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ORIGINAL

October 9, 1997

DOCKET FILE COPY ORIGINAL

Mr. William F. Caton
Secretary
Federal Communications Commission
Room 222
1919 M Street, N.W.
Washington, D.C. 20554

Re: Defining Primary Lines, CC Docket No. 97-181

Dear Mr. Caton:

Enclosed herewith for filing are the original and four (4) copies of MCI Telecommunications Reply Comments regarding the above-captioned matter.

Please acknowledge receipt by affixing an appropriate notation on the copy of the MCI Reply Comments furnished for such purpose and remit same to the bearer.

Sincerely yours,

Don Sussman

Enclosure
DHS

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

10/10/97
10/10/97
10/10/97

In the Matter of)
)
Defining Primary Lines) **CC Docket No. 97-181**

REPLY COMMENTS
OF
MCI TELECOMMUNICATIONS CORPORATION

Bradley Stillman
Don Sussman
Alan Buzacott
MCI Telecommunications Corporation
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October 9, 1997

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consumers will clearly understand; (2) access customers can audit; (3) regulators can monitor and enforce; (4) do not inflate the size of the universal service fund; and (5) do not confer upon the incumbent local exchange carrier ("ILEC") a competitive advantage vis a vis new entrants, nor unnecessarily place the ILEC between a new entrant and its existing or potential customers.¹ To best satisfy these criteria, MCI proposed that the Commission

- adopt a definition of primary residential line that corresponds to a customer's account (e.g., bill);
- require ILECs to use customer self-certification to identify primary residential lines. The customer should identify no more than one line per service provider as primary;
- prevent ILECs from using information collected for the purpose of determining the correct SLC or PICC for any other purpose. Such information should not be used by ILECs for marketing purposes; and,
- establish an open and verifiable system of identifying primary residential lines that is enforceable. ILECs must be required to provide IXCs that are billed PICCs sufficient insight into the information upon which their monthly bills are based, so that the IXCs can audit each bill before it is paid.

While Ameritech states that it could implement a Commission order defining primary residential lines on the basis of service location by January 1, 1998,² several ILECs contend that they will not be able to implement the Commission's order by January 1, 1998, regardless of the adopted definition.³ The Commission should not tolerate these

¹ See MCI Comments, Summary.

² Ameritech Comments at n9.

³ Bell Atlantic Comments at 8, USA Comments at 3, GTE Comments at 15.

unsupported delay techniques. Previous Commission efforts to rely on good faith efforts to meet a mandated implementation date have been notably unsuccessful. For example, operational support systems implementation was required to be implemented on January 1, 1997. However, more than ten months later, these systems still cannot support local competition.

The Access Reform Order was issued in May 1997. No valid reason exists why the ILECs should not be required to move from per-minute charges to flat-rate charges (PICC) beginning January 1, 1998. Moreover, as MCI and other parties identified in comments, the information necessary to identify primary lines, if identified by account, is already contained in ILEC databases. The ILECs' request for extension of time should be rejected.

III. ILECs Should be Required To Identify Primary Residential Lines Based On the Commission's Adopted Definition

GTE contends that ILECs should be permitted to adopt primary residential line definitions that differ from the Commission's definition.⁴ GTE argues that the ILEC should have the choice of basing its PICC and SLC collection on either state or FCC definitions of primary residential line. Such an approach should be rejected for several reasons. First, it would allow the ILEC to game the system by adopting whichever definition most favored the ILEC. Second, it would create a plethora of definitions, which

⁴ GTE Comments at 14.

in turn, would not only increase the administrative costs and burdens for ILECs, resellers, and IXC's, but would also increase confusion among end users. Finally, since recovery of SLCs and PICCs are mechanisms to recover the interstate costs, they should be governed by a uniform policy dictated by the FCC.

IV. The Commission's Definition of Primary Residential Line Must Be Competitively Neutral

Both Ameritech and US West contend that the Commission should define primary residential lines as the first residential line at a given location. Both contend that all subsequent residential lines would therefore be nonprimary, regardless of the number of bills. Ameritech estimates that based on this definition, 14% of its residence lines would be classified as nonprimary. Both ILECs argue that such a definition should be adopted because it is not administratively burdensome and clear to end users.

The Commission must reject any definition that clearly advantages one type of carrier over another. Since ILECs have been around for nearly 100 years, under the Ameritech and US West proposal virtually all primary residential lines would be provided by ILECs, making it easier for them to attract and maintain local customers. Clearly, this is not competitively neutral, and should be rejected.

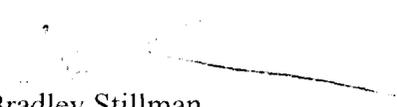
The Commission should instead adopt a definition that permits the purchaser to designate which line is primary. One of the primary goals of the Telecommunications Act of 1996 was to increase competition in local telecommunications markets so that customers would have greater choice. Ameritech and US West propose to limit or restrict

customer choice. Their position is contrary to the clear intent of the Telecommunications Act of 1996. It is anticompetitive, and should be rejected.

V. Conclusion

WHEREFORE, MCI Telecommunications Corporation respectfully requests that the Commission adopt the positions raised above.

Respectfully submitted,



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October 9, 1997

STATEMENT OF VERIFICATION

I have read the foregoing and, to the best of my knowledge, information, and belief, there is good ground to support it, and it is not interposed for delay. I verify under penalty of perjury that the foregoing is true and correct. Executed on October 9, 1997.

A handwritten signature in black ink, appearing to read "Don Sussman", is written over a horizontal line.

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CERTIFICATE OF SERVICE

I, Barbara Nowlin, do hereby certify that copies of the foregoing Reply Comments were sent via first class mail, postage paid, to the following on this 9th day of October, 1997.

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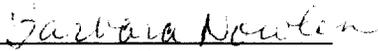
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