that reciprocal compensation should not be paid on local traffic destined to an information service provider. This position appears to be based primarily, if not entirely, on U S West's view that information service providers should be paying access charges. That is an issue the Commission will undoubtedly consider in its upcoming access reform docket. It should not be litigated here, nor should carriers or State commissions be permitted to prejudge the issue by manipulating reciprocal compensation arrangements. Further, such a restriction would require MFS or U S West to somehow monitor or limit the use of their communications services. Even if the carriers wanted to do this, which MFS does not, it would violate their obligation as common carriers, and the ban would prove impossible to enforce. Any customer today can decide to offer information services through a variety of technologies. MFS asks the Commission to clarify that reciprocal compensation is due on all exchanged traffic.

VIII. CONCLUSION

MFS respectfully requests that the Commission reconsider and clarify those discrete aspects of its *1st R&O* set forth above. Although the Commission's decision was comprehensive and pro-

competitive, it is inevitable that in a decision of this scope (and especially given the limited time allowed by Congress for completion of this monumental task) there are a few rough edges that need to be smoothed out. The relatively minor adjustments proposed in this Petition will help to accomplish the goals of Congress and of this Commission, which MFS strongly supports, of implementing the 1996 Act in an effective and pro-competitive fashion.

Respectfully submitted,

Andrew D. Lipman
Russell M. Blau
SWIDLER & BERLIN, Chartered
3000 K Street, N.W., Suite 300
Washington, D.C. 20007
(202) 424-7500
Fax (202) 424-7645

Attorneys for
MFS Communications Company, Inc.

David N. Porter
Vice President, Government Affairs
MFS COMMUNICATIONS
COMPANY, INC.
3000 K Street, N.W., Suite 300
Washington, D.C. 20007
(202) 424-7709

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of September 1996 copies of a Petition For Partial Reconsideration and Clarification of MFS Communications Company, Inc. were served on the attached list by first class mail, postage prepaid.

Russell M. Blau

WILLIAM F. CATON
Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

REGINA KEENEY
Chief, Common Carrier Bureau
Federal Communications Commission
1919 M Street, N.W., Room 500
Washington, D.C. 20554

RICHARD WELCH
Chief, Policy and Program Planning Division
Federal Communications Commission
1919 M Street, N.W., Room 544
Washington, D.C. 20554

GERALDINE MATISSE
Chief Network Services Division
Common Carrier Bureau
Federal Communications Commission
2000 M Street, N.W., Room 235A
Washington, D.C. 20554

JANICE MYLES** (via diskette + 4 copies)
Common Carrier Bureau
Federal Communications Commission
1919 M Street, N.W., Room 544
Washington, D.C. 20554

INTERNATIONAL TRANSCRIPTION SERVICE**
Federal Communications Commission
1919 M Street, N.W., Room 246
Washington, D.C. 20554

Mr. Reed E. Hundt
Chairman
Federal Communications Commission
1919 M Street, N.W.
Room 814
Washington, D.C.

Mr. James H. Quello
Commissioner
Federal Communications Commission
1919 M Street, N.W.
Room 802
Washington, D.C.

Ms. Rachelle B. Chong
Commissioner
Federal Communications Commission
1919 M Street, N.W.
Room 844
Washington, D.C.

Ms. Susan Ness
Commissioner
Federal Communications Commission
1919 M Street, N.W.
Room 832
Washington, D.C.

360° Communications Company
Kevin C. Gallagher, Sr. Vice President
-- General Counsel and Secretary
8725 West Higgins Road
Chicago, IL 60631

Ad Hoc Coalition of Corporate Telecommunications Managers
Rodney L. Joyce
Ginsburg, Feldman and Bress
1250 Connecticut Avenue, N.W.
Washington, DC 20036

Ad Hoc Telecommunications Users Committee
Laura F. H. McDonald
Levine, Blaszak, Block & Boothby
1300 Connecticut Ave., NW, Suite 500
Washington, DC 20036-1703

AirTouch Communications, Inc.
David A. Gross
Kathleen Q. Abernathy
1818 N Street, N.W., Suite 800
Washington, DC 20036

Alabama Public Service Commission
Mary E. Newmeyer
John Garner
100 N. Union Street
P.O. Box 991
Montgomery, AL 36101

Alaska Public Utilities Commission
Don Schröer
1016 West Sixth Avenue, Suite 400
Anchorage, AK 99501

Alliance for Public Technology
Dr. Barbara O'Connor, Chairwoman
Mary Gardiner Jones, Policy Chair
901 15th Street, Suite 230
Washington, DC 20005

