

ORIGINAL RECEIVED

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

AUG 28 1998

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of Petition of the )  
Connecticut Department of Public Utility ) CC Docket No. 96-115  
Control for Waiver of the Customer )  
Proprietary Network Rules by the )  
Federal Communications Commission )

**REPLY COMMENTS OF MCI TELECOMMUNICATIONS CORPORATION**

MCI Telecommunications Corporation (MCI), by its undersigned counsel, hereby replies to the initial comments concerning the petition for waiver filed by the Connecticut Department of Public Utility Control ("Department") with the Commission on July 20, 1998. MCI and the other two commenting parties -- AT&T Corp. and SNET America, Inc. -- all agree with the goal of the Department's petition, which seeks a waiver of certain Customer Proprietary Network Information ("CPNI") rules in order to facilitate the local exchange election process ("LEEP") in Connecticut. Given this unanimity of opinion as to the appropriate policy, the Commission should clarify the Second Report and Order<sup>1</sup> in this docket in the manner discussed below or grant the waiver sought by the Department.

All parties agree that, in order for the LEEP balloting process to succeed, the CPNI for each local exchange customer now served by the Southern New England Telephone Company (SNET) must be transferred to the customer's new competitive local exchange

<sup>1</sup> Second Report and Order and Further Notice of Proposed Rulemaking, FCC 98-27 (released Feb. 26, 1998).

No. of Copies rec'd  
LEADCODE

*045*

carrier (CLEC) on a timely basis to enable the CLEC to initiate service. AT&T discusses in some detail the need for various types of local service CPNI, such as all of the data necessary for 911 service, to be disclosed to the customer's new CLEC for this purpose. In the absence of such disclosure, the new local service provider will not have each customer's CPNI from SNET in time for a seamless, uninterrupted transfer of service and will have to seek the customer's approval to obtain her CPNI from SNET, resulting in an unacceptable interruption of service until the new carrier can obtain such approval.

The only difference among the commenting parties is that AT&T, unlike SAI and MCI, believes that all that is necessary to bring about such a transfer is a clarification of the Second Report and Order, rather than a waiver of that order. MCI also believes that a local service provider should always be required to disclose a customer's CPNI to her new CLEC to enable the latter to initiate service, and has sought reconsideration of the Second Report and Order on that issue. The Commission therefore could provide relief to the Department by clarifying the Second Report and Order consistently with any of the alternative rationales presented in Part II of MCI's May 26, 1998 petition for reconsideration.<sup>2</sup> MCI recognizes, however, that the Commission might not agree with MCI and that the Department

---

<sup>2</sup> For example, MCI argues that a customer's previous local service provider should be allowed, and required, to provide CPNI to the customer's new local service provider by operation of Section 222(d)(1) and the nondiscrimination requirements of Section 272 and/or Sections 201(b) and 202(a).

cannot wait for MCI's petition for reconsideration to be decided, in light of the need to implement the LEEP as soon as possible. If such clarification relief cannot be granted quickly, therefore, the Commission should grant the Department's requested waiver while it considers further reconsideration relief on an industry-wide basis. Otherwise, the Department will not be in a position to act with the regulatory certainty that is necessary to carry out the LEEP in a timely fashion.

Accordingly, unless the Commission is able to grant immediate relief to the Department by clarifying the Second Report and Order along the lines discussed in MCI's petition for reconsideration, it should grant the requested waiver. In either case, such relief would be in the best interests of Connecticut consumers and the public interest in the rapid development of local competition.

Respectfully submitted,

MCI TELECOMMUNICATIONS CORPORATION

By: Frank W. Krogh  
Frank W. Krogh  
Mary L. Brown  
MCI Telecommunications Corporation  
1801 Pennsylvania Avenue, NW.  
Washington, DC 20006

Cynthia Carney Johnson (per)  
Cynthia Carney Johnson  
MCI Telecommunications Corporation  
5 International Drive  
Rye Brook, N.Y. 10573

Dated: August 28, 1998

**CERTIFICATE OF SERVICE**

I, Sylvia Chukwuocha, do hereby certify that copies of the foregoing Reply Comments of MCI Telecommunications Corporation were sent, on this 28th day of August, 1998, via first class mail, postage pre-paid, to the following:

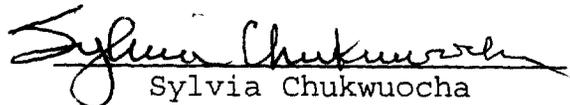
Janice Myles  
Common Carrier Bureau  
Federal Communications Commission  
1919 M Street, N.W.  
Room 544  
Washington, DC 20554

International Transcription Services, Inc.  
1231 20th Street, N.W.  
Washington, DC 20036

Donald W. Downes  
Glenn Arthur  
Jack R. Goldberg  
John W. Betkoski, III  
Linda Kelly Arnold  
Connecticut Department of  
Public Utility Control  
Ten Franklin Square  
New Britain, CT 06051

Robert J. Metzler, II  
Tyler Cooper & Alcorn, LLP  
185 Asylum Street  
CityPlace  
35th Floor  
Hartford, CT 06103-3488

Judy Sello  
Mark C. Rosenblum  
AT&T Corp.  
Room 3245I1  
295 North Maple Avenue  
Basking Ridge, New Jersey 07920

  
Sylvia Chukwuocha