

Bell Atlantic
1300 I Street, NW
Suite 400 West
Washington, DC 20005

DOCKET FILE COPY ORIGINAL

January 4, 2000

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

RECEIVED



JAN - 4 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

**Re: Request for Limited Modification of LATA Boundaries to Provide ELCS
Between Bell Atlantic - Virginia's Davenport Exchange and GTE South's Grundy
Exchange; CC Docket No. 96-159**

Dear Ms. Salas:

Bell Atlantic - Virginia hereby submits this request for a LATA boundary modification to provide Expanded Local Calling Service (ELCS) between its Davenport exchange and GTE South's Grundy exchange.

In its order released July 15, 1997¹ ("Order"), the Commission established an ongoing process for requesting LATA boundary modifications to provide ELCS. This request is filed pursuant to the provisions contained in that order. Attached please find the support documentation required by the Commission to approve the requested modification.

Should you have any questions regarding this material, please do not hesitate to contact me 202-336-7875.

Sincerely,

A handwritten signature in cursive script that reads "Tracy K. Chaney".

Attachment

cc: C. Keller
K. Schroeder
A. Thomas

¹ "In the Matter of Petitions for Limited Modification of LATA Boundaries to Provide Expanded Local Calling Service (ELCS) at Various Locations", CC Docket No. 96-159, released July 15, 1997.

No. of Copies rec'd _____
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Handwritten initials, possibly "JEF", written in cursive over a horizontal line.

Request for Limited Modification of LATA Boundaries to Provide ELCS Between Bell Atlantic - Virginia's Davenport Exchange and GTE South's Grundy Exchange

- (1) Type of Service
Traditional Local Service, Non Optional ELCS
- (2) Direction of Service
Two-way
- (3) Exchanges Involved
ELCS between Bell Atlantic - Virginia's Davenport exchange located in the Roanoke, Virginia LATA and the Grundy exchange located in the Bluefield, West Virginia Independent Market Area ("IMA").
- (4) Name of Carriers
Davenport - Bell Atlantic - Virginia
Grundy - GTE South
- (5) State Commission Approval
The Virginia State Corporation Commission issued a Final Order on December 21, 1999 approving ELCS for this route. A copy of the Final Order is attached.
- (6) Number of Network Access Lines
Davenport Exchange - 1,302
Grundy Exchange - 3,804
- (7) Usage Data
Messages per main station per month
Davenport to Grundy - 4.18
Grundy to Davenport - 0.46

Percent of subscribers making calls
Davenport to Grundy - Data not available
Grundy to Davenport - Data not available
- (8) Poll Results
Davenport to Grundy
Eighty-four percent of those responding voted for ELCS.
Grundy to Davenport
Public notice was provided to the Grundy exchange customers via newspaper display advertisement. No comments or requests for a hearing were received.

(8) Poll Results (Continued)

ELCS Rate Increase - Davenport

Residential

Flat Rate	\$ 0.34
Message Rate	\$ 0.00
Measured Rate	\$ 0.00
Economy Rate	\$ 0.00
Exchange Only Rate	\$ 0.00

Business

Flat Rate Line	\$ 3.33
Message Rate Line	(\$ 0.25)
Measured Rate Line	\$ 0.00
Flat PBX Trunk	\$ 6.00
Message PBX Trunk	(\$ 0.25)
Measured PBX Trunk	\$ 0.00

ELCS Rate Increase - Grundy

Residential

Flat Rate	\$ 0.12
Lifeline Service	\$ 0.12
Exchange Only Svc.	\$ 0.09
Economy Measured	\$ 0.07

Business

Flat Rate	\$ 0.28
Flat Key Line Service	\$ 0.28
Flat Rate Trunk	\$ 0.62
Measured Single Line	\$ 0.19
Measured Key Line	\$ 0.19
Measured Trunk	\$ 0.19