ALLTEL Telephone Services Corporation
Carolyn C. Hill
655 15th Street, N.W., Suite 220
Washington, DC 20005

American Communications Services, Inc.
Brad E. Mutschelknaus
Steve A. Augustino
Marieann K. Zochowski
Kelley Drye & Warren
1200 19th Street, NW, Suite 500
Washington, DC 20036

American Mobile Telecommunications Association, Inc.
Alan R. Shark, President
1150 18th Street, NW, Suite 250
Washington, DC 20036

American Network Exchange, Inc. and U.S. Long Distance, Inc.
Danny E. Adams
Steven A. Augustino
Kelley, Drye & Warren, LLP
1200 19th Street, NW, Suite 500
Washington, DC 20036

American Personal Communcations
Anne P. Schelle, Vice President,
External Affairs
One Democracy Center
6901 Rockledge Drive, Suite 600
Bethesda, MD 20817

American Public Communications Council
Albert H. Kramer
Robert F. Aldrich
Dickstein, Shapiro & Morin, LLP
2101 L Street, NW
Washington, DC 20037-1526

American Public Power Association
James Baller
Lana Meller
The Baller Law Group
1820 Jefferson Place, NW, Suite 200
Washington, DC 20036

Ameritech
Antoinette Cook Bush
Linda G. Morrison
Skadden, Arps, Slate, Meagher & Flom
1440 New York Ave., NW
Washington, DC 20005

Anchorage Telephone Utility
Paul J. Berman
Alane C. Weixel
Covington & Burling
1201 Pennsylvania Avenue, N.W.
P.O. Box 7566
Washington, DC 20044-7566

Arch Communications Group, Inc.
Carl W. Northrop
Christine M. Crowe
Paul, Hastings, Janofsky & Walker
1299 Pennsylvania Avenue, N.W., 10th Floor
Washington, DC 20004

Association for Local Telecommunications Services
Richard J. Metzger
Emily M. Williams
1200 19th Street, NW, Suite 560
Washington, DC 20036

AT&T Corporation
Mark E. Haddad
James P. Young
Sidley & Austin
1722 Eye Street, N.W.
Washington, D.C. 20006

Bay Springs Telephone Co., Inc.,; Crockett Telephone Co.; National Telephone Company of Alabama; Peoples Telephone Company; Roanoke Telephone Company; and West Tennessee Telephone Company
James U. Troup
Arter & Hadden
1801 K Street, N.W., Suite 400 K
Washington, DC 20006

Bell Atlantic
Michael E. Glover
Leslie A. Vial
James G. Pachulski
Lydia Pulley
1320 North Court House Rd, 8th Floor
Arlington, Va 22201

Bell Atlantic Nynex Mobile, Inc.
John T. Scott, III
Crowell & Moring
1001 Pennsylvania Avenue, N.W.
Washington, DC 20004

BellSouth
M. Robert Sutherland
Richard M. Sbaratta
A. Kirvin Gilbert III
Suite 1700
1155 Peachtree Street, N.E.
Atlanta, GA 30309-3610

Buckeye Cablevision
Mark J. Palchick
Stephen M. Howard
Vorys, Sater, Seymour & Pease
1828 L Street, N.W., Suite 1111
Washington, DC 20036

Cable & Wireless, Inc.
Danny E. Adams
John J. Heitmann
KELLEY DRYE & WARREN LLP
1200 19th Street, NW
Washington, DC 20036

Cellular Telecommunications Industry Association
Michael F. Altschul, Vice President, General Counsel
Randall S. Coleman, Vice President for Regulatory Policy and Law
1250 Connecticut Avenue, NW, Suite 200
Washington, DC 20036

Centennial Cellular Corp.
Richard Rubin
Steven N. Teplitz
Fleischman and Walsh, L.L.P.
1400 Sixteenth Street, N.W., Suite 600
Washington, DC 20036

Cincinnati Bell Telephone
Thomas E. Taylor
Jack B. Harrison
Frost & Jacobs
2500 PNC Center
201 East Fifth Street
Cincinnati, OH 45202

Colorado Independent Telephone Association
Norman D. Rasmussen
Executive Vice President
3236 Hiwan Drive
Evergreen, CO 80439

Colorado Public Utilities Commission
Robert J. Hix, Chairman
Vincent Majkowski, Commissioner
1580 Logan Street, Office Level 2
Denver, CO 80203

Communications and Energy Dispute Resolution Associates
Gerald M. Zuckerman
Edward B. Myers
International Square
1825 I Street, N.W., Suite 400
Washington, DC 20006

Competitive Telecommunications Association
Robert J. Aamoth
Wendy I. Kirchick
Reed Smith Shaw & McClay
1301 K Street, NW, Suite 1100 East Tower
Washington, DC 20005

