



August 30, 1999

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Judy Boley
Federal Communications Commission
Room 1-C804, 445 12th Street, SW
Washington, DC 20554

Re: **OMB Control Number 3060 - Truth-in-Billing and Billing Format
USTA Errata**

Dear Ms. Boley:

The United States Telephone Association files the attached errata to correct certain matters contained in USTA's August 24th filing. Copies of the errata and the original filing are being directed to Ms. Magalie Roman-Salas requesting that they be placed in the record of the proceeding (CC Docket No. 98-170).

Additionally, USTA wishes to add the following recent updates to the information it has provided: (1) AT&T filed a petition for waiver of the Commission's rules in the subject proceeding on Aug. 27, 1999; (2) Comptel; American Public Communications Council; and Excel Communications, Inc. filed to intervene in Bell Atlantic's court case (others filed earlier as was indicated by USTA on Aug. 24th); and (3) the FCC may have delayed a paging spectrum auction out of concern that paging billing software matters could be hampered by Y2K preparations/considerations (*see Telecommunications Reports* at 33 (Aug. 9, 1999)). Thus, USTA urges that similar Y2K wireline carrier billing consideration be extended to its wireline members in this matter.

Please contact the undersigned, if you have any questions about this matter.

Sincerely,
Julie E. Rones
Julie E. Rones, Senior Counsel
USTA Legal & Regulatory Affairs

Attachment

cc:	The Hon. William E. Kennard	Anita Cheng, Esq.
	The Hon. Susan Ness	Ms. Magalie Roman-Salas (w/errata & initial filing)
	The Hon. Harold W. Furchgott-Roth	Ms. Virginia Huth, OMB
	The Hon. Michael R. Powell	Eric Menge, Esq., SBA
	The Hon. Gloria Tristani	Service List
	Larry Strickling, Esq.	
	Glenn Reynolds, Esq.	

No. of Copies rec'd. 0
LIST ABOVE

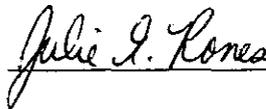
Correct the fourth line of page 10, USTA's comments, that currently reads, "...billing system/software **would not be made** after a time..." to read, "... billing system/software **would be imposed** after a time...."

On page 5 of USTA's Appendix B, titled USTA's Comments Regarding OMB Control No. 3060-0854, the dollar amount of **\$63,000** shown on the lines titled "Ave. per small LEC" and "Average per Small LEC" is incorrect. The correct figure of **\$31,500** should replace the incorrect amounts on both lines referencing the "Ave./Average per Small LEC." Also, the annotation following the dollar amount on the first of these lines should read, without parenthesis, "**Average cost per small LEC**" replacing the current parenthetical annotation.

On page 5 of USTA's Appendix C, beginning on the second to last line, delete the entire parenthetical sentence that begins, "**(Included in this is...)**."

In USTA's Appendix C, beginning on the second to last line of page 6 and continues to the top of page 7, delete the entire parenthetical sentence that begins, "**(SBC requests...)**."

Respectfully Submitted,



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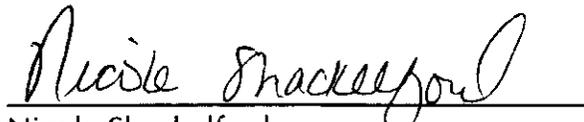
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August 30, 1999

CERTIFICATE OF SERVICE

I, Nicole Shackelford, do certify that on August 30, 1999, Errata of the United States Telephone Association Regarding OMB Control No. 3060-0854 were either hand-delivered, or deposited in the U.S. Mail, first-class, postage prepaid to the persons on the attached service list.



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August 24, 1999

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Judy Boley
Federal Communications Commission
Room 1-C804
445 12th Street, SW
Washington, DC 20554

Re: USTA Comments Regarding
OMB Control No. 3060-0854
Truth-in-Billing and Billing Format
CC Docket No. 98-170

Dear Ms. Boley:

Enclosed, please find an original and one copy of the above-referenced comments of the United States Telephone Association submitted in the above-referenced matter. A copy of this filing has also been forwarded to the Office of Management and Budget.

Please contact the undersigned if you have any questions about this matter.

Sincerely,

A handwritten signature in cursive script that reads "Julie E. Rones".

