

DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP

2101 L Street NW • Washington, DC 20037-1526

Tel (202) 785-9700 • Fax (202) 887-0689

Writer's Direct Dial: 202-828-2236

A5691-543

May 8, 1998

RECEIVED

MAY - 8 1998

**BY COURIER**

**DOCKET FILE COPY ORIGINAL**

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Room 222  
Washington, D.C. 20554

**Re: CC Docket No. 96-128**

Dear Ms. Salas:

In the American Public Communications Council's Petition for Partial Reconsideration, filed Monday, May 4, 1998, a table of contents was erroneously omitted. Enclosed are an original and four copies of the table of contents. Also enclosed for the convenience of the Commission are four copies of a corrected copy of the petition with table of contents included.

If you have any questions about this matter, please contact the undersigned.

Sincerely,



Robert F. Aldrich

RFA/nw  
Enclosure

cc: All Parties

**TABLE OF CONTENTS**

	<u>Page No.</u>
SUMMARY .....	1
BACKGROUND.....	2
DISCUSSION.....	4
I. WAIVER PERIOD COMPENSATION OF INDEPENDENT PAYPHONE PROVIDERS SHOULD BE BASED ON CALL DATA FROM INDEPENDENT PAYPHONES.....	6
A. RBOC Payphone Call Volumes Are Significantly Different from Independent Payphone Call Volumes.....	6
B. Payments to Independent PSPs Based on RBOC Call Volumes Must Be Subject to True-Ups Based on Actual Call Counts from Individual Independent PSPs .....	8
II. COMPENSATION FOR INDEPENDENT PAYPHONES SUBJECT TO INDEFINITE WAIVERS OF PER-CALL COMPENSATION SHOULD BE BASED ON ESTIMATES OF CALL VOLUMES FROM INDEPENDENT PAYPHONES.....	10