(9) Community of Interest Statement

Davenport is a rural exchange with approximately 1,300 access lines located in Buchanan County in southwest Virginia. The Grundy exchange which is also located in Buchanan County, but in a different LATA, has approximately 3,800 access lines. The Big Prater exchange served by GTE South, lies between the Davenport and Grundy exchanges. A separate application for a ELCS waiver between Davenport and Big Prater has been submitted to the FCC. The residents and businesses of Buchanan County have long sought the ability to call locally throughout the county. Bell Atlantic - Virginia serves the southern portion of the county from its Davenport exchange. GTE South serves the remainder of the county. Grundy is the county seat for Buchanan County and the majority of the county offices are located there. The only hospital in Buchanan County, Buchanan General Hospital, is located in Grundy. In addition, Grundy is the home to several medical clinics and the only major shopping center (Anchor Shopping Center) in the county. It is also headquarters for the major employers in the area, Consolidated Coal and Jewell Smokeless Coal Corporation. The Davenport exchange has several businesses that offer employment to nearby exchanges including Grundy. These include several lumber and coal mining companies as well as a trucking company. Retail services available in Davenport include two banks, a medical laboratory, a family drug store, a medical clinic, several food stores, a restaurant, a video store and an appliance store. ELCS would allow local communication between Davenport and its county seat, Grundy, for commercial and employment issues. ELCS would also address personal community of interest issues such as calling between friends, relatives and churches in the county. The data outlined above, the results of the Davenport customer survey and the results from the Grundy public notice support community of interest between these two adjacent exchanges.

(10) Maps

Maps are attached for the Davenport, Big Prater and Grundy exchanges.

(11) Other Pertinent Information

Chronology

On June 24, 1998, Bell Atlantic - Virginia's Davenport exchange subscribers petitioned the Virginia State Corporation Commission for Expanded Local Calling Service (ELCS) to GTE South's Grundy exchange. The Commission directed Bell Atlantic - Virginia to determine the change in monthly rates to provide ELCS from Davenport to Grundy. Bell Atlantic - Virginia surveyed all of its Davenport subscribers regarding their willingness to pay the additional rates. Eighty-four percent of the subscribers responding voted favorably.

Chronology (Continued)

The Commission then directed GTE South to determine rates for ELCS calling from Grundy to Davenport. GTE South provided public notice via newspaper display advertising to its Grundy customers. No comments or requests for hearing were received.

Both the survey and the public notice met the requirements as outlined in Section 56-484.2 of the Virginia State Code. The results of the survey met State Code requirements for implementation.

On December 21, 1999 the Virginia State Corporation Commission issued a Final Order approving Expanded Local Calling Service between Davenport and Grundy.

Virginia State Code, Section 56-484.2

This section of the Virginia State Code allows customers to petition the State Corporation Commission for ELCS. A copy of this section is attached.

Attachments

Virginia State Corporation Commission Public Notice Report of Alan R. Wickham in Case No. PUC990134

Virginia State Corporation Commission Final Order in Case No. PUC990134

Map of the Davenport exchange

Map of the Big Prater and Grundy exchanges

Virginia LATA map

Virginia State Code, Section 56-484.2

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**COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
DIVISION OF COMMUNICATIONS**

**PUBLIC NOTICE REPORT OF
ALAN R. WICKHAM**

PUC990134

**APPLICATION OF GTE SOUTH INCORPORATED
TO IMPLEMENT EXTENDED LOCAL SERVICE
FROM ITS GRUNDY EXCHANGE TO
BELL ATLANTIC - VIRGINIA INC.'S DAVENPORT EXCHANGE**

November 30, 1999

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NOV 30 1999

**APPLICATION OF GTE SOUTH INCORPORATED
TO IMPLEMENT EXTENDED LOCAL SERVICE
FROM ITS GRUNDY EXCHANGE TO
BELL ATLANTIC - VIRGINIA INC.'S DAVENPORT EXCHANGE**

CASE NO. PUC990134

BACKGROUND

Bell Atlantic – Virginia (“BA-VA”) surveyed its Davenport exchange customers for Extended Local Service (“ELS”) into GTE South Incorporated's ("GTE") Grundy exchange in response to a customer petition filed pursuant to Virginia Code Section 56-484.2. ELS is flat rate two-way calling between two or more exchanges on a seven digit dialing basis. The result of the poll was as follows:

Total Ballots Mailed	1,221
Customers Responding	519 (42.5%)
Number of Responses:	
Yes	435 (83.8%)
No	84 (16.2%)

The proposal for ELS from the Davenport exchange into the Grundy exchange met the polling requirements of § 56-484.2.