Julie E. Rones, Senior Counsel
USTA Legal & Regulatory Affairs

Enclosures

cc: The Hon. William E. Kennard,
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The Hon. Harold W. Furchgott-Roth
The Hon. Michael R. Powell
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Anita Cheng, Attorney, FCC Common Carrier Enforcement Div.
Ms. Virginia Huth, OMB- FCC Desk Officer
Parties on the Service List

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AUG 30 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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

In the Matter of)
Truth-in-Billing) CC Docket No. 98-170
and)
Billing Format)

**THE UNITED STATES TELEPHONE ASSOCIATION'S
COMMENTS REGARDING OMB CONTROL NO. 3060-0854**

Lawrence E. Sarjeant
Linda Kent
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August 24, 1999

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Summary

The United States Telephone Association (USTA), through counsel, files these comments in response to the Federal Communications Commission ("FCC" or "Commission") "Notice of Public Information Collection(s) Submitted to OMB for Review and Approval" as released in the July 30, 1999 *Federal Register*. That Notice invited public comment upon the FCC's resubmission of the agency's information collection requirements contained in the above-captioned proceeding, as required pursuant to the Paperwork Reduction Act of 1995, Pub. L. 104-13.

USTA is the principal trade association for the local exchange carrier industry. USTA represents more than 1,200 small, mid-size and large communications companies worldwide, the majority of which provide products and services in the United States. USTA members are facilities-based carriers that endorse the concepts of universal telephone service and non-misleading telephone bills.

USTA believes the FCC underestimated the burdens carriers would face in implementing the requirements of its order. Further, USTA believes the FCC's implementation time-frame places a tremendous burden on the carriers to have to implement during the Year 2000 computer remediation period ("Y2K"). Therefore, USTA believes the FCC has not met the burden as required by the PRA in its resubmission.

USTA urges the Commission to take a more prudent course of action consistent with the realities facing the LEC industry and the public's overall need to obtain regulatory certainty in this matter. Specifically, on the basis of the requirements of the PRA, USTA urges that the FCC hold the TIB Order implementation in abeyance for Y2K considerations until April 2000.

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

In the Matter of)
Truth-in-Billing) CC Docket No. 98-170
and)
Billing Format)

**THE UNITED STATES TELEPHONE ASSOCIATION'S
COMMENTS REGARDING OMB CONTROL NO. 3060-0854**

Lawrence E. Sarjeant
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August 24, 1999

USTA believes the FCC underestimated the burdens carriers would face in implementing the requirements of its order.² Further, USTA believes the FCC's implementation time-frame places a tremendous burden on the carriers to have to implement during the Year 2000 computer remediation period ("Y2K").

Therefore, USTA believes the FCC has not met the burden as required by the PRA in its resubmission. USTA urges the Commission to take a more prudent course of action consistent with the realities facing the LEC industry and the public's overall need to obtain regulatory certainty in this matter.

II. RELEVANT BACKGROUND, PROCEDURAL HISTORY AND STATUS OF THE TIB ORDER.

The FCC's Order release date and implementation dates. On May 11, 1999, the FCC released an order establishing mandatory, broad principles and guidelines for "truth-in-billing and billing format." The rules were to have been effective 30 days of publication in the *Federal Register*. The notice was published on June 25, 1999; so implementation was expected by or before July 26, 1999. The FCC was required to obtain approval from OMB under the PRA and requested emergency approval in June 1999. However, on July 2, 1999, OMB declined to approve the FCC's June 1999 emergency request.³ Consequently, the FCC subsequently published another public

²*In re Truth-in-Billing and Billing Format*, CC Docket No. 98-170, First Report and Order and Further Notice of Proposed Rulemaking (Adopted, Apr. 15, 1999; released, May 11, 1999)("TIB Order").

