granted to SWBT in this Order is contingent upon the CAM amendments associated with SWBT's provision of payphone service going into effect.[157]

D. Other Issues

1. Sufficiency

60. APCC and Telco generally assert that SWBT's CEI plan insufficiently describes how SWBT intends to comply with the CEI requirements; therefore, these parties request that the Commission require SWBT either to amend or refile its plan.[158] As discussed above, however, we find that SWBT adequately complies with each of the required parameters.

2. Tariffing Issues

61. APCC alleges that SWBT is not pricing its COPTS and SmartCoin features at cost-based rates as the *Payphone Order* requires and, therefore, that SWBT must be required to disclose the cost methodologies used to develop its COPTS and SmartCoin services.[159] In reply, SWBT claims that complaints about its tariffed rates and costing methodologies are not relevant to a determination of whether SWBT's CEI plan should be approved. State rate and costing issues, SWBT maintains, will be decided before the various state commissions and federal tariff rates and costing methodologies will be decided by the Commission.[160]

62. We agree with SWBT that the state and federal payphone tariff proceedings are the appropriate fora to address whether tariffed rates are cost-based and non-discriminatory. The Commission stated in the *Reconsideration Order*, that it would "rely on the states to ensure that the basic payphone line is tariffed by the LECs in accordance with the requirements of [s]ection 276."[161] That order required that the tariffs for these LEC services must be: (1) cost based; (2) consistent with the requirements of section 276 with regard, for example, to the removal of subsidies from exchange and exchange access services; and (3) nondiscriminatory.[162] In addition, the order established that "[s]tates must apply these

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[157] *See* SWBT March 19 *Ex Parte* at 2 (stating that SWBT filed its CAM on February 14, 1997).

[158] APCC at 1-3; Telco at 1-3.

[159] APCC at 10-11.

[160] SWBT Reply at 12.

[161] *Reconsideration Order* at para. 163.

[162] *Reconsideration Order* at para. 163; *see also id.* at n.492 (noting that the "new services test required in the *Report and Order* is described at 47 C.F.R. Section 61.49(g)(2)").

requirements and the *Computer III* guidelines for tariffing such intrastate services."[163] The order further stated that "[w]here LECs have already filed intrastate tariffs for these services, states may, after considering the requirements of this order, the *Report and Order*, and section 276 conclude: 1) that existing tariffs are consistent with the requirements of the *Report and Order* as revised herein; and 2) that in such case no further filings are required."[164] Finally, the Commission noted that "[s]tates unable to review these tariffs may require the LECs operating in their state to file these tariffs with the Commission."[165] Similarly, we find that the objections to the rates in SWBT's federal tariff appropriately are raised in this Commission's tariff proceeding where, in fact, APCC has filed a petition challenging SWBT's rates.[166]

3. Screening Codes

63. APCC and MCI contend that SWBT is required, pursuant to the *Reconsideration Order*, to provide PSPs using COPTS lines with screening digits that uniquely identify their lines as payphone lines.[167] APCC asserts that if SWBT transmits a unique screening code only on its SmartCoin lines, which is primarily used by SWBT's own payphone division, and not on its COPTS lines, which are primarily used by PSPs, SWBT is discriminating in favor its payphone division by providing it a great advantage in the collection of per-call compensation from IXCs. In addition, MCI maintains that SWBT's plan does not provide screening code digits that can be "transmitted by PSPs for all access methods and from all locations."[168]

64. In reply, SWBT asserts that the transmission of screening code digits does not fall under any of the CEI plan requirements or other nonstructural requirements under

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[163] *Reconsideration Order* at para. 163.

[164] *Id.*

[165] *Id.*

[166] Petition of APCC to Reject, or Alternatively, to Suspend and Investigate, Proposed Tariff Revisions in SWBT Transmittal No. 2608, filed February 10, 1997. *See also* Petition of MCI to Reject, or Alternatively, to Suspend and Investigate, Proposed Tariff Revisions in SWBT Transmittal No. 2608, filed February 10, 1997.

[167] APCC at 19-21; MCI at 1-2. Screening code digits allow interexchange carriers (IXCs) to track payphone calls for the purpose of paying per-call compensation to LECs. As APCC states, "with a unique screening code, the IXC knows immediately that a call is compensable, and should not have to take any further steps in order to calculate the compensation due for each particular ANI invoiced by an [independent PSP]." APCC at 21.