On August 3, 1999, GTE filed an application pursuant to provisions of § 56-484.2 proposing to notify its customers in the Grundy exchange of the increases in monthly rates that would be necessary for extending their local service to include the Davenport exchange.

The Commission entered an Order Prescribing Notice of the application on September 20, 1999. The Company was ordered to publish notice in newspapers of general circulation in Grundy. A poll was not required because the proposed rate increase for one-party residential customers does not exceed five percent of the existing one-party

monthly rate. Affected telephone customers were given until November 15, 1999, to file comments or request a hearing on the proposal.

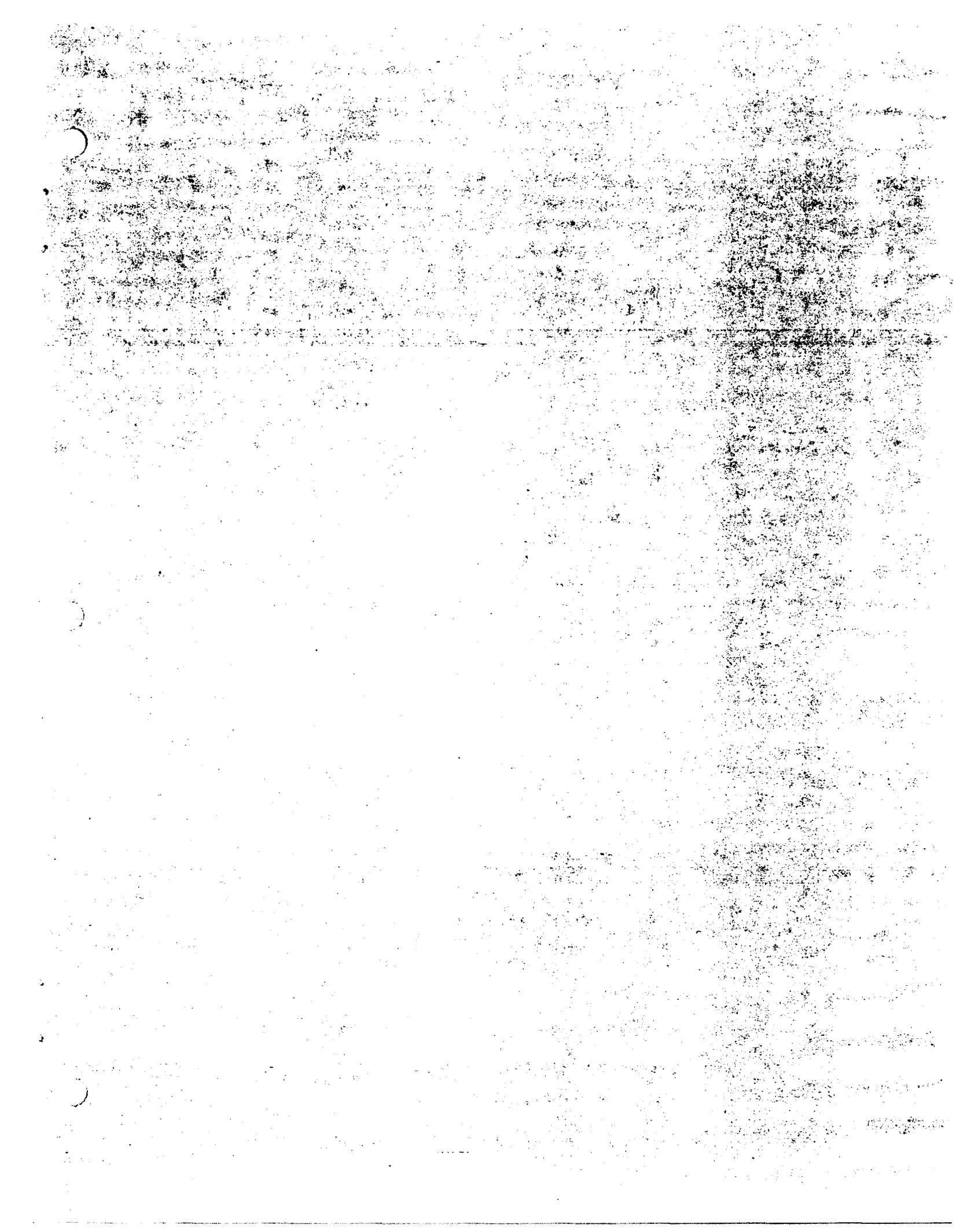
On November 15, 1999, GTE filed proof of notice as required by the Commission's Order of September 20, 1999. Notice was published twice as display advertising in the Grundy Virginia Mountaineer. No comments or requests for a hearing were received.