³See July 1, 1999 Memorandum from Timothy R. Fain, OMB FCC Desk Officer regarding USTA Comments on Truth in Billing (as contained in USTA's Appendix A to its Comments on "The FCC's Initial Regulatory Flexibility Analysis; and Initial Paperwork Reduction Act of 1995 Analysis From the First Report and Order and Further Notice of Proposed Rulemaking" (filed in this proceeding on Jul. 9, 1999).

notice. In an FCC *Public Notice*, DA 99-1423 (released, Jul. 20, 1999), entitled "Enforcement Division of the Common Carrier Bureau Announces Delayed Effective Date of Truth-in-Billing Order", the FCC said the TIB order shall become effective upon OMB approval. The notice also stated that "the FCC will publish a document in the *Federal Register* announcing the effective date of the rules, which shall be no sooner than September 6, 1999." *Id.*

TIB Order included a Further Notice of Proposed Rulemaking. In the TIB Order the FCC also released a further notice of proposed rulemaking ("FNPRM").⁴ The FNPRM listed four issues which parties could address: (1) the issue of standardized federal labels; (2) whether the TIB Order should apply to wireless carriers; (3) the FCC's present Initial Regulatory Flexibility Analysis; and (4) the TIB Order in light of the present PRA. Comments in the FNPRM were due on July 9, 1999 regarding the standardized federal labels issue and replies were due on July 21, 1999.⁵

As of the date of this instant filing, the FCC has not made a decision concerning the matters addressed in the FNPRM.

In the TIB Order, the FCC acknowledged that companies would likely be affected by the

⁴TIB Order at 1 and related paragraphs (citations omitted).

⁵The following parties filed in TIB Further Notice matter before or on July 9, 1999: AT&T (standardized federal labels issue). The company also stated therein that hard coding changes could take 12 months; and have Y2K impact; Bell Atlantic (standardized federal labels issue); CTIA; Cable & Wireless USA, Inc. (standardized federal labels issue); California Public Utilities Commission and of the People of the State of California (standardized federal labels issue); Public Service Commission of the State of Florida (standardized federal labels issue); MCI (standardized federal labels issue); Public Utilities Commission of the State of Maine (standardized federal labels issue); Sprint (standardized federal labels issue); Telecommunications Resellers Association (standardized federal labels issue); Time Warner Telecom (standardized federal labels issue); US West Communications, Inc. (standardized federal labels issue; Y2K concerns about having to implement TIB Order).

proposal made in its further notice.⁶ Relevantly, OMB noted in its declination response to the FCC's June 1999 request for emergency OMB approval, that, *inter alia*, the FCC was requiring carriers to implement the TIB Order in two phases because the FCC expects to revise the original TIB Order in light of its decision reached in the further notice portion of the proceeding. Therein, OMB asked the FCC "[w]hen will the implications of the descriptions portion of the FNPRM be known. [sic] Why should carriers have to implement these requirements in steps? Shouldn't the rulemaking be completed so as to allow carriers to implement the billing changes in one step?"⁷

A significant number of waiver or stay petitions were filed and have not been decided.

Practically, the bulk of the LEC industry affected by the TIB Order filed petitions seeking waiver or stay. USTA filed a "Petition for an Expedited Waiver or Stay" (Jul. 16, 1999) on behalf of the 1,200 LEC members it represents. US West, a USTA member, filed a separate "Petition for Relief from Two TIB Mandates Pending Conclusion of Reconsideration Process" (Jul. 19, 1999). Ameritech, a USTA member, filed a separate "Petition for Stay, and Clarification or Reconsideration" (Jul. 26, 1999). Cable Plus, L.P. and MultiTechnology Service, L.P. (A small competitive local exchange carrier) filed a "Petition for Expedited, Temporary Waiver" (Jul. 20, 1999)(seeking a specific time-certain waiver of the TIB Order until after it receives a *bona fide* request for equal access)⁸. SBC Communications Inc., a USTA member, filed a separate "Petition

⁶TIB Order at ¶ 108.

⁷*See supra* note 3.

⁸Cable Plus estimates that it would require it or its contractor(s) to devote approximately 1000 person hours for research and design, approximately 500 person hours for computer programming, and approximately 700 person hours for testing, or a total of 2200 person hours, to modify its billing system alone, in addition to having to expend resources to train its customer representatives. Further, Cable Plus estimates that the costs for making and testing these billing systems changes would range from \$220,000 to \$350,000. Cable Plus argues that these sums

for Waiver or Stay" (Jul. 26, 1999). Sprint Corporation. filed a "Petition for Stay or Waiver and Partial Clarification (Jul. 26, 1999). As of August 20, 1999, Bell South. also. requested relief from the FCC from the "deniable" "non-deniable" rule; the Company also provided that its information technology personnel are already overtaxed by Y2K preparations.⁹

On August 13, 1999, the FCC published a public notice seeking comments on the various petitions for stay or waiver. Comments are due on Sept. 3: and replies are due Sept. 10.¹⁰