[168] MCI at 3. MCI maintains that, for example, LECs "do not provide automatic number identification or information digits with feature group B access and from non-equal access areas." Accordingly, argues MCI, "PSPs would not be able to transmit specific payphone coding digits from payphones in these circumstances and, therefore, they would not be eligible for compensation." *Id.*

Computer III.[169] Nevertheless, SWBT recognizes that pursuant to the payphone rulemaking proceeding, it must transmit screening code digits to allow IXCs to track payphone calls for the purpose of paying compensation. SWBT contends that SmartCoin lines, including those used by SWBT, will transmit a "27" screening code indicating to IXCs that the originating line is a LEC payphone, and all COPTS lines, including those used by SWBT, will transmit an "07" screening code indicating to the IXC that the originating line requires special operator handling. SWBT explains that a screening code discretely identifying the COPTS line as a payphone line will be provided to IXCs through the use of SWBT's Line Information Data Base (LIDB).[170]

65. We find that the issue of whether SWBT is providing screening information in compliance with the requirements established in the payphone rulemaking proceeding to be outside the scope of the CEI review process and is more appropriately raised in that proceeding or in other proceedings.[171]

4. Numbering Assignments

66. According to APCC, the *Payphone Order* requires LECs to assign line numbers to payphones on a nondiscriminatory basis.[172] It contends that SWBT's CEI plan is deficient in that it does not describe its number assignment policy or how that policy will be applied to SWBT's payphone operation and other PSPs.[173] For example, APCC maintains that SWBT should be required to reallocate the numbers assigned to the existing base of payphones, without charge, so that an equal percentage of LEC payphones and PSPs are assigned 8000 and 9000 series numbers.[174] In reply, SWBT asserts that it presently assigns new payphone

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[169] SWBT Reply at 25-26.

[170] *Id.* at 28.

[171] *See, e.g., Policy and Rules Concerning Operator Service Access and Pay Telephone Compensation*, CC Docket No. 91-35, CCB/CPD File Nos. 96-18, 96-25, and 96-32, *Memorandum Opinion and Order*, DA 96-2169 (Com. Car. Bur. rel. Dec. 20, 1996) at 2 n. 7 (citing MCI petition for clarification of LECs' obligation to provide screening code digits and stating that MCI's petition would be addressed in a subsequent order). The Commission declined to require PSPs to use COCOT lines to secure such digits. We note that in its *Reconsideration Order*, the Commission stated that, once per-call compensation becomes effective, "[e]ach payphone must transmit coding digits that specifically identify it as a payphone, and not merely as a restricted line." *Reconsideration Order* at para. 64. That order further required that "all LECs must make available to PSPs, on a tariffed basis, such coding digits as part of the ANI for each payphone." *Id.*

[172] APCC at 18 (citing *Payphone Order* at para. 149).

[173] *Id.* at 18-19.

[174] *Id.* at 18-19 n.14. APCC states that assignment of numbers in the 8000 to 9000 range provides a distinct advantage in the prevention of fraud by alerting overseas operators to refrain from completing collect calls to such numbers.

numbers randomly to both its own payphone operations and to other PSPs and does not prefer or discriminate in making such assignments.[175]

67. We agree with APCC that the *Payphone Order* requires LECs to provide numbering assignments on a nondiscriminatory basis; it did not, however, require LECs to reallocate existing number assignments.[176] SWBT represents that it presently assigns payphone numbers on a nondiscriminatory basis. We conclude that no further showing is required by SWBT in the context of this CEI plan.

5. Dialing Parity

68. MCI also asserts that SWBT does not explain how it will comply with the dialing parity requirement in the *Payphone Order*, including access to operator services, directory assistance, and directory listings.[177]

69. The *Payphone Order* concluded that the dialing parity requirements adopted pursuant to section 251(b)(3) of the Communications Act should extend to all payphone location providers.[178] The Commission stated that such dialing parity for payphones should be implemented at the same time as dialing parity for other telephones.[179] SWBT must, of course, comply with these requirements. We conclude, however, that SWBT is not required as part of the CEI process to demonstrate how it will comply with the dialing parity requirement. The Commission specified in the *Payphone Order* that the BOC's CEI plan describe how it will conform to the CEI requirements with respect to the specific payphone services it intends to offer and how it will unbundle those basic payphone services.[180] We find MCI's request that SWBT detail how it intends to comply with the dialing parity requirement, therefore, to be beyond the scope of this CEI review proceeding.

6. Uncollectibles

70. AT&T asserts that SWBT must explain its treatment of uncollectibles due to fraud. AT&T contends that, to the extent SWBT establishes a policy of foregoing uncollectibles due to fraud for its payphone service affiliates, the same treatment must be

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[175] SWBT Reply at 25.