PROPOSED RATE INCREASES

Under this proposal, general monthly rates in the Grundy exchange would increase as follows: flat rate residential service, \$0.12; residential Virginia Universal Service Plan service, \$0.12; residential measured exchange only service, \$0.09; residential measured economy message service, \$0.07; flat business rate service, \$0.28; business key line service, \$0.28; business flat rate trunk service, \$0.62; and business measured service: single line service, \$0.19; key line service, \$0.19; trunk service, \$0.19; and customer owned coin, \$0.13.

RECOMMENDATION

Approval of GTE's application to implement ELS from its Grundy exchange to BA-VA's Davenport exchange is recommended.



STATE CORPORATION COMMISSION 991230043

AT RICHMOND, DECEMBER 21, 1999

APPLICATION OF 21 A # 17
1999

GTE SOUTH INCORPORATED

CASE NO. PUC990134

To implement extended local
service from its Grundy
exchange to Bell Atlantic-Virginia,
Inc.'s Davenport exchange

FINAL ORDER

On August 3, 1999, GTE South Incorporated ("GTE" or "the Company") filed an application with the State Corporation Commission ("Commission") pursuant to the provisions of § 56-484.2 of the Code of Virginia. GTE proposed to notify its Grundy exchange customers of the increases in monthly rates that would be necessary to extend their local service to include Bell Atlantic-Virginia, Inc.'s ("BA-VA") Davenport exchange. Telephone customers in the Davenport exchange had previously petitioned the Commission for local calling to Grundy. In a poll conducted in response to the petition, a majority of the Davenport customers responding supported paying higher rates for local calling to Grundy. A poll of Grundy customers in response to this application was not required under § 56-484.2 A of the Code of Virginia because the proposed rate increase for one-party residential service does not exceed five percent of the existing monthly one-party residential rate.

By Order dated September 20, 1999, the Commission directed GTE to publish notice of the proposed increases in monthly rates. Affected telephone customers were given until November 15, 1999, to file comments or request a hearing on the proposal. No comments or requests for hearing were filed. On November 15, 1999, GTE filed proof of notice as required by the Commission's September 20, 1999, Order.

On November 30, 1999, the Commission Staff submitted its report recommending approval of the Company's application.

Accordingly,

IT IS THEREFORE ORDERED THAT:

(1) The proposed extension of local service from GTE's Grundy exchange to BA-VA's Davenport exchange shall be implemented.

(2) GTE shall file the tariff revisions necessary for the proposed extension of local service.

(3) There being nothing further to come before the Commission, this docket is closed and the papers filed herein shall be placed in the file for ended causes.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: Richard D. Gary, Esquire, Hunton & Williams, 951 E. Byrd Street, Riverfront Plaza, Richmond, Virginia 23219; Stephen C. Spencer, Assistant Vice President - Regulatory and Governmental Affairs, GTE South, Inc., 3 James Center, Suite

1200, 1051 East Cary Street, Richmond, Virginia 23219; Warner F. Brundage, Jr., Esquire, Bell Atlantic-Virginia, Inc., 600 East Main Street, 11th Floor, Richmond, Virginia 23219; John F. Dudley, Senior Assistant Attorney General, Division of Consumer Counsel, Office of Attorney General, 900 East Main Street, Second Floor, Richmond, Virginia 23219; and the Commission's Division of Communications.

A True Copy
Taken

John F. Dudley
Clerk of the
State Corporation Commission

ARTICLE 4.