A Significant Number of Petitions for Reconsideration (PFRs) were filed. Numerous PFRs have been filed in this matter. USTA filed a "Petition For Reconsideration" ("PRF") on July 26, 1999. USTA's PRF challenges the FCC's jurisdiction in enacting the "service provider" highlighting provision (47 C.F.R. § 64.2001(a)(2)(ii)), asking that the FCC not apply the provision or that it change the definition and require service providers (as opposed to the LEC who is providing the billing and collection service to the service provider) to provide information to Billing & Collection Local Exchange Carriers that it is "new"; asking for a complete waiver of TIB rules for small and mid-size LECs, or alternatively a waiver of the service provider highlighting rule and the deniable/non-deniable provision (47 C.F.R. § 64.2001(c)); asking the FCC to change its definition

represent a significant financial burden for it, especially during a time when it is transitioning from an STS provider to a facilities-based competitive LEC. See "Cable Plus L.P. and MultiTechnology Services, L.P.'s Petition for an Expedited, Temporary Waiver" at 2-3. USTA cites this information to illustrate that these burdens were likely not reflected in the FCC's OMB resubmission.

⁹See *Communications Daily*, (Aug. 24, 1999 at 6). Bell South is a USTA member.

¹⁰*Public Notice*. DA 99-1616: "Common Carrier Bureau Seeks Comment on Petitions Relating to Truth-in-Billing Filed by the Following Parties: Ameritech; Cable Plus, L.P. and Multitechnology Services, L.P.; SBC Communications Inc.; Sprint Corporation; United States Telephone Association; U S West Communications, Inc." in CC docket 98-170 (released, Aug. 13, 1999).

of small businesses to include small incumbent LECs so as to be consistent with the Small Business Administration's ("SBA") definition and in that regard to recognize that small incumbent LECs are to be afforded deference under the Regulatory Flexibility Act, which USTA argues the FCC failed to provide; that the FCC reconsider its decision to impose the TIB order on its members during the period of Year 2000 remediation efforts; and therefore that the FCC should consider holding its TIB Order in abeyance with regard to both 47 C.F.R. §§ 64.2001(a)(2)(ii) & 64.2001(c) until April 2000, a time when Y2K matters are expected to be in the clear.

SBC Communications Inc. filed a "Petition for Reconsideration" (Jul. 26, 1999); MCI filed a "Petition for Reconsideration and Clarification" (Jul. 26, 1999); US West Communications, Inc. filed a "Petition for Reconsideration" (Jul. 26, 1999); AT&T filed a "Petition for Reconsideration" (Jul. 26, 1999); Ameritech filed a "Petition for a Stay, and Clarification or Reconsideration" (Jul. 26, 1999).

Notwithstanding jurisdictional matters, several issues stemming from the TIB Order have been identified as problems for LECs, in particular. The TIB Order's "service provider highlighting" requirement (47 C.F.R. § 64.2001 (a)(2)(ii)); the TIB Order's "deniable/non-deniable" requirement (47 C.F.R. § 64.20001(c)); the TIB Order's lack of consideration or deference to the telecommunications industry's preoccupation with and need to devote resources to Y2K remediation efforts and also for a moratorium on major billing system/software changes until after April of 2000, such as the two aforementioned rules require; regulatory uncertainty as to implementation date not being known (including the multiple phases of the proceeding whereby the decision made by the FCC in the FNPRM could impose further changes for carriers to their billing systems/software), and

any uncertainty resulting from a waiver or stay process which might not be resolved;¹¹ and imposing standardized federal labels on carriers -- present problems for LECs.¹²

The Office of Advocacy, U.S. Small Business Administration (another federal agency) believes the TIB Order fails to provide information about the impact, cost, or value; and that the TIB Order's analysis has contradictions which make compliance and expectations difficult.¹³ Further commenting on the initial 30 day implementation time frame carriers had been expected to be in compliance since the TIB Order's May 11, 1999 release was published in the *Federal Register* on June 25, 1999 (i.e., July 26, 1999 compliance date), SBA said "the original 30-day period before the truth-in-billing rules are enforceable is not enough time for any businesses, let alone small entities, to come into compliance with these **far-reaching and expensive regulations.**"¹⁴