[176] *Payphone Order* at para. 149.

[177] MCI at 3.

[178] *Payphone Order* at para. 292.

[179] *Id.*

[180] *Id.* at para. 203-04.

accorded to non-affiliates.[181] In reply, SWBT asserts that all "bad debt" will be recorded solely in SWBT's payphone operations accounts, which will be entirely responsible for the loss.[182] According to SWBT, the only funding to SWBT's payphone operations will come from payphone revenue.[183] We find that, while the *Payphone Order* generally requires that fraud protection must be available on a nondiscriminatory basis, it does not establish any specific requirements for uncollectibles. Because the issue of the treatment of uncollectibles appears to raise principally accounting matters, that issue will be addressed in the review of SWBT's CAM.

7. Operator Services

71. APCC contends that SWBT's CEI plan fails to address whether SWBT's operator services are part of its deregulated payphone services.[184] If SWBT's operator services are regulated, APCC claims that SWBT must demonstrate that it is not subsidizing its payphone operations or discriminating between its payphone operations and other PSPs in the provision of these services. For example, if SWBT is offering a commission to its payphone operations for presubscribing its payphones to SWBT's operator services, then such commissions must also be available to independent PSPs on the same terms and conditions.[185] SWBT responds that its operator services are regulated and will be offered to affiliated and nonaffiliated PSPs on a nondiscriminatory basis.[186] Further, SWBT asserts that it presently offers a commission plan to independent PSPs for operator services and intends to make the same commission arrangement available to its own deregulated payphone operations.[187] We note that, in the *Reconsideration Order,* the Commission declined to require LECs to make available, on a nondiscriminatory basis, any commission payments provided to their own payphone divisions in return for the presubscription of operator service traffic to the LEC, because the Commission concluded that the level of 0+ commissions paid pursuant to contract on operator service calls was beyond the scope of section 276 and the *Payphone* proceeding.[188] We conclude therefore that SWBT has sufficiently addressed the concerns raised by APCC.

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[181] AT&T at 4.

[182] SWBT Reply at 18.

[183] *Id.*

[184] APCC at 22-23.

[185] *Id.* at 22.

[186] SWBT Reply at 22-23.

[187] *Id.*

[188] *Reconsideration Order* at para. 52.

8. Inmate Calling Services Issues

72. The Inmate Calling Service Provider Coalition (ICSPC) and AT&T raise a number of issues related to the provision of inmate calling services (ICS). ICSPC and AT&T contend that SWBT should be required to identify the network support and tariffed services its regulated operations will provide to its ICS operations.[189] ICSPC also argues that SWBT must disclose whether its regulated operations will provide its ICS operations with inmate call processing and call control functions, information for fraud protection, and the validation of called numbers.[190] ICSPC contends that such services or information must be provided to other carriers on a nondiscriminatory basis. More specifically, to ensure that SWBT is not treating its affiliated inmate payphones differently than the inmate payphones of other PSPs, AT&T suggests that the Commission should require SWBT to set forth in its CEI plan and tariffs the network-based functionalities for inmate payphones that are currently available and make them available to all PSPs at the same rates, and under the same terms and conditions.[191] According to ICSPC, SWBT's failure to describe its provision of ICS in detail prevents the Commission from determining whether SWBT has complied with the requirements of section 276.[192] In addition, ICSPC asserts that SWBT should be required to disclose whether its payphone operations will be responsible for the cost of ICS calls for which SWBT payphone operations do not receive compensation.

73. ICSPC also asserts that SWBT must show that any call processing and call control system used for its ICS is being provided on a deregulated basis, regardless of whether that system is located at a central office or at a customer premises.[193] According to ICSPC, to the extent SWBT's call processing and call control systems dedicated to ICS are located in SWBT's central offices, SWBT must provide physical or virtual collocation to other providers.[194] ICSPC also contends that SWBT must disclose information on interfaces between SWBT's equipment dedicated to ICS and its regulated network support services, so that other providers can utilize the same interface if they wish.[195]

74. In a subsequent *ex parte* filing, ICSPC argues that section 276 requires the BOCs to treat collect call processing for ICS as part of their nonregulated ICS operations

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[189] ICSPC at 2-3, 10.

[190] *Id.* at 10-12, 14-16, 18.

[191] AT&T at 2-3.

[192] ICSPC at 3.

[193] *Id.* at 9.

[194] *Id.* at 18.