Extension and Reduction of Telephone Service

§ 56-484.2. Extension or reduction upon poll of certain subscribers.

A. Upon petition of five percent but in no case less than twenty-five of the subscribers in an established telephone exchange for an extension or reduction of their local service area to include or exclude a contiguous local exchange or exchanges, or upon resolution of the governing body of a county for a countywide local service area, the Commission shall estimate the approximate change in the monthly rate for service which will result from such extension or reduction. In the case of a governing body resolution for countywide calling, the Commission, prior to estimating the approximate rate change, shall determine which exchanges within the county have a community of interest calling percentage that is fifty percent or greater in at least one direction to at least one other exchange within the county. The Commission shall then undertake to estimate the approximate change in the monthly rate for service that will result from such expanded local calling area for each such exchange. The Commission shall order the affected company or companies to poll those subscribers whose monthly rate for service would change if the proposed changes were adopted. However, polls shall not be required in the exchange or exchanges to which the petitioners desire an extension of local service if (i) any resulting rate increases in any twelve-month period do not, in the aggregate, exceed five percent of the existing monthly one-party residential flat rate service for the affected exchange to which the petitioners desire an extension of local service or (ii) any resulting rate increases in any twelve-month period, in the aggregate, exceed five percent solely due to rate regrouping. No more than one petition for a poll from the same group of subscribers or resolution from the governing body of a county shall be considered by the Commission during any three-year period. For purposes of determining the exchanges that will be polled pursuant to this subsection, "*community of interest calling percentage*" means the percentage of customers in an exchange that make one or more calls per month to another exchange within the county.

B. If a poll is required pursuant to subsection A and a majority of the subscribers are in favor of the proposed change, or if the Commission determines that a majority of subscribers voting are in favor of the proposed change, the Commission shall order the extension or reduction of their local service area. For the purposes of this section, the number of subscribers in an established telephone exchange shall be deemed to be the number of subscribers in an exchange as of January 1 of the calendar year when the petition is submitted to the Commission. Ballots polling subscribers on a proposed change in local service area shall be counted sixty days after being mailed and the results certified to the Commission.

C. If a poll is not required pursuant to subsection A, the Commission shall require notice to customers in exchanges in which polls are not required and shall convene a hearing on the proposed extension or reduction of the local calling area if the lesser of five percent or 150 of the customers within such exchanges request a hearing. The Commission may convene a hearing under this subsection on its own motion without regard to the number of customers who request a hearing.

D. Where the governing body of a county passes a resolution for a countywide local service area under subsection A and the poll for such service is defeated, the governing body shall reimburse the affected company or companies for the costs of the poll.

E. The Commission shall give the highest priority to petitions or resolutions presented under subsection A that involve exchanges in rural areas. (1976, c. 265; 1978, c. 232; 1985, c. 382; 1990, c. 339; 1993, c. 974; 1994, cc. 180, 347; 1995, c. 466.)

The 1994 amendments. – The 1994 amendment by c. 180, deleted the former next-to-last sentence in subsection A, which provided: "If subscriber polls are not required, the Commission shall proceed pursuant to the provisions of § 56-237.2"; and added subsection C.

1994 amendment by c. 347, in the first sentence of subsection B, deleted "that more than fifty percent of the subscribers have voted in the pool and" following "determines," and substituted "subscribers" for "those."

The 1995 amendment, in subsection A, inserted "or upon resolution of the governing body of a county for a countywide local service area" in the first sentence; added the present second and third sentences; inserted "or resolution from the governing body of a county" in the present sixth sentence, and added the seventh sentence; and added subsections D and E.

DOCUMENT OFF-LINE

This page has been substituted for one of the following:

- o An oversize page or document (such as a map) which was too large to be scanned into the ECFS system.
- o Microfilm, microform, certain photographs or videotape.
- o Other materials which, for one reason or another, could not be scanned into the ECFS system.

The actual document, page(s) or materials may be reviewed by contacting an Information Technician. Please note the applicable docket or rulemaking number, document type and any other relevant information about the document in order to ensure speedy retrieval by the Information Technician.

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