

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

In the Matter of)	
)	
MCI WorldCom, Inc.)	
)	
Petition for Expedited Declaratory Ruling)	CC Docket No. 00-45
Regarding the Process for Adoption of)	
Agreements Pursuant to Section 252(i))	
of the Communications Act and Section)	
51.809 of the Commission's Rules)	

REPLY COMMENTS

BellSouth Corporation, on