Carriers have placed an issue before the Ordering and Billing Forum (OBF) for consideration. As USTA argued in its PFR, in order for the billing and collection carriers and the service providers to reconfigure their systems/software in order to notify the billing entity it is new, to comply with an aspect of the "new service provider highlighting requirement", would require a change to the industry exchange message interface ("EMI") billing record standard. To accomplish

¹¹See *gen.*, USTA PFR (Jul. 26, 1999); USTA's "Comments on the FCC's Initial Regulatory Flexibility Analysis; and Initial Paperwork Reduction Act of 1995 Analysis From the First Report and Order and Further Notice of Proposed Rulemaking" (Jul. 9, 1999); and Petition by USTA for an Expedited Waiver or Stay" (Jul. 16, 1999).

¹²See *supra* note 5.

¹³See "Reply Comments of the Office of Advocacy, U.S. Small Business Administration on the Final Regulatory Flexibility Analysis, and the Initial Regulatory Flexibility Analysis of the First Report and Order and Further Notice of Proposed Rulemaking in CC Docket No. 98-170 (Jul. 26, 1999).

¹⁴*Id.* at 6 (emphasis added).

changes to the billing characters and format. the industry has established a working group to address such issues. It typically takes the industry months of consultation to agree to and implement such changes. The industry, in this regard, may follow voluntary "Bellcore" guidelines with respect to EMI records. Modifications to the EMI standards are proposed to and approved by an industry group, the Message Processing Committee of the OBF of the Alliance for Telecommunications Industry Solutions ("ATIS"). The relevant committee met during August 9-13, 1999 (See Appendix A which includes (1) a copy of the OBF agenda item; and (2) an *ex parte* letter from Bell Atlantic addressing the issue). It had placed the "Truth-in-Billing New Service Provider Notification" issue on the agenda. The desired result was to "establish a new record that identifies to the billing executing carrier that the service provider identified on the record requires identification as a new service provider on the end-user bill. (OBF Issue Number SWB1.)

Thus, while the issue has just been raised, carriers will not resolve the issue for at least six months, if at all. This new service provider highlighting issue is one of the issues on appeal before the First Circuit Court of Appeals (see below)¹⁵ and is also a subject addressed by USTA in both its PRF and petition for expedited waiver or stay.

In recognition of problems with the TIB Order, carriers have filed before the First Circuit Court of Appeals Challenging the TIB Order. Pilgrim Telephone, Inc. filed a "Petition for Review" before the U.S. Court of Appeals for the First Circuit in Mass. on July 6, 1999 (Case No. 99-1821). Additionally, Bell Atlantic filed a "Petition for Reconsideration" before that same court on July 20, 1999 (Case No. 99-1844). A number of interveners have sought intervention in

¹⁵See "Bell Atlantic Comments and Petition" filed in this docket (Jul. 28, 1999; seeking a stay of the FCC's new service provider rule).

either or both of the pending court cases.

Y2K concerns were raised in every phase of this proceeding and have been raised recently by the White House generally about the telecommunications industry's Y2K status poses a question about the TIB Order's implementation timing. OMB filed comments in the initial Notice of Proposed Rulemaking in this proceeding. At that time in December of 1998, OMB recommended that the Commission allow companies sufficient time to address their necessary Year 2000-related modifications to their computer systems as well as modifying their billing systems to meet any new requirements.¹⁶ The FCC declined to adopt this recommendation when it issued its TIB Order. Additionally, USTA, Ameritech, Bell Atlantic, Bell South, U S West, AT&T, Cable and Wireless; and other parties raised this as a paramount concern because affected parties would have to divert resources and make changes to the billing systems and software in order to implement the TIB Order requirements.¹⁷ Moreover, the FCC expected carriers to implement such TIB Order requirements during the period when Y2K efforts would be underway.

On May 14, 1999, OMB Director Jacob J. Lew, released OMB Memorandum 99-17 to the heads of federal executive departments and agencies. That Memorandum addresses "Minimizing Regulatory and Information Technology Requirements That Could Affect Progress Fixing the Year 2000 Problem". Essentially, the Memorandum requests that regulatory agencies not impose burdensome regulation upon the industries they regulate that could be delayed and could otherwise interfere with Y2K efforts. *Id.*

In the OMB July 2, 1999 declination response, OMB stated the following concerns and asked

¹⁶TIB at ¶ 76.

