

FCC MAIL SECTION

Federal Communications Commission

DA 99-1136

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DISPATCHED BY
 Before the
 Federal Communications Commission
 Washington, D.C. 20554

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| In the Matter of |) | |
| |) | CC Docket No. 99-35 |
| Long-Term Telephone Number Portability |) | |
| Tariff Filing of |) | |
| |) | |
| Pacific Bell |) | Transmittal No. 2051 |
| Southwestern Bell Telephone Company |) | Transmittal No. 2761 |

MEMORANDUM OPINION AND ORDER

Adopted: June 9, 1999

Released: June 9, 1999

By the Deputy Chief, Competitive Pricing Division:

I. INTRODUCTION

1. On February 26, 1999, the Common Carrier Bureau (Bureau) released the *Number Portability Designation Order*,¹ specifying issues for investigation with respect to Pacific Bell (Pacific) Transmittal No. 2029 and Southwestern Bell Telephone Company (SWBT) Transmittal No. 2745, establishing rates, terms and conditions for the provision of long-term local number portability. On May 26, 1999, SBC Communications Inc., on behalf of Pacific and SWBT, filed Transmittal Nos. 2051 and 2761,² respectively, proposing new monthly rates for their local number portability end-user and query service charges with an effective date of June 10, 1999. On our own motion, pursuant to section 204(a) of the Communications Act of 1934, as amended, we suspend Pacific Transmittal No. 2051 and SWBT Transmittal No. 2761 and include Pacific

¹ Long-Term Number Portability Tariff Filings of Ameritech, et al., *Order Designating Issues for Investigation*, CC Docket No. 99-35, DA 99-374 (Com. Car. Bur., rel. Feb. 26, 1999) (*Number Portability Designation Order*). The order also specified issues for the investigation of the local number portability tariff filings of Ameritech Operating Companies, GTE System Telephone Companies, GTE Telephone Operating Companies. Those tariff filings are not at issue here.

² See SWBT Transmittal No. 2761, filed May 26, 1999; Pacific Transmittal No. 2051, filed May 26, 1999.

Transmittal No. 2051 and SWBT Transmittal No. 2761 in the investigation of CC Docket No. 99-35.³

II. TRANSMITTAL NOS. 2051 and 2761

2. The *Number Portability Designation Order* sets out the specific issues for the Bureau's investigation of Pacific Bell Transmittal No. 2029 and SWB Transmittal No. 2745.⁴ We find that Pacific Transmittal No. 2051 and SWBT Transmittal No. 2761 raises the same issues that were set for investigation in the *Number Portability Designation Order*. The Bureau, therefore, designates for investigation with respect to Pacific Transmittal No. 2051 and SWBT Transmittal No. 2761 all issues set for investigation in the *Number Portability Designation Order* for these companies.

III. EX PARTE REQUIREMENTS

3. This tariff investigation is a "permit-but-disclose proceeding" and subject to the "permit-but-disclose" requirements under section 1.1206(b) of the rules, 47 C.F.R. § 1.1206(b), as revised. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must contain a summary of the substance of the presentation and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required.⁵ Other rules pertaining to oral and written presentations are set forth in section 1.1206 (b), as well.

IV. ORDERING CLAUSES

4. **ACCORDINGLY, IT IS ORDERED** that, pursuant to section 204 of the Communications Act, 47 U.S.C. § 204, and sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, Transmittal No. 2051 and Transmittal No. 2761, filed by SBC Communications Inc. on behalf of Pacific Bell and Southwestern Bell Telephone Company, respectively, **ARE SUBJECT** to the investigation in CC Docket No. 99-35.

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), and through the authority delegated pursuant to sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91,

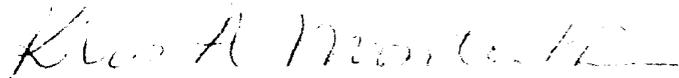
³ See 47 U.S.C. § 204(a); see also 47 C.F.R. §§ 0.91 and 0.291.

⁴ See *Number Portability Designation Order* at paras. 9-11, 16-21, 25-28, 31-35, 42-43, 45-46, 48, 51.

⁵ See 47 C.F.R. § 1.1206 (b)(2), as revised.

0.291, the tariff revisions filed by SBC Communications Inc. on behalf of Pacific Bell in Transmittal No. 2051 and Southwestern Bell Telephone Company in Transmittal No. 2761 **ARE SUSPENDED** until August 31, 1999.

FEDERAL COMMUNICATIONS COMMISSION



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Common Carrier Bureau