

**Before the  
Federal Communications Commission**

<b>In the Matter of</b>	)	
	)	
<b>United States Telephone Association</b>	)	<b>RM 9707</b>
<b>Petition for Rulemaking</b>	)	
<b>Biennial Regulatory Review</b>	)	

**MCI WORLDCOM, INC.  
REPLY COMMENTS**

On August 11, 1999 the United States Telephone Association (“USTA”) submitted a petition for rulemaking for the stated purpose of permitting the Commission to engage in a comprehensive review of the Commission’s regulations. USTA contended that the Commission’s 1998 biennial review did not provide significant regulatory relief because individual bureaus issuing multiple notices, rather than a single bureau issuing a single notice, were in charge of the process.<sup>1</sup> USTA also maintained that growing convergence and competition require more significant regulatory relief, and imply that this too can only be accomplished through the vehicle of a consolidated rulemaking.<sup>2</sup> Three Bell Operating Companies (BOCs) Bell South Corporation, SBC Communications, Inc., and Cincinnati Bell Telephone Company echoed of USTA’s rationale and supported its petition.

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<sup>1</sup>United States Telephone Association, Petition for Rulemaking Biennial Regulatory Review, (“Petition”), August 11, 1997, at 5.

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<sup>2</sup>Id., at 8.

USTA's contentions are without merit. First, the Commission implemented significant regulatory relief during its first biennial review. The Commission's first biennial review effort initiated 31 proceedings and took steps to ease the regulatory burden on local exchange carriers (LECs) in many ways. For example, the Commission relaxed its technology testing requirements<sup>3</sup>; modified its accounting rules<sup>4</sup>; provided blanket section 214 authorization for international service to destinations where the carrier has no affiliate<sup>5</sup>; eliminated its rules concerning the provision of telegraph and telephone franks<sup>6</sup>; eliminated the requirement that BOCs file Comparably Efficient Interconnection plans and obtain Common Carrier Bureau approval for those plans prior to providing new intraLATA information services<sup>7</sup>; and took many actions that streamlined tariff filings by LECs.<sup>8</sup>

Second, the multiple proceedings did not diminish the comprehensive nature of the Commission's review. In fact the Commission hosted a series of public forums to solicit informal

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<sup>3</sup>1998 Biennial Regulatory Review -- Testing New Technology, CC Docket No. 98-94, NOI, FCC 98-118 (rel. June 11, 1998).

<sup>4</sup>1998 Biennial Regulatory Review -- Review of Accounting and Cost Allocation Requirements; United States Telephone Association Petition for Rulemaking, CC Docket No. 98-81, NPRM, FCC 98-108 (rel. June 17, 1998)

<sup>5</sup>1998 Biennial Regulatory Review -- Review of International Common Carrier Regulations, IB Dkt No. 98-118, NPRM, FCC 98-149 (rel. July 14, 1998).

<sup>6</sup>1998 Biennial Regulatory Review -- Elimination of Part 41 Telegraph and Telephone Franks, CC Dkt No. 98-119, NPRM, FCC 98-152 (rel. July 21, 1998).

<sup>7</sup>*Computer III* Further Remand Proceedings: Bell Operating Company Provision of Enhanced Services 1998 Biennial Regulatory Review CC Docket No. 95-20, and Review of *Computer III* and ONA Safeguards and Requirements Further Notice of Proposed Rulemaking, CC Docket No. 98-10, released: January 30, 1998

<sup>8</sup>*See*, Implementation of Section 402(b)(1)(A) of the Telecommunications Act of 1996, Notice of Proposed Rulemaking, CC Docket No. 96-187, released September 6, 1996.

input from the public regarding possible areas for regulatory relief, and assigned topics to the bureaus and divisions with the most expertise so as to be able to comprehensively review comments and proposals. Now that the Commission has started its administrative consolidation in response to growing convergence, the number of divisions will no doubt be reduced in the future.

In conclusion, neither USTA, nor its BOC supporters, have justified the need for the Commission to undertake its 2000 biennial review in a consolidated docket. MCI WorldCom is confident the Commission will once again solicit wide input regarding possible areas for regulatory relief, and assign the review efforts to the staff most capable of evaluating competing claims. Finally, it must be noted that USTA's petition primarily repeats its requests for regulatory relief submitted September 30, 1998, most of which were already considered in 1998 biennial review and other dockets.<sup>9</sup> The repetitious and frivolous nature of USTA's petition further calls into question the need for a consolidated review docket. For these reasons, the Commission should reject USTA's petition for a consolidated rulemaking.

Respectfully submitted,  
MCI WorldCom, Inc.

**Lawrence Fenster**

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November 30, 1999

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<sup>9</sup>United States Association, Petition for Rulemaking, 1998 Biennial Regulatory Review, September 30, 1988.

## Statement of Verification

I have read the foregoing and, to the best of my knowledge, information and belief, there is good ground to support it, and it is not interposed for delay. I verify under penalty of perjury that the foregoing is true and correct. Executed on November 30, 1999

Respectfully submitted,  
MCI WorldCom, Inc.

Lawrence

Fenster

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## Service List

I, Barbara Nowlin, do hereby certify that a copy of MCI WorldCom's Comments has been sent by United States first class mail, postage prepaid, hand delivery, to the following parties on this 30<sup>th</sup> day of November, 1999.

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