Competition Policy Institute
Ronald J. Binz, President
Debra Berlyn, Executive Director
1156 15th Street, N.W., Suite 310
Washington, DC 20005

Connecticut Department of Public Utility Control
Reginald J. Smith, Chairperson
10 Franklin Square
New Britain, CT 06061

Consumer Federation of America (CFA) and Consumers Union (CU)
Bradley C. Stillman, Esq.,
Consumer Federation of America
1424 16th Street, N.W.
Washington, DC 20036

Cox Communications, Inc.
Werner K. Hartenberger
Leonard J. Kennedy
Laura H. Phillips
J.G. Harrington
Dow, Lohnes & Albertson
1200 New Hampshire Avenue, NW, Ste. 800
Washington, DC 20036

Department of Defense, Office of the Secretary
Rebecca S. Weeks, Lt Col, USAF
Staff Judge Advocate
Carl W. Smith, Chief Regulatory
Counsel Telecommunications, DOD
Defense Information Systems Agency
701 S. Courthouse Road
Arlington, VA 22204

Department of Defense
Robert N. Kittel, Chief Regulatory Law Office
Cecil O. Simpson, Jr., General Attorney
Office of the Judge Advocate General
U.S. Army Litigation Center
901 N. Stuart Street, Suite 713
Arlington, VA 22203-1837

Department of Justice
Anne K. Bingaman, Assistant Attorney General
Antitrust Division
555 4th Street, N.W., Room 8104
Washington, DC 20001

District of Columbia Public Service Commission
Lawrence D. Crocker, III
Acting General Counsel
450 Fifth Street, NW
Washington, DC 20001

Excel Telecommunications, Inc.
Thomas K. Crowe
Law Offices of Thomas K. Crowe, P.C.
2300 M Street, N.W.
Washington, DC 20037

Florida Public Service Commission
Cynthia Miller
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Frontier Corporation
Michael J. Shortley, III
180 South Clinton Avenue
Rochester, NY 14646-0700

General Communication, Inc.
Kathy L. Shobert
Director, Federal Affairs
901 15th Street, N.W., Suite 900
Washington, DC 20005

General Services Administration
Emily C. Hewitt, General Counsel
Vincent L. Crivella, Associate General
Counsel, Personal Property Division
18th & F Streets, N.W., Room 4002
Washington, DC 20405

Georgia Public Service Commission
Dave Baker, Chairman
B.B. Knowles, Director of Utilities
244 Washington, Street, SW
Atlanta, GA 30334-5701

GTE Service Corporation
Richard E. Wiley
R. Michael Senkowski
Jeffrey S. Linder
Wiley, Rein & Fielding
1776 K Street, NW
Washington, DC 20006

Guam Telephone Authority
Veronica M. Ahern
Nixon Hargrave Devans & Doyle LLP
One Thomas Circle, NW, Suite 800
Washington, DC 20005

GVNW Inc.
Robert C. Schoonmaker, Vice Pesident
P.O. Box 25969
(2270 La Montana Way)
Colorado Springs, CO 80936 (80918)

Home Telephone Company, Inc.
H. Keith Oliver, Accounting Manager
200 Tram Street
Moncks Corner, SC 29461

Idaho Public Utilities Commission
P.O. Box 83720
Boise, ID 83720-0074

Illinois Independent Telephone Association
Dwight E. Zimmerman, Executive Vice President
RR 13, 24B Oakmont Road
Bloomington, IL 61704

Indiana Utility Regulatory Commission
Robert C. Glazer, Director of Utilities
Indiana Government Center South
302 West Washington, Suite E306
Indianapolis, IN 46204

Information Technology Industry Council
Fiona Branton, Director, Government Relations and Regulatory Counsel
1250 Eye Street, N.W.
Washington, DC 20005

Intelcom Group (U.S.A.), Inc.
Albert H. Kramer
Robert F. Aldrich
Dickstein, Shapiro & Morin, LLP
2101 L Street, NW
Washington, DC 20037-1526

Intermedia Communications, Inc.
Jonathan E. Canis
Reed Smith Shaw & McClay
1301 K Street, NW
Suite 1100 East Tower
Washington, DC 20005

International Communications Association
Brian R. Moir
Moir & Hardman
2000 L Street, NW, Suite 512
Washington, DC 20036-4907

Iowa Utilities Board
William H. Smith, Jr., Chief
Bureau of Rate and Safety Evaluation
Lucas State Office Building
Des Moines, IA 50319