¹⁷Citations omitted.

the FCC to provide responses to the following Y2K issues raised which were partially the basis for the OMB's denial, especially as the TIB Order concerned small and mid-size incumbent LECs; and also to the degree that the larger carriers had determined that moratoriums on further changes to the billing system/software would not be made after a time as determined by the relevant carriers in order to preserve the viability of the billing system in light of Y2K potential impacts. Some of these carriers who are also regulated by the Securities and Exchange Commission were allowed by the SEC to have moratoriums for matters regulated by the SEC. See SEC, Release Nos. 33-7568; 34-40377; 35-26912; IA-1749; IC-23416: "Commission Statement of Policy on Regulatory Moratorium to Facilitate the Year 2000 Conversion", *Fed. Reg.* (Vol. 63, No. 171; Sept. 3, 1998)(imposing a moratorium on the implementation of new SEC rules requiring major reprogramming by companies regulated by the SEC. The moratorium is effective between June 1, 1999 and March 31, 2000). Specifically U S West has informed the FCC it will apply a moratorium on further changes to its billing system after a time certain.¹⁸

The FCC's "Y2K Communications Sector Report" released on March 30, 1999¹⁹ discussed the status of LEC Y2K preparation and noted that the status of small and mid-size LECs presented concern. Subsequently, the White House released the status of the telecommunications industry's Y2K preparedness based on the FCC Year 2000 Task Force, chaired by FCC Commissioner Powell. The White House has established an information hotline provided by the President's Council on

¹⁸U S West Comments filed in this proceeding regarding the FNPRM (Jul.8/9, 1999).

¹⁹See Y2K Communications Sector Report released by the FCC at www.fcc.gov/year2000.

Year 2000 Conversion.²⁰ The White House Y2K hotline expresses concern about the status of small and mid-size LECs' Y2K remediation efforts (as of August 23, 1999).²¹

III. ARGUMENTS

A. The FCC's PRA resubmission to OMB fails to meet the requirements of the PRA.

1. The FCC under estimated the burden placed on carriers in having to comply with the TIB Order.

See USTA Appendix B, which addresses cost and time burdens in a matrix based on matters contained in the record and informal information provided by USTA members. See Appendix C, which provides relevant excerpts from filings made by other parties in this matter which support the premise that the resubmission fails to meet the requirements of the PRA.

2. The FCC failed to recognize the burden placed on the carriers in having to implement the TIB Order during the Y2K period (June of 1999 to April of 2000).

Consistent with the filings USTA and its members have made in this matter, and the matters raised by both OMB and also the White House concerning Y2K matters, USTA submits that the matter is one of *res ipsa loquitur* (a thing speaks for itself). Large carriers have recently announced that significant expenditures are expected to be made in order to complete Y2K preparation. As cited in *Communications Daily* on August 23, 1999, US West expects to spend \$75 million for remaining preparation; BellSouth expects to spend \$101 million for remaining preparations; and SBC expects to spend \$80 million for remaining preparations. As per *Communications Daily* on August 24, 1999, Bell South informed the FCC that the TIB Order presented a burden for the

²⁰See *FCC News Release*: "Information on Y2K Readiness of Telecommunications Industries Available on White House Y2K Telephone Hotline" (released, Aug. 20, 1999).

²¹Contact the White House Y2K Hotline at (1-888-872-4925 at Option No. 3).

company in addressing Y2K, since its information technology personnel already are overtaxed by Y2K preparations.²² Therefore, given that these large carriers envision significant devotion of resources to the remaining efforts, it should be recognized that mid-size and small LECs are additionally laboring under the burdens seeking to address Y2K matters, at present and that the LEC industry, as a whole, could best devote its resources toward addressing Y2K now; but, revisiting TIB implementation after Y2K. Consistently, therefore, as the TIB Order may impact Y2K carrier plans, resources and efforts, on the basis of Y2K matters alone, the FCC should hold further TIB implementation requirements in abeyance, especially with regard to 47 C.F.R. §§ 64.2001(a)(2)(ii) and 64.2001(c), until April 2000.

²²See *supra* note 9.

IV. CONCLUSION

WHEREFORE, USTA respectfully urges that the Commission to revise its approach to its resubmission to OMB, consistent with the matters as pointed out by USTA in this filing.

Respectfully submitted,

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