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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

AUG 29 1997

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Request of Limited Modification of)
LATA Boundaries to Provide ELCS)
Between the Itasca)
exchange and the Cleburne,)
Covington and Grandview)
exchanges.)

PETITION

I. INTRODUCTION

Southwestern Bell Telephone Company (SWBT), pursuant to Section 3(25) of the Communications Act of 1934, as amended,¹ and in accordance with the guidelines established in the Commission's Memorandum Opinion and Order (MO&O) released July 15, 1997 in CC Docket No. 96-159,² hereby makes application for a limited modification of LATA boundaries to provide ELCS between the Itasca exchange and the Cleburne, Covington and Grandview exchanges.

II. SUPPORTING INFORMATION

As prescribed in paragraph 23 of the aforementioned Commission MO&O, SWBT provides the following information in support of its application:

¹ The Communications Act of 1934, as amended, 47 U.S.C. *et al.*

² Memorandum Opinion and Order, Petitions for Limited Modification of LATA Boundaries to Provide Expanded Local Calling Service at Various Locations, CC Docket No. 96-159, released July 15, 1997. By way of this MO&O the Commission adopted a format for and criteria under which such petitions would be granted. The format and criteria are detailed in paragraphs 23 and 24.

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List ABCDE

1. Type of service: Flat-rate, non-optional Expanded Local Calling (ELC);
2. Direction of service: Two-way;
3. Exchanges involved: Itasca in the Waco, TX LATA, Cleburne in the Dallas, TX LATA, Covington in the Dallas, TX LATA and Grandview in the Dallas, TX LATA;
4. Name of carriers: Itasca of Southwestern Bell Telephone, Cleburne of Southwestern Bell Telephone, Covington of Texas ALLTEL and Grandview of Texas ALLTEL;
5. State commission approval(s): See Attachment A;
6. Number of access lines or customers: The Itasca exchange has 901 access lines, the Cleburne exchange has 23,196 access lines, the Covington exchange has 572 access lines, and the Grandview exchange has 1,417 access lines;
7. Usage data: Usage data is not available to Southwestern Bell Telephone. SWBT does not currently carry traffic across LATA boundaries;
8. Poll results: Percentage of Itasca customers returning ballots who voted in favor of ELC to Cleburne: 77.42. Percentage of Itasca customers returning ballots who voted in favor of ELC to Covington: 73.94. Percentage of Itasca customers returning ballots who voted in favor of ELC to and Grandview: 75.68. Where SWBT is the petitioning exchange, there is no proposed rate increase. Where SWBT is not the petitioning exchange, SWBT does not have information as to any proposed rate increase.
9. Community of interest statement: The Public Utility Commission of Texas includes a Community of Interest Finding in their Order(s). See Attachment A.
10. Map: See Attachment B; and,
11. Other pertinent information: None

III. PRIMA FACIE SHOWING

SWBT believes that it has made a *prima facie* case supporting grant of the proposed modification because the instant ELCS petition (1) has been approved by the state commission; (2) proposes only traditional local service (i.e., flat-rate, non-optional ELCS); (3)

indicates that the state commission found a sufficient community of interest to warrant such service; (4) documents this community of interest through such evidence as poll results and descriptions of the communities involved; and, (5) involves a limited number of customers or access lines. These requirements for a *prima facie* case are detailed in the aforementioned Commission MO&O paragraph 24.

IV. CONCLUSION

Wherefore, SWBT request that the Commission approve its application for a limited modification of LATA boundaries to provide ELCS between the Itasca exchange and the Cleburne, Covington and Grandview exchanges.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE COMPANY

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AUGUST 29, 1997

DOCKET NO. 15202

PETITION FOR EXPANDED LOCAL
CALLING SERVICE FROM THE ITASCA
EXCHANGE TO THE EXCHANGES OF
CLEBURNE, COVINGTON AND
GRANDVIEW

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PUBLIC UTILITY COMMISSION
OF TEXAS

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INTERIM ORDER

Findings of Fact

1. On August 28, 1995, subscribers of the Itasca Exchange filed a petition for Expanded Local Calling Service (ELCS) requesting non-optional, two-way, flat rate calling to the exchanges of Cleburne, Covington and Grandview.

2. The processes for petitioning and balloting included notice that the service would be for a flat monthly fee of up to \$3.50 per residential line and \$7.00 per business line on a non-optional basis.