[195] *Id.* at 19.

because collect calling is fundamental to ICS.[196] According to ICSPC, if a BOC's ICS operation "hands off" collect calls to its network-based operator services division for processing and that division assumes the responsibility and risk associated with billing and collecting for those calls, then the BOC is essentially providing ICS as a regulated service and is still subsidizing that service contrary to the prohibition in section 276.[197]

75. In response to ICSPC's arguments, SWBT represents that, although it identified ICS as one of the payphone services that it offers, it did not separately discuss this service in detail because its treatment of ICS is consistent with its treatment of its other payphone services.[198] SWBT further asserts that its payphone operations, in providing ICS, will purchase from SWBT the same tariffed services, at the same rates, as all other PSPs.[199] In addition, it avers that its payphone operations do not use any network-based call control and call processing functions and therefore will not offer such services to other providers. Call control and call processing functions, SWBT explains, are provided by hardware and software owned and operated exclusively by SWBT's payphone operations. According to SWBT, this equipment is not housed in SWBT central offices but in space owned or leased solely by SWBT payphone operations. Thus, SWBT asserts, ICSPC's concern over potential collocation issues is unfounded.[200]

76. Section 276 specifically defines payphone service to include the provision of inmate telephone service in correctional institutions.[201] In the *Reconsideration Order*, we clarified that the requirements of the *Payphone Order* apply to inmate payphones that were deregulated in an earlier order.[202] Thus, SWBT is required to reclassify as unregulated assets all of its payphone assets related to its provision of ICS, with the exception of the loops connecting the inmate telephones to the network, the central office "coin service" used to provide the ICS, and the operator service facilities used to support the ICS.[203] In addition,

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[196] *See* Letter from Albert H. Kramer, counsel for APCC, to William F. Caton, Acting Secretary, FCC at 1-2 (Mar. 19, 1997).

[197] *Id.* at 2.

[198] SWBT Reply at 15-16.

[199] *Id.* at 16.

[200] *Id.* at 17.

[201] 47 U.S.C. § 276(d).

[202] *Reconsideration Order* at para. 131 (citing *Petition for Declaratory Ruling by the Inmate Calling Services Providers Task Force*, Declaratory Ruling, 11 FCC Rcd 7362, 7373 (rel. Feb. 20, 1996) (*Inmate Service Order*); *Petitions for Waiver and Partial Reconsideration or Stay of Inmate-Only Payphones Declaratory Ruling*, Order, 11 FCC Rcd 8013 (Com. Car. Bur. 1996)).

[203] *See Payphone Order* at paras. 157, 159.

SWBT is required to offer on a tariffed basis any basic payphone service or network feature used by its payphone operations to provide ICS.[204]

77. We conclude that SWBT's CEI plan comports with our CEI requirements with respect to its provision of ICS. SWBT avers that its payphone operations, in providing ICS, will purchase from SWBT the same tariffed services, at the same rates, as all other ICS providers.[205] Although we agree with ICSPC that any call processing and call control equipment related to SWBT's provision of ICS must be reclassified as nonregulated, regardless of whether that equipment is located at a customer premises or a SWBT central office,[206] SWBT avers that it has done so.[207] Significantly, SWBT represents that its payphone operations do not use any network-based call control and call processing functions.[208] More specifically, SWBT asserts its ICS will make use of SWBT operator services, which will be purchased from SWBT's state tariffs in the same manner that any other ICS provider may purchase them. Likewise, any other SWBT service, such as fraud protection and LIDB validation information, employed by SWBT's ICS operations will be purchased and offered to all PSPs on a tariffed basis.[209] We find no support in the *Payphone Order* or *Reconsideration Order* for ICSPC's contention that SWBT is required to provide collect calling as a nonregulated service when used with inmate payphones.

78. We conclude that the other issues raised by ICSPC related to the provision of ICS either have already been addressed in this Order or are beyond the scope of this proceeding. We find that there is no requirement in the Commission's rules, and the ICSPC has cited no authority, that obligates SWBT to allow the collocation of nonaffiliated providers' call processing and call control equipment in a central office. As previously noted, the issue of the treatment of uncollectibles will be addressed in the review of SWBT's CAM.[210] Finally, with regard to the disclosure of interface information, we concluded above that SWBT's CEI plan comports with the Commission's network information disclosure requirements.

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[204] *See Payphone Order* at paras. 146-49; *Reconsideration Order* at paras. 162-63.

[205] SWBT Reply at 16.

[206] *Payphone Order* at paras. 157, 159. *See also Inmate Service Order*, 11 FCC Rcd at 7373.