John Staurulakis, Inc.
Michael S. Fox, Director, Regulatory Affairs
6315 Seabrook Road
Seabrook, MD 20706

Jones Intercable, Inc.
Christopher W. Savag
Navid C. Haghighi
Cole, Raywid & Braverman, LLP
1919 Pennsylvania Avenue, NW, Ste. 200
Washington, DC 20006

Kansas Corporation Commission
David Heinemann, General Counsel
Julie Thomas Bowles, Asst. Gen. Counsel
1500 SW Arrowhead Road
Topeka, KS 66604

Kentucky Public Service Commission
May E. Dougherty
PO Box 615
Frankfort, KY 40602

LCI International Telecom Corp.,
Robert J. Aamoth
Reed Smith Shaw & McClay
1301 K Street, NW, Suite 1100, East Tower
Washington, DC 20005

LDDS Worldcom, Inc.
Peter A. Rohrbach
Linda L. Oliver
Kyle Dixon
Hogan & Hartson, LLP
555 Thirteenth Street, N.W.
Washington, DC 20004

Lincoln Telephone and Telegraph Company
Robert A. Mazer
Albert Shuldiner
Mary Pape
Vinson & Elkins
1455 Pennsylvania Avenue, N.W.
Washington, DC 20004-1008

Lucent Technologies, Inc.
Stephen R. Rosen
Theodore M. Weitz
475 South Street
Morristown, NJ 07962-1976

Maine Public Utilities Commission
Joel B. Shifman, Esq.
242 State Street, State House Station No. 18
Augusta, ME 04333-0018

Maryland Public Service Commission
Bryan G. Moorhouse, General Counsel
Susan Stevens Miller, Asst. General Counsel
6 St. Paul Street
Baltimore, MD 21202

Massachusetts Attorney General Scott Harshbarger
Daniel Mitchell, Asst. Attorney General
Regulated Industries Division, Public Protection Bureau
200 Portland Street, Fourth Floor
Boston, MA 02114

Massachusetts Department of Public Utilities
John B. Howe, Chairman
Mary Clark Webster, Commissioner
Janet Gail Besser, Commissioner
100 Cambridge Street, 12th Floor
Boston, MA 02202

MCI Telecommunications Corporation
Don Sussman
Larry Fenster
Charles Goldfarb
Mark Bryant
Mary L. Brown
1801 Pennsylvania Ave., NW
Washington, DC 20006

Metricom, Inc.
Henry M. Rivera
Larry S. Solomon
J. Thomas Nolan
Ginsburg, Feldman & Bress, Chtd.
1250 Connecticut Avenue, N.W.
Washington, DC 20036

Michigan Exchange Carriers Association
Glen A. Schmiege
Mark J. Burzych
Foster, Swift, Collins & Smith, P.C.
313 South Washington Square
Lansing, MI 48933

Michigan Public Service Commission
John G. Strand
Ronald E. Russell
John L. O'Donnell
6545 Mercantile Way
Lansing, MI 48911

Minnesota Independent Coalition
Richard J. Johnson
Michael J. Bradley
Moss & Barnett
4800 Norwest Center
90 South Seventh Street
Minneapolis, MN 55402-4129

Missouri Public Service Commission
Harold Crumpton, Commissioner
P.O. Box 360
Jefferson City, MO 65102

MobileMedia Communications, Inc.
Gene P. Belardi, Vice President
2101 Wilson Boulevard, Suite 935
Arlington, VA 22201

Montana Public Service Commission
Karen Finstad Hammel, Esq.
1701 Prospect Avenue
P.O. Box 202601
Helena, MT 59620-2601

Municipal Utilities
James N. Horwood
Scott H. Strauss
Wendy S. Lader
Spiegel & McDiarmid
1350 New York Avenue, NW
Washington, DC 20005

Natl. Association of Regulatory Utility Commissioners
Paul Rodgers
Charles D. Gray
James Bradford Ramsay
1201 Constitution Avenue, N.W., Suite 1102
1102 ICC Building
P.O. Box 684
Washington, DC 20044

National Association of State Utility Consumer Advocates (NASUCA)
Martha S. Hogerty
1133 15th Street, N.W., Suite 550
Washington, DC 20005

National Cable Television Association, Inc.
Daniel L. Brenner
Neal M. Goldberg
David L. Nicoll
1724 Massachusetts Ave., NW
Washington, DC 20036

National Exchange Carrier Association, Inc.
Joanne Salvatore Bochis
100 South Jefferson Road
Whippany, NJ 07981

National Wireless Resellers Association
Douglas L. Povich
Kelly & Povich, P.C.
1101 30th Street, NW
Washington, DC 20007

