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June 13, 1997

BY HAND DELIVERY

Mr. William Caton  
Office of the Secretary  
Federal Communications Commission  
1919 M Street, Room 222  
Washington, D.C. 20554

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Federal Communications Commission  
Office of Secretary

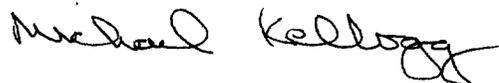
Re: Implementation of the Pay Telephone  
Reclassification and Compensation Pro-  
visions of the Telecommunications Act of  
1996, CC Docket No. 96-128

Dear Mr. Caton:

Please find enclosed for filing the original and four copies  
of Reply Comments of the RBOC Payphone Coalition on Telco's  
Petition for Waiver.

Also enclosed is an extra copy to be date-stamped and  
returned.

Sincerely,



Michael K. Kellogg

Enclosures

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List A B C D E

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BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C.

JUN 13 1997

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Federal Communications Commission  
Office of Secretary

In the Matter of

Implementation of the Pay Telephone	)	
Reclassification and Compensation	)	CC Docket No. 96-128
Provisions of the	)	
Telecommunications Act of 1996	)	

REPLY COMMENTS OF THE R  
ON TELCO'S PETIT

ORIGINAL

In supporting Telco Communic  
petition for a waiver of its inte  
the RBOC Payphone Coalition fully  
would reduce the compensation rec  
other payphone service providers  
concluded, however, that the spirit and the letter of the  
Commission's payphone orders indicate that where tracking is  
possible and PSPs have agreed, interexchange carriers should pay  
per-call compensation.

AT&T suggests that Telco's waiver petition should  
nonetheless be held in abeyance pending the disposition of the  
payphone order appeals pending in the District of Columbia  
Circuit. Comments of AT&T Corp. on Waiver Request of Telco  
Communications Group (filed June 3, 1997) ("AT&T Comments"). In  
fact, however, granting Telco's waiver in a timely fashion will  
moot Telco's own appeal from the Commission's interim  
compensation mechanism, as well as demonstrating the feasibility

of tracking by interexchange carriers generally. As a result, the Commission can clarify and simplify the issues on appeal by acting promptly in response to Telco's petition.

AT&T also opposes Telco's petition on the grounds that a waiver would increase the payment obligations of other interexchange carriers (such as AT&T). But AT&T is simply wrong. Neither of the Commission's payphone orders suggest that if Telco receives a waiver, the other interexchange carriers will be required to pay a greater share of the interim flat rate.<sup>1</sup> As the Coalition noted in its initial comments, the PSPs will likely bear the entire burden of the waiver, since they will receive less compensation if the waiver is granted than they would under the interim compensation mechanism. As both Ameritech and the APCC rightly point out, the only interexchange carriers likely to seek a waiver are those who will pay less under a per-call compensation scheme. See APCC Comments at 7; Opposition of Ameritech to Telco Communications Group's Petition for Waiver at 4 (filed June 3, 1997). Mindful of this likely loss of compensation, the RBOC Payphone Coalition nonetheless supports Telco's Petition. Indeed, the Coalition considers the principle

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<sup>1</sup>The payphone orders provide no support for the APCC's contention that there must be a redetermination of the pro rata shares of all the other IXCs if Telco's petition is granted. Comments of American Public Communications Council on the Petition of Telco Communications Group at 8 (filed June 3, 1997) ("APCC Comments"). Such a proposal, moreover, would seriously undermine the Commission's goal of "ensur[ing] a relatively easy administration for all parties." Order on Reconsideration, Implementation of the Pay Telephone Reclassification Provisions of the Telecommunications Act of 1996, CC Docket 96-128 at 60, ¶ 129 (rel. Nov. 8, 1996).

of per call compensation so integral to the Commission's payphone orders that the Coalition undertakes to support the petition for waiver of any interexchange carrier or reseller that deploys an auditable tracking system and undertakes to pay monthly compensation for all calls originated on payphones (including 0+ and subscriber 800 calls).

Respectfully submitted,

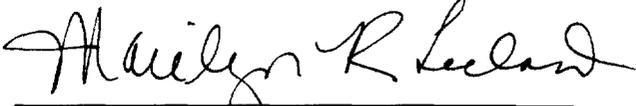
  
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Counsel for the RBOC Payphone Coalition

June 13, 1997

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of June, 1997, I caused copies of the foregoing Reply Comments of the RBOC Payphone Coalition on Telco's Petition for Waiver to be served upon the parties listed on the attached service by first-class mail.

  
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