

FCC MAIL SECTION

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DA 97-2463

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

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| In the Matter of |) | |
| |) | CC Docket No. 96-234 |
| Sprint Local Telephone Companies |) | |
| Revisions to Tariff F.C.C. No. 1 |) | Transmittal No. 42 |

ORDER

Adopted: November 26, 1997

Released: November 26, 1997

By the Chief, Competitive Pricing Division, Common Carrier Bureau

1. On November 14, 1997, the Sprint Local Telephone Companies (Sprint) filed Transmittal No. 42 to revise Sprint's Tariff F.C.C. No. 1. Transmittal No. 42, which is currently scheduled to become effective on November 29, 1997, proposes a number of revisions, including modification of the physical collocation provisions to clarify that an interconnector's equipment must be protected by a secure enclosure. No petitions have been filed against this transmittal.

2. Transmittal No. 42, insofar as it pertains to physical collocation, raises the same issues regarding terms and conditions of service as those identified in the *Sprint Expanded Interconnection Suspension Order* in CC Docket No. 96-234.¹ Therefore, the portion of Transmittal No. 42 that pertains to physical collocation is suspended for one day, following the effective date, and will be subject to the investigation initiated in the *Sprint Expanded Interconnection Suspension Order* in CC Docket No. 96-234. Transmittal No. 42, insofar as it pertains to physical collocation, will also be subject to an accounting order to facilitate any refunds that may later prove to be necessary. Insofar as Transmittal No. 42 pertains to services other than physical collocation, we conclude that this transmittal does not raise significant questions of lawfulness which require investigation. Accordingly, the portion of Transmittal No. 42 that pertains to services other than physical collocation will become effective on November 29, 1997.

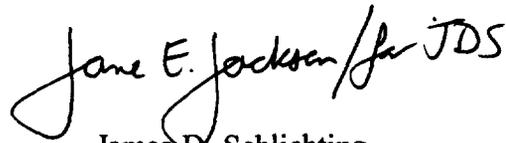
3. Accordingly, IT IS ORDERED that, pursuant to Section 204(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 204(a), and Section 0.291 of the

¹ *Investigation of GTE Telephone Operating Companies, GTE System Telephone Companies, and Sprint Local Telephone Companies New Expanded Interconnection Offerings*, CC Docket No. 96-234, Order, 11 FCC Rcd 16398 (Com. Car. Bur. 1996) (*Sprint Expanded Interconnection Suspension Order*). In the *Sprint Expanded Interconnection Suspension Order*, the Common Carrier Bureau, among other things, suspended for one day and initiated an investigation into Sprint's Transmittal No. 18, which established Sprint's new physical collocation offering and modified Sprint's virtual collocation offering. *Id.* at 16402.

Commission's Rules, 47 C.F.R. § 0.291, the revisions to the Sprint Local Telephone Companies Tariff F.C.C. No. 1, Transmittal No. 42, insofar as they pertain to physical collocation, ARE SUSPENDED for one day from the effective date and an investigation of the referenced tariff transmittal IS INSTITUTED.

4. IT IS FURTHER ORDERED that the Sprint Local Telephone Companies SHALL FILE tariff revisions within five business days of the release date of this Order to reflect this suspension.

5. IT IS FURTHER ORDERED that, pursuant to Section 204(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 204(a), the Sprint Local Telephone Companies SHALL KEEP ACCURATE ACCOUNT of all amounts received by reason of the provisions that are the subject of this investigation.

A handwritten signature in black ink that reads "James E. Jackson for JDS". The signature is written in a cursive style with a large initial "J" and "D".

James D. Schlichting
Chief
Competitive Pricing Division
Common Carrier Bureau