[207] *See* SWBT Reply at 16.

[208] *Id.* at 17.

[209] *Id.* at 18.

[210] *See infra* at 70.

9. Primary Interexchange Carrier (PIC) Selection

79. AT&T and Oncor maintain that because SWBT will soon assume a dual role as both a provider of interexchange services and the administrator of the PIC selection process, SWBT's CEI plan must address SWBT's role in the PIC section process.[211] Specifically, they contend that SWBT must describe how its PIC selection process for payphones will be performed in a nondiscriminatory manner.[212] In its reply, SWBT contends that concerns regarding the PIC selection process are not relevant to the issue of SWBT's CEI compliance and should be handled in the enforcement process.[213] SWBT asserts, nevertheless, that it will handle PIC verification and changes for SWBT payphones and independent PSPs' payphones in the same manner. Thus, no payphone provider will receive preferential treatment.[214]

80. We conclude that SWBT is not required as part of the CEI process to demonstrate how it will administer the PIC selection process for payphones. The Commission specified in the *Payphone Order* that the BOC's CEI plan describe how it will conform to the CEI requirements with respect to the specific payphone services it intends to offer and how it will unbundle those basic payphone services.[215] The payphone rulemaking proceeding did not require the BOCs to describe how they will administer the PIC selection process in their CEI plans, as requested by AT&T and Oncor. We find therefore that the arguments raised by parties regarding SWBT's role as PIC administrator are beyond the scope of this proceeding.

10. Subscriber-Selected Call-Rating

81. APCC contends that, in order to meet the Commission's CEI requirements, SWBT must provide a coin line service that allows independent PSPs to set the initial time

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[211] Oncor at 5. According to Oncor, SWBT should have described: (1) how it will manage the payphone PIC selection and order implementation process; (2) how it will ensure that all PIC orders obtained pursuant to SWBT agreements with location owners will be handled on a nondiscriminatory basis, and that all valid PIC orders and location provider agreements will be honored and will not be subject to interference by SWBT or anyone else; (3) how its marketing personnel will be trained and supervised to ensure that they do not misrepresent SWBT's role in the payphone PIC selection process; and (4) how its personnel involved in the PIC ordering and implementation processes will be trained and supervised to ensure that they do not "interfere" with the sales and marketing of interexchange services from payphones. *Id.*

[212] AT&T at 4 (asserting that SWBT does not address how its PIC selection process for payphones will be performed in a nondiscriminatory manner); Oncor at 3 (asserting that SWBT's CEI plan does not contain provisions which will either restrain anticompetitive behavior by SWBT in its negotiations with location owners regarding interexchange services from SWBT payphones, or protect the integrity of the payphone PIC section and ordering processes).

[213] SWBT Reply at 29.

[214] SWBT Reply at 29-30.

[215] *Payphone Order* at para. 203-04.

period, the overtime periods, and all rates corresponding to these periods for local calls.[216] An example of an initial rate is $0.25 for the first five minutes. An example of an overtime rate is $0.05 for each additional three minute period after the first five minutes.[217] APCC therefore requests the Commission to require SWBT to develop a more flexible rating feature such that independent PSPs will not have to use SWBT payphone operation's preferred rates and time periods for local calls.[218] Likewise, APCC continues, SWBT should specify how directory assistance (DA) rates and rates for DA call completion are set.[219] In reply, SWBT maintains that local rates are a state matter and no state in the SWBT's region has either permitted or required local measured coin service.[220] Further, SWBT asserts that it will allow PSPs to set their own rates for sent-paid DA in compliance with the Commission's requirement that states must allow PSPs to change end-users a market-based rate for DA calls.[221]

82. We find that the *Payphone Order* did not require the BOCs to provide to independent PSPs an unbundled call rating feature for coin line services.[222] In addition, on reconsideration of the *Payphone Order*, in response to a request that it require access to, *inter alia*, call rating capabilities,[223] the Commission specifically declined to require further unbundling of payphone services beyond those established in the *Payphone Order*.[224] As previously noted, independent PSPs may seek additional unbundling through the 120-day *ONA* process. The appropriate state regulatory authorities may also impose further unbundling requirements.

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[216] APCC at 13.

[217] *Id.*

[218] *Id.* at 13-14.

[219] *Id.* at 14.

[220] SWBT Reply at 30.

[221] For example, SWBT has recently amended its state tariffs to allow PSPs who subscribe to SmartCoin to set their rates for DA call completion and operator assistance charges on sent-paid calls. SWBT Reply at 30-31.

