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BELLSOUTH

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August 17th, 1999

EX PARTE OR LATE FILED

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, SW, Room TW-A325
Washington, DC 20554

RE: Subscriber List Information, CC Docket 96-115
Ex Parte

RECEIVED
AUG 17 1999
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Ms. Salas:

The E-mail message attached was forwarded on August 9, 1999 to each of the Common Carrier Legal Advisors for Chairman William E. Kennard and the Commissioners as indicated in the heading of the message. It concerns a critical issue associated with pricing of Subscriber List Information in the referenced docket proceeding.

The information provided and discussed is not new information and has been previously filed for the record in this proceeding. The information was provided to remind the Legal Advisors that the present record does not support the establishment of a \$0.06 proxy rate for SLI update products.

Please associate this notification and accompanying material with the docket proceeding.

If there are any questions, please contact the undersigned.

Sincerely,



Ben G. Almond
Vice President-Federal Regulatory

Attachment

Cc: D. Attwood S. Whitesell
K. Dixon B. Bailey
L. Kinney

No. of Copies rec'd 0+2
List ABCDE

Date: 8/9/99
Sender: Kelly G-BST Boggs
To: bbailey@FCC.gov, Dattwood@FCC.gov, Kdixson@FCC.gov, Lkinney@FCC.gov,
swhitesell@FCC.gov
cc: BEN ALMOND
Priority: Normal
Subject: BellSouth's Concerns Over the Proposed Proxy Rate for Update

As the Commission deliberates possible action on the issue of Subscriber List Information (SLI) in CC Docket No. 96-115. BellSouth wishes to provide you with the following information. This e-mail message is being forwarded to each

of you on behalf of Mr. Ben Almond of BellSouth as follow-up to conversations Mr. Almond has had with some you regarding the SLI.

BellSouth is quite concerned over the draft decision that has been submitted in this docket. We understand that the recommendation is for a proxy rate of \$.04

for the base SLI information and a proxy rate of \$.06 for the updates to the base SLI. The record clearly does not support a \$.06 rate for the update option.

The Association of Directory of Publishers (ADP), in its March 30, 1999 written ex parte filing, submitted incorrect and outdated cost information to the FCC regarding BellSouth's base SLI offering and suggested that it be used for determining BellSouth's actual costs of providing its SLI offerings. The data submitted by ADP is over five years old and was originally submitted to the Florida Public Service Commission in 1993 relating to BellSouth's provision of some of its base SLI and optional services and not for an update service.

On April 26, 1999 BellSouth submitted to the Commission Staff, under proprietary cover, its most recent cost studies for providing its base SLI offering and base SLI update offerings. The cost information shows that BellSouth's cost of providing the update service to the basis SLI is substantially higher than the \$.06 rate that has been recommended in the draft decision. Thus, the proposed proxy would not even cover BellSouth's cost to provide the update service. Instead, the FCC should defer to the respective state commissions that have comprehensively, through tariff proceedings or otherwise, reviewed and approved the base SLI and base SLI update prices.

BellSouth will forward each of you a copy of the written ex parte presentation dated May 3, 1999 by the end of business day today. Mr. Almond is on vacation,

however, he is checking his voice-mail, therefore, please feel free to leave him a message if you have any questions. He can be reached at 202-463-4112.