

FCC MAIL SECTION

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

DISPATCHED BY

In the Matter of Long-Term Telephone Number)
 Portability Tariff Filing of BellSouth) CC Docket No. 99-35
 Telecommunications, Inc.) Transmittal No. 510
)
)

**RECONSIDERATION OF DECISION TO SUSPEND AND INVESTIGATE TARIFF FILING
 OF BELL SOUTH TELECOMMUNICATIONS, INC.**

Adopted: June 11, 1999

Released: June 14, 1999

By the Chief, Competitive Pricing Division:

I. BACKGROUND

1. In this Reconsideration Order, we reconsider, on our own motion, our decision to suspend and initiate an investigation into the tariff transmittal filed by BellSouth Telecommunications, Inc. (BellSouth) seeking to establish rates, terms, and conditions for long-term number portability query service and end-user charges. BellSouth filed its tariff transmittal on April 30, 1999,¹ with a scheduled effective date of May 15, 1999. On May 7, 1999, AT&T Corp. and Time Warner Telecom Holdings, Inc. (Time Warner) filed petitions to reject or suspend and set for investigation BellSouth's tariff.² On May 13, 1999, BellSouth filed its reply.³ We suspended BellSouth's tariff transmittal, and set it for investigation on May 14, 1999.⁴ On June 11, 1999 BellSouth filed Transmittal No. 510, which modified its earlier long-term number portability tariff transmittal.⁵

¹ BellSouth Telecommunications, Inc. Transmittal No. 502, filed April 30, 1999.

² AT&T Petition to Reject or Suspend Tariff, filed May 7, 1999; Time Warner Petition to Suspend for One Day and Set for Investigation, filed May 7, 1999.

³ BellSouth Opposition, filed May 13, 1999.

⁴ *In re* Long-Term Telephone Number Portability Tariff Filings of BellSouth Telecommunications, Inc., CC Docket No. 99-35, *Memorandum Opinion and Order*, DA 99-906 (rel. May 14, 1999) (*BellSouth Suspension Order*).

⁵ BellSouth Telecommunications, Inc. Transmittal No. 510, filed June 11, 1999.

II. DISCUSSION

2. Pursuant to sections 1.108 and 0.291 of the Commission's rules, 47 C.F.R. §§ 1.108, 0.291, we reconsider on our own motion our decision in the *BellSouth Suspension Order* to suspend and initiate an investigation into BellSouth's long-term number portability tariff. In that order, we found that BellSouth's long-term number portability tariff raised substantial questions of lawfulness and warranted an investigation.⁶ We stated that these questions include, but were not limited to, BellSouth's method of identifying eligible Operations Support Systems (OSS) costs; BellSouth's calculation of its signalling and switching systems costs; BellSouth's use of the Switching Cost Information System (SCIS) cost model, rather than actual expenditures; and BellSouth's inclusion of costs for generic upgrades to switch software in its number portability rates.⁷

3. In Transmittal No. 510, BellSouth modifies several aspects of its previously-filed number portability tariff transmittals. BellSouth has revised its OSS worksheets to remove costs incidental to providing number portability, and has removed investment loadings for which it had not demonstrated actual cost. In addition to the above modifications, we note that BellSouth used actual expenditures, and has applied the SCIS only to allocate costs between number portability services.

4. We find that BellSouth's tariff, as modified by Transmittal 510, no longer raises substantial questions of lawfulness that warrant investigation. We, therefore, reconsider on our own motion, our decision to suspend and investigate BellSouth's Transmittal No. 502.

III. ORDERING CLAUSES

5. **ACCORDINGLY, IT IS ORDERED that**, pursuant to sections 0.291 and 1.108 of the Commission's rules, 47 C.F.R. §§ 0.291, 1.108, we reconsider on our own motion our decision in the *BellSouth Suspension Order*, DA 99-906 (rel. May 14, 1999) to suspend and investigate the rates, terms, and conditions for long-term number portability query service and end-user charges in relation to BellSouth Telecommunications, Inc.

FEDERAL COMMUNICATIONS COMMISSION



Jane E. Jackson
Chief, Competitive Pricing Division
Common Carrier Bureau

⁶ *BellSouth Suspension Order* at paras. 4-5.

⁷ *Id.*