

TONY KNOWLES  
GOVERNOR



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
WASHINGTON, D.C.

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MAY 27 1999

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

May 27, 1999

DOCKET FILE COPY ORIGINAL

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, DC 20554

Re: In the Matter of Policy and Rules Concerning the Interstate  
Interexchange Marketplace; Implementation of Section 254(g) of the  
Communications Act of 1934, as Amended, CC Docket No. 96-61

Dear Ms. Salas:

Transmitted herewith on behalf of the State of Alaska are an original and four (4) copies of the "Comments of the State of Alaska" in the above-referenced proceeding. Also enclosed is a 3.5 inch diskette labelled and formatted in WordPerfect 5.1 for Windows.

Should there be any questions regarding this matter, please contact this office.

Sincerely,

A handwritten signature in cursive that reads "John W. Katz".

John W. Katz  
Special Counsel to the Governor  
Director, State/Federal Relations

Enclosures

cc: International Transcription Service (1 diskette copy)

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

In the Matter of )  
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Policy and Rules Concerning the )  
Interstate, Interexchange Marketplace )  
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**COMMENTS OF THE STATE OF ALASKA**

In enacting the Telecommunications Act of 1996, Congress codified and expanded the Commission's policy of rate integration by making it applicable to all providers of interstate interexchange services, as the Commission has repeatedly and properly recognized. As recently as December 31, 1998, the Commission reaffirmed its prior determination that the rate integration requirement of Section 254(g) of the Communications Act of 1934, as amended ("Act"), applies to the interstate interexchange services provided by commercial mobile radio service ("CMRS") providers. In the same decision, it rejected petitions that the Commission forbear from applying the requirement for rate integration to the interstate interexchange services offered by CMRS providers.<sup>1</sup>

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<sup>1</sup> Policy and Rules Concerning the Interstate Interexchange Marketplace, Implementation of Section 254(g) of the Communications Act, as Amended, *Memorandum Opinion and Order*, CC Docket No. 96-61, FCC 98-347 (released December 31, 1998).

The State of Alaska (“Alaska” or “the State”) believes that these decisions were correct. Application of rate integration to interstate interexchange services by all providers of these services, including CMRS providers, is compelled by the language of the statute.

In issuing its Further Notice of Proposed Rulemaking,<sup>2</sup> the Commission does not propose to alter its conclusion that the rate integration provisions of Section 254(g) apply to CMRS providers. Rather, it seeks comment on how that requirement should be applied to CMRS wide-area calling plans, services offered by CMRS affiliates, and CMRS roaming charges. The Commission also seeks comment on how rate integration should apply to firms that provide interstate interexchange service through different forms of CMRS (cellular and PCS).

Alaska is firmly committed to the principles underlying rate integration, which are the requirements for just, reasonable and non-discriminatory rates and practices in Sections 201(b) and 202(a) of the Act, and the requirements of universal service in Section 254 of the Act. Congress has determined that all interstate interexchange services shall be provided in each state at rates that are no higher than the rates charged in any other state. The State has indicated its willingness to have the Commission clarify or simplify the manner in which the requirement for rate integration is applied, as long as the statutory requirement is implemented in a

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<sup>2</sup> Policy and Rules Concerning the Interstate Interexchange Marketplace, Implementation of Section 254(g) of the Communications Act, as Amended, *Further Notice of Proposed Rulemaking*, CC Docket No. 96-61, FCC 99-43 (released April 21, 1999).

manner that does not weaken the protections Congress intended to provide consumers in distant or less populated states.

The State looks forward to reviewing the comments submitted by members of the CMRS industry and will submit reply comments addressing their recommendations on the issues the Commission has posed.

Respectfully submitted,

A handwritten signature in black ink that reads "John W. Katz". The signature is written in a cursive style with a large, stylized 'K'.

John W. Katz  
Special Counsel to the Governor  
Director, State-Federal Relations  
Suite 336  
444 North Capitol Street, N.W.  
Washington, DC 20001

Counsel for the State of Alaska

May 27, 1999

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