

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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MAY 18 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Implementation of the Pay Telephone)
Reclassification and Compensation)
Provisions of the Telecommunications)
Act of 1996)
)
AT&T Request for Limited Waiver)
Of the Per-Call Compensation Obligation)

CC Docket No. 96-128

COMMENTS

MCI Telecommunications Corporation (MCI) hereby comments on the petitions asking the Bureau to reconsider its Waiver Order released April 3, 1998, in the above referenced proceeding.

MCI supports the Petition for Reconsideration filed by Sprint Corporation (Sprint) in which Sprint asks the Bureau to reconsider its decision to prescribe interest at 11.25% per year for payments for the fourth quarter of 1997 that are made after April 1, 1998. As demonstrated by Sprint, the Commission's practice has been to set interest payments at the rate set by the Internal Revenue Service and there is no reason for the Bureau to depart from that practice in this instance. Accordingly, MCI supports Sprint's request that the Bureau reconsider this aspect of its decision.

MCI opposes the Petition for Partial Reconsideration filed by the American Public Communications Council (APCC), in which the APCC asks the Bureau to reconsider its estimate of call volumes for payphones in non-equal access areas. In the Waiver Order, the Bureau relied on call volume data provided by GTE for payphones in non-equal access areas and data for

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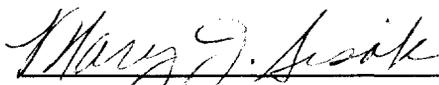
payphones in equal access areas provided by Heart of Iowa Telecommunications Cooperative, a small LEC, to arrive at an estimated call volume for non-equal access payphones of 16 calls per month. APCC argues that the Bureau should have based the estimated call volume for non-equal access payphones on call volume data for non-LEC PSPs served by small and medium-sized LECs. APCC argues that its data shows that average calling from independent payphones served by small LECs is 171 calls per payphone per month.

The Bureau should deny APCC's Petition. As an initial matter, the data provided by APCC appears to represent call volumes for payphones in equal access areas. There is no evidence that call volumes in equal access areas are the same as those in non-equal access areas. In fact, the only call volume data for non-equal access areas in the record-- the data supplied by GTE-- suggests that call volumes in non-equal access areas are significantly less than those in equal access areas. In addition, the APCC data only represents call volumes for non-LEC PSPs, totally excluding LEC payphones. Accordingly, the Bureau should not rely on the APCC data and its Petition should be denied.

Based on the foregoing, MCI requests that the Bureau grant Sprint's Petition and deny APCC's Petition as discussed herein.

Respectfully submitted,

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Dated: May 18, 1998

CERTIFICATE OF SERVICE

I, Sylvia Chukwuocha, do hereby certify that copies of the foregoing Comments of MCI in the Matter of Implementation of the Pay Telephone Reclassification Provisions of the Telecommunications Act of 1996 were sent, on this 18th day of May, 1998, via first-class mail, postage pre-paid, to the following:

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