

ORIGINAL

**BELLSOUTH**

Kathleen B. Levitz  
Vice President-Federal Regulatory

EX PARTE OR LATE FILED

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September 3, 1999

WRITTEN EX PARTE

RECEIVED

SEP 03 1999

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
The Portals  
445 12<sup>th</sup> Street, S.W., Room TWB-204  
Washington, D.C. 20554

Re: CC Docket No. 96-98

Dear Ms. Salas:

This is to give notice that on September 3, 1999 I sent the attached written ex parte to Linda Kinney, legal advisor to Commissioner Ness.

In accordance with Section 1.1206(b)(1), I am filing two copies of this notice in the docket identified above. If you have any questions concerning this, please call me.

Sincerely,



Kathleen B. Levitz

Attachment

cc: Lawrence Strickling  
Jake Jennings  
Kyle Dixon  
Sarah Whitesell  
William Bailey  
Linda Kinney  
Dorothy Atwood

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September 3, 1999

WRITTEN EX PARTE

Ms. Linda Kinney  
Legal Advisor to Commissioner Ness  
Federal Communications Commission  
Room 8B-1115D  
445 12<sup>th</sup> Street S.W.  
Washington D.C., 20054

Re: CC Docket No. 96-98

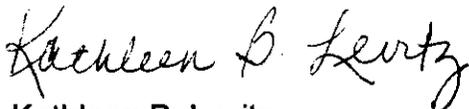
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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Dear Ms. Kinney:

On August 25, 1999, BellSouth representatives met with you to discuss issues related to the question of whether the Commission should restrict the availability of combinations of unbundled loops and transport. At that time you asked us to share with you some examples of current restrictions imposed on the availability of telecommunications services. Attached are such examples. If after reviewing the examples you have any questions, please call me at 202.463.4113.

In accordance with Section 1.1206(b)(1) I shall file two copies of this written ex parte presentation with the Secretary of the Commission and requesting that it be associated with the record in CC Docket No. 96-98.

Sincerely,



Kathleen B. Levitz

Attachment

Q. Please provide examples of FCC use restrictions from interstate tariffs and FCC orders.

A. Examples of use restrictions are found in the following areas:

#### **Interstate Access Tariff**

1. End User Subscriber Line Charge (SLC) is different dependent upon the type of user – residential, single line business, multi-line business, and primary or secondary line. Business and secondary line customers are restricted from using the lower priced service. These interstate price differentials arise because these customers are taking service from an intrastate tariff that contain use restrictions.
2. PICC is a different charge for business, residential, and primary or secondary line. Similar use restrictions.
3. Switched access services offered in the federal access tariff may be used only for interstate communications.

#### **FCC Orders**

1. CLECs cannot use unbundled switching to provide switched access unless they provide local exchange services to the end user customer. Reconsideration Order in CC Docket No. 96-98, 11 FCC Rcd 13042, 13049, para. 13.
2. IXCs, business and residence customers are restricted from using local exchange services to originate and terminate interstate calls. On the other hand, enhanced service providers (ESPs) may use local exchange services to originate and terminate interstate services because of the access charge exemption.
3. Wireless interconnection has use restrictions:
  - The use of Type 1, Type 2A and Type 2B wireless interconnection is restricted to wireless providers.
  - Prior to the Telecom Act, wireless carriers were restricted from using LEC co-carrier agreements.
  - Wireless carriers are restricted from using local exchange services to interconnect. They must order Type 1, 2A or 2B, access services, or negotiate interconnection agreements.
4. Lifeline service has income based use restrictions.
5. Hearing impaired receive restricted discount rates.