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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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

AT&T Comments

Pursuant to the Commission's Public Notice, released August 13, 1999, AT&T Corp. ("AT&T") submits the following comments on the petitions filed by Ameritech, Cable Plus, L.P and MultiTechnology Services ("Cable Plus"), SBC Communications, Inc., Sprint Corporation, United States Telephone Association ("USTA") and U S WEST Communications, Inc. ("Petitions") for relief from certain of the provisions of the Commission's May 11, 1999 order in this proceeding ("Order").¹

AT&T generally supports the Petitioners' requests for relief.² Indeed, for very similar reasons, on July 26, AT&T filed a petition for reconsideration of certain of the Commission's new Truth-in-Billing ("TIB") rules ("AT&T Reconsideration Petition"), and on August 27, 1999, AT&T

¹ First Report and Order and Further Notice of Proposed Rulemaking, FCC 99-72, released May 11, 1999.

² The various petitions seek similar relief under different names (waiver, stay, forbearance) but they are essentially the same in substance.

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submitted its own petition for waiver of the implementation date of provisions of Sections 64.2001(a)(2) and (c) ("AT&T Waiver Petition").³

Neither AT&T nor the petitioners oppose the Commission's objectives in this proceeding.⁴ Nevertheless, the Petitions and AT&T's prior filings demonstrate that, at a minimum, carriers need additional time to modify their complex billing systems to accommodate additional requirements imposed by the Commission's new rules, especially the specific requirements of sections 64.2001(a)(2) and (c).

Carriers' billing systems generally were not designed and are not currently able to provide the "new service provider" and "deniable/non-deniable" functions required by these new rules. Moreover, carriers' billers are typically enormous systems, and any change to those systems requires significant lead time and resources to implement. Further, as several Petitioners point out,⁵ the Y2K concerns that are currently consuming the business community make this an

³ In order to avoid duplication, AT&T incorporates those filings by reference herein.

⁴ See, e.g., Ameritech, p. 1; Sprint, p. 5.

⁵ Ameritech, p. 2; Cable Plus, p. 4; Sprint, p. 7; USTA, p. 8; U S WEST, p. 9.

especially inopportune time to force carriers to make previously unplanned changes to their computer infrastructures. Therefore, AT&T supports all of Petitioners' requests for an extension of time to comply with those rules.⁶

Petitioners also raise several other important issues that the Commission should clarify. First, clarifications are needed with respect to the Commission's rule on "new service providers." SBC (p. 2) reasonably requests that the Commission clarify that a "service provider" should be defined by the full range of products and services that it markets to end users, as long as the customer can use a single contact number for inquiries, even if the bundle includes services from separate legal entities.⁷ As SBC (p.

⁶ AT&T takes no position on USTA's request for a permanent (or at least indeterminate) waiver of all the TIB rules as applied to small and mid-size LECs, especially the sections cited above. However, because AT&T relies upon most (if not all) of the LECs requesting that waiver to perform billing services for some of its long distance customers, the Commission should clarify that any such waiver applies not only to the requesting LECs but also to all carriers who use those LECs' billing services.

⁷ Although SBC (p. 3) seeks clarification that all services offered by two or more affiliates should be treated as being provided by a single entity, AT&T believes that this is clear on the face of the current rule. To the extent, however, that the Commission believes a clarification on this point is in order, AT&T supports such a clarification.

8) states, this is important to enable companies to provide customers with bundled offers that span a wide range of telecommunications services. Clearly, for example, a carrier that adds wireless services to a bundle of wireline services should not be required to list the bundled offer on a bill as though it were being offered by multiple providers (the original wireline provider and a "new" wireless provider) for TIB purposes.

Ameritech (p. 2) and USTA (p. 3) request that the new service provider rule be clarified or modified to provide that it should only apply to an entity that has not submitted a bill to the customer within the past six months. This is clearly reasonable. First, given the lag time between the date a service provider submits charges to a billing entity and the date when those services are actually billed, no one -- neither the biller nor the service provider -- may know with certainty whether charges were billed in the immediately preceding month. Moreover, customers who use dial-around services, or other services designed for occasional use, often use them on a periodic rather than monthly basis. It would be both confusing and burdensome to require that such service providers be

identified as "new" every time their services are used.⁸ Including a reasonable time period such as six months in the rule thus makes great practical sense.

Sprint (p. 4) also requests clarification regarding which carrier is responsible for identifying "deniable" and "non-deniable" charges on customers' bills. According to Sprint, at least one LEC has indicated that it believes that long distance carriers are obliged to provide such information when their charges are included on a local bill. This is nonsense. This issue applies exclusively when both local and other charges are included on the same bill. Accordingly, this is a matter that should be the responsibility of the local carrier whose bills contain non-local charges. Moreover, given the state-specific nature of "deniability" rules, there is no other reasonable answer to this question.⁹

⁸ See Sprint, p. 13.

⁹ The Order (¶ 25) states that interexchange carriers are responsible to ensure that charges for their services "compl[y] with the principles set forth in this Order." Although IXCs must provide clear descriptions of their services that appear on a bill issued by a LEC, the LEC must be responsible to identify for end users which billed services are actually "deniable" and "non-deniable," because only the LEC has final control over the formatting of its bills. Thus, IXCs have a right to participate in the decision of how their "non-deniable" charges are described (id., fn.126), but the LECs must bear the ultimate responsibility for implementing the rule.

Finally, AT&T also supports Ameritech's request (p. 8) to exempt bills for business customers from the new rules.¹⁰ As Ameritech correctly notes, such customers are sophisticated purchasers and do not require exactly the same billing information as residential customers. Further, Ameritech (id.) is also correct that carriers often use special billers to serve the customized needs of large business customers and that it may in fact be counterproductive to require carriers to expend the costs and technical resources needed to make the proposed billing system changes.

¹⁰ See AT&T Petition for Reconsideration, pp. 3-7.

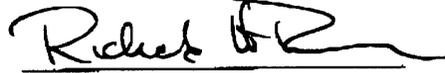
Conclusion

The Commission should grant the Petitions consistent with AT&T's comments above.

Respectfully submitted,

AT&T CORP.

By:



Mark C. Rosenblum
Richard H. Rubin
Room 1127M1
295 N. Maple Avenue
Basking Ridge, NJ 07920
(908) 221-4481

Its Attorneys

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