3. The Itasca Exchange is in the Waco Local Access and Transport Area (LATA) and is served by Southwestern Bell Telephone Company (SWBT). The petitioned exchanges of Cleburne, Covington and Grandview are in the Dallas LATA. The Cleburne Exchange is served by SWBT and the Covington and Grandview Exchanges are served by Texas Alltel, Inc. (Alltel).

4. An affirmative vote of 77.42 percent of Itasca Exchange subscribers responding to the ballot favored expanding the local calling scope to include the Cleburne Exchange. An affirmative vote of 73.94 percent of Itasca Exchange subscribers responding to the ballot favored expanding the local calling scope to include the Covington Exchange. An affirmative vote of 75.68 percent of Itasca Exchange subscribers responding to the ballot favored expanding the local calling scope to include the Grandview Exchange.

5. On July 15, 1997, the Federal Communications Commission (FCC) issued an order, *In the Matter of Petitions for Limited Modification of LATA Boundaries to Provide Expanded Local Calling Service (ELCS) at Various Locations*, CC Docket No. 96-159, FCC 97-244, (rel. July 15, 1997) (*Memorandum Opinion and Order*), providing a procedure for requesting a limited LATA boundary modification.
6. The petitioned exchanges of Cleburne, Covington and Grandview are within the 22-mile distance requirement for community of interest to be presumed to exist between the petitioning and petitioned exchanges pursuant to 16 T.A.C. §23.49(c)(3)(B)(i).
7. In addition to satisfying the presumptive geographic community of interest test in the Texas Public Utility Commission's rules, an affidavit attesting to the existence of a community of interest between the petitioning and petitioned exchanges was filed on July 25, 1997.
8. The Cleburne Exchange provides the primary hospital, doctors, pharmacies, and is a business center for the petitioning exchange.
9. The Covington Exchange shares a public school district with the petitioning exchange, is a business center, and shares intergovernmental relationships such as the Sheriff's Department.
10. The Grandview Exchange also shares a public school district with the petitioning exchange, and is the location of a doctor and dentist.
11. Based on the affidavit referenced in Finding of Fact No. 7, there is a community of interest between the petitioning Itasca Exchange and the petitioned exchanges of Cleburne, Covington and Grandview.

Ordering Paragraphs

In accordance with the findings of fact, the Commission issues the following Interim Order:

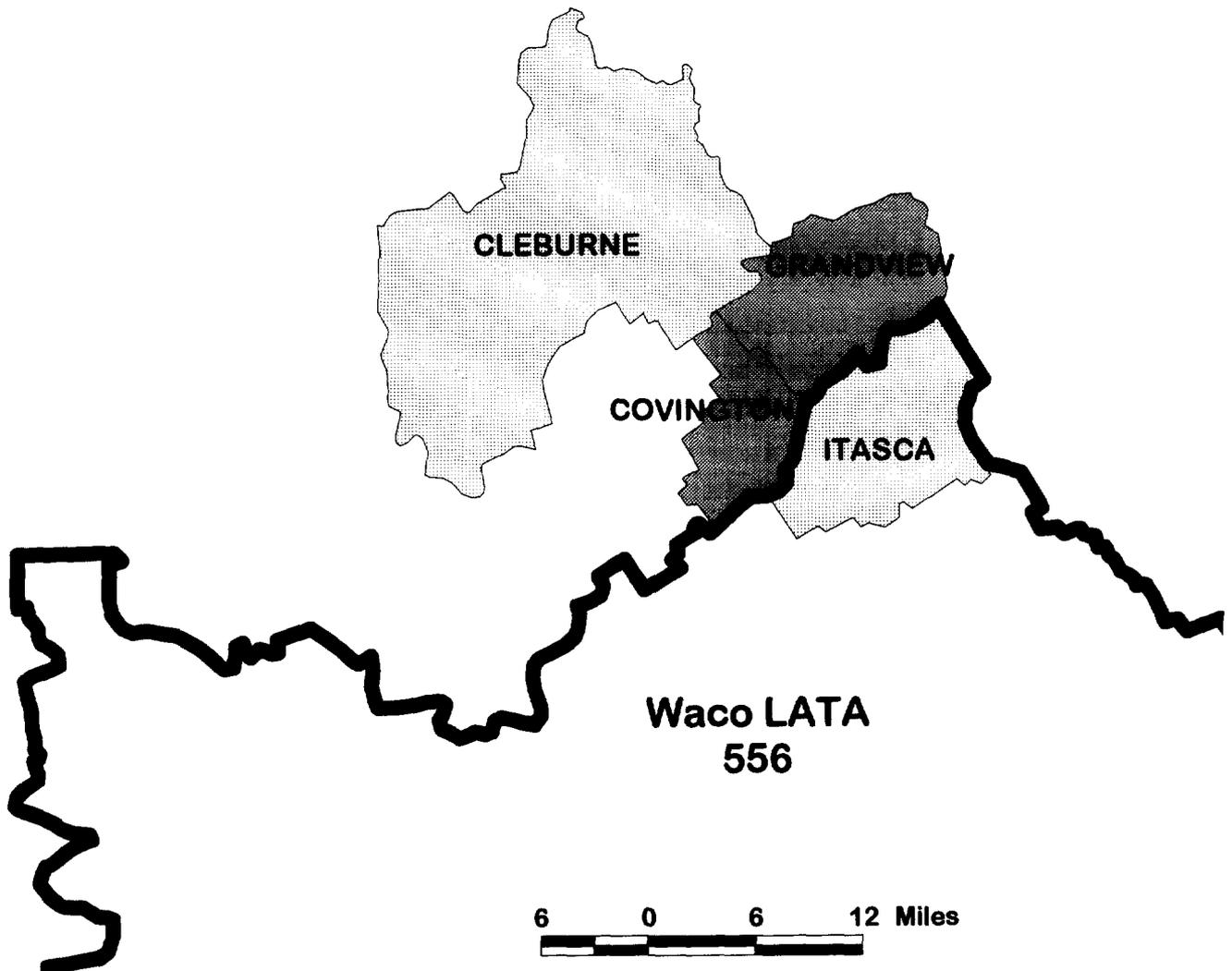
1. This proceeding is unabated.
2. Petitioners from the Itasca Exchange have shown a community of interest with the Cleburne, Covington and Grandview Exchanges.
3. Within thirty (30) days of the effective date of this Interim Order, SWBT is directed to file a request for a limited modification of the LATA boundary in accordance with the procedures outlined in the FCC order, *In the Matter of Petitions for Limited Modification of LATA Boundaries to Provide Expanded Local Calling Service (ELCS) at Various Locations*, CC Docket No. 96-159, FCC 97-244, (rel. July 15, 1997) (*Memorandum Opinion and Order*), ¶¶ 23 & 24.
4. Within ten (10) days of the receipt of an Order or Notice from the FCC relating to this petition, SWBT is directed to file such Order or Notice in this project.



ISSUED BY THE OFFICE OF POLICY DEVELOPMENT
ON BEHALF OF THE PUBLIC UTILITY COMMISSION OF TEXAS
ON THE 1st DAY OF AUGUST, 1997

Itasca To Cleburne, Covington, and Grandview

Dallas LATA
552

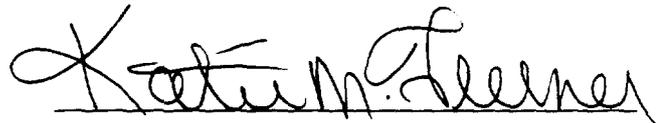


 Southwestern Bell Telephone Exchanges
 Texas-ALLTEL Telephone Exchanges

This document was produced by the Texas Exchange Carrier Relations organization of Southwestern Bell Telephone Company on 8/7/97, based on the best information it could obtain from other sources at that time. In addition, it is the Telephone Company's understanding that the data underlying the creation of this document may be subject to change. Southwestern Bell makes no representation as to the accuracy of the information provided to it and used to create this document.

CERTIFICATE OF SERVICE

I, Katie M. Turner, hereby certify that the foregoing, "PETITION OF SOUTHWESTERN BELL TELEPHONE COMPANY" in Docket No. 96-159 has been filed this 29th day of August, 1997 to the Parties of Record.

A handwritten signature in cursive script that reads "Katie M. Turner". The signature is written in black ink and is positioned above a horizontal line.

Katie M. Turner

August 29, 1997

Texas Public Utility Commission
1701 North Congress
Austin, Texas 78701