[222] *Payphone Order* at paras. 146-48. *See also Reconsideration Order* at para. 165.

[223] On reconsideration, the New Jersey Payphone Association requested that the Commission require access to call rating capabilities, answer supervision, call tracking, joint marketing, installation and maintenance, and billing and collection. *See Reconsideration Order* at para. 155

[224] *Id.* at para. 165.

11. Operator Service Provider (OSP) Selection

83. APCC requests that the Commission require SWBT to unbundle operator services from its SmartCoin service so that PSPs may select their own operator service provider for intraLATA calls.[225] APCC asserts that, under section 276, PSPs are entitled to select their OSP of choice for intraLATA calls, including local, operator-assisted calls, and therefore that, to the extent SWBT does not permit OSP selection for its SmartCoin service, its CEI plan is inconsistent with section 276.[226] In reply, SWBT maintains that before subscribers to its SmartCoin service can select the OSP for intraLATA traffic, intraLATA dialing parity must be implemented.[227] We find that APCC's request is beyond the scope of this proceeding, which is limited to determining whether SWBT's CEI plan complies with the Commission's *Computer III* CEI requirements.

12. Interim Compensation Scheme

84. Telco argues that apart from the numerous deficiencies in SWBT's CEI plan, the Commission should refrain from allowing SWBT or any BOC to participate in the interim compensation scheme outlined in the *Payphone Order*.[228] We find that this argument is beyond the scope of the CEI review proceeding. Moreover, the interim compensation rules issue were addressed at length in the payphone rulemaking proceeding.[229]

13. Timing

85. APCC asserts that SWBT fails to provide any information on whether there are differences in the timing of call set-up between SWBT's COPTS lines and SmartCoin lines.[230] To the extent differences exist, APCC contends that SWBT must describe these differences in detail and explain what steps it will take to equalize timing "in accordance with the

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[225] APCC at 14.

[226] *Id.* PSPs subscribing to SWBT's basic COPTS service can already select their OSP and intraLATA carrier through programming in the "smart" payphone. SWBT Reply at 19.

[227] SWBT Reply at 19. As discussed above, the dialing parity requirements established pursuant to section 251(b)(3) were extended to all payphone providers. *See supra* at para. 69.

[228] Telco at 4-7.

[229] *See, e.g., Reconsideration Order* at paras. 114-15 (describing the interim compensation mechanism adopted in the *Payphone Order*)."

[230] "Timing of call set-up" refers to the amount of time the network takes to complete the connection of a call after all of the necessary digits of a called number are entered into the telephone set.

Commission's CEI requirement."[231] SWBT maintains that there will be no difference in the call set-up delay between an unaffiliated PSP and SWBT's own payphone service operations, regardless of the type of basic payphone service used by the PSP.[232] We conclude that SWBT has adequately addressed APCC's concern.

14. Semi-Public Service Issues

86. APCC maintains that to the extent that SWBT's payphone operation continues to offer a "semi-public-like" payphone service that involves charging location providers for lines and usage on their payphones, SWBT must disclose how such a service will be supported by its network operations and how charges for the service will be treated on the subscriber's bill.[233] We find these semi-public service issues to be beyond the scope of the CEI review process.

15. Taxes

87. APCC contends that SWBT does not describe it procedures for ensuring that independent PSPs and SWBT's payphone operations are taxed in the same fashion.[234] We find that this concern is not within the scope of this CEI proceeding.

V. CONCLUSION

88. We conclude that SWBT's CEI plan complies with the *Computer III* requirements. Accordingly, in this Order, we approve SWBT's CEI plans to offer basic payphone service, as described herein. We also grant SWBT a waiver of the testing requirement for the provision of its SmartCoin service as described above.

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[231] APCC at 27.

[232] SWBT April 1 *Ex Parte* at 2.

[233] *Id.* at 26.

[234] *Id.* at 27.

VI. ORDERING CLAUSE

89. IT IS HEREBY ORDERED that, pursuant to Sections 1, 4(i) and (j), 201, 202, 203, 205, 218, 222, 276 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i) and (j), 201, 202, 203, 205, 218, 222, and 276 and authority delegated thereunder pursuant to Sections 0.91, 0.291, and 1.3 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.3, SWBT's Comparably Efficient Interconnection Plan for the Provision of Basic Payphone Services IS APPROVED, subject to the requirements and conditions discussed herein.

Federal Communications Commission

A. Richard Metzger, Jr.
Deputy Chief, Common Carrier Bureau