Nextlink Communications, L.L.C.
J. Scott Bonney, Vice President, Regulatory External Affairs
155 108th Avenue, NE
Bellevue, WA 98004

Nextel Communications, Inc.
Robert S. Foosaner, Sr. Vice President, Gen. Couns.
Lawrence R. Krevor, Director
Laura L. Holloway, General Attorney
800 Connecticut Avenue, N.W., Suite 1001
Washington, DC 20006

North Carolina Public Utilities Commission Public Staff
Antoinette R. Wike, Chief Counsel
PO Box 29520
Raleigh, NC 27626-0520

North Dakota Public Service Commission
Bruce Hagen, Commissioner
Susan E. Wefald, President
Leo M. Reinbold, Commissioner

Northern Telecom
Stephen L. Goodman
Halprin, Temple, Goodman & Sugrue
1100 New York Avenue, N.W.
Suite 650, East Tower
Washington, DC 20005

NYNEX Telephone Companies
Saul Fisher
William J. Balcerski
1111 Westchester Avenue
White Plains, NY 10604

Office of the Ohio Consumers' Counsel
David C. Bergman
Thomas J. O;Brien
77 South High Street, 15th Floor
Columbus, OH 43266-0550

Ohio Public Utility Commission
Steven T. Nourse
Jodi Jenkins Bair
180 East Broad Street
Columbus, OH 43215-3793

Oklahoma Corporation Commission
Ernest G. Johnson, Director
Public Utility Division
John Gray, Senior Asst. General Counsel
Office of General Counsel
Maribeth D. Snapp, Deputy General Counsel
PO Box 25000-2000
Oklahoma City, OK 73152-2000

Omnipoint Corporation
Mark J. Tauber
Mark J. O'Connor
Piper & Marbury, L.L.P.
1200 19th Street, N.W., Seventh Floor
Washington, DC 20036

Oregon Public Utility Commission
W. Benny Won
Public Utility Section
1162 Court Street, NE
Salem, OR 97310

Pacific Telesis Group
Marlin D. Ard
Randall E. Cape
John W. Bogy
140 New Montgomery Street
Room 1625
San Francisco, CA 94105

Margaret E. Garber
1275 Pennsylvania Avenue, NW
Washington, DC 20004

Paging Network, Inc.
Judith St. Ledger-Roty
Paul G. Madison
Reed Smith Shaw & McClay
1301 K Street, N.W., Suite 1100
Washington, DC 20005-3317

Pennsylvania Public Utility Commission
Maureen A. Scott, Assistant Counsel
P.O. Box 3265
Harrisburg, PA 17105-3265

Personal Communications Industry Association
Mark J. Golden, Vice President
-- Industry Affairs
Robert R. Cohen
500 Montgomery Street, Suite 700
Alexandria, VA 22314-1561

ProNet Inc.
Jerome K. Blask
Daniel E. Smith
Gurman, Blask & Freedman, Chtd.
1400 Sixteenth St., NW, Suite 500
Washington, DC 20036

Puerto Rico Telephone Company
Joe D. Edge
Richard J. Arsenault
Tina M. Pidgeon
Drinker, Biddle & Reath
901 15th Street, N.W.
Washington, DC 20005

Roseville Telephone Company
George Petrutsas
Paul J. Feldman
Fletcher, Heald & Hildreth, P.L.C.
1300 North 17th Street, 11th Floor
Rosslyn, VA 22209

Rural Telephone Coalition
Margot Smiley Humphrey
NRTA
Koteen & Naftalin, LLP
1150 Connecticut Avenue, NW, Ste. 1000
Washington, DC 20036

SBC Communications Inc.
James D. Ellis
Robert M. Lynch
David F. Brown
175 E. Houston, Room 1254
San Antonio, TX 78205

Scherers Communications Group, Inc.
Susan Drombetta
Manager - Rates and Tariffs
575 Scherers Court
Worthington, OH 43085

SDN Users Association, Inc.
Reginald R. Bernard, President
P.O. Box 4014
Bridgewater, NJ 08807

Small Business Administration
Jere W. Glover, Esq., Chief Counsel
David W. Zesiger, Esq., Assistant
Chief Counsel
Office of Advocacy
409 Third Street, S.W., Suite 7800
Washington, DC 20416

Small Cable Business Association
Eric E. Breisach
Christopher C. Cinnamon
Howard & Howard
107 W. Michigan Ave., Suite 400
Kalamazoo, MI 49007

South Carolina Public Service Commission
R. Glenn Rhyne, Manager-Research Dept.
111 Doctors Circle (P.O. Drawer 11649)
Columbia, SC 29203 (29211)