

EX PARTE OR LATE FILED

DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP

2101 L Street NW • Washington, DC 20037-1526
Tel (202) 785-9700 • Fax (202) 887-0689

Writer's Direct Dial: 202-828-2226
A5691.524

RECEIVED

APR 1 1997

Federal Communications Commission
Office of Secretary

April 1, 1997

BY COURIER

Mary Beth Richards
Deputy Bureau Chief
Common Carrier Bureau
Federal Communications Commission
1919 M Street, N.W., Room 500
Washington, DC 20554

**EX PARTE
PRESENTATION**

Re: *Correction of Letter re State Tariffing Requirements of the Commission's Orders in Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996, CC Docket No. 96-128*

Dear Mary Beth:

In our two-page letter to you dated March 28, 1997, we stated that "[t]o APCC's knowledge, not a single Bell Company filed any state tariff revisions in response to the Reconsideration Order to adjust its existing 'COCOT' service ('dumb line') rates to bring them into compliance with the new services test."

Information has come to our attention which requires a modification of that statement but does not change the overall conclusion. Southwestern Bell's January 15 tariff filings in three states, Arkansas, Kansas and Texas, proposed to revise its "dumb line/smart phone" tariffs to eliminate the message rate associated with that service. In addition, in Texas, Southwestern Bell proposed to reduce the line rate.

0+1

Mary Beth Richards
April 1, 1997
Page 2

We regret this error. Based on our information, which included most but not all states, we are unaware of any other instance in which Bell companies proposed to reduce existing "dumb line/smart phone" service charges in response to the FCC's Payphone Orders. Therefore, we believe it is correct to state, as we did in our March 26 Motion for a Ruling on the Bell Companies' Compliance with the Payphone Orders at 9-10, that "virtually none of the BOCs attempted to implement the requirement that 'COCOT' service be reтарiffed at cost-based rates under the 'new services' test."

Sincerely,



Albert H. Kramer

AHK/nw

cc: Tom Boasberg	Craig Brown
Jim Coltharp	Christopher Heimann
Dan Gonzalez	Michelle Carey
Jim Casserly	Michael Pryor
A. Richard Metzger	Michael Carowitz
Regina Keeney	Dan Abeyta
Richard Welch	Carol Matthey
Rose M. Crellin	Judy Nitsche
Ann Stevens	John B. Muleta
Blaise Scinto	Radhika Karmarkar
Linda Kinney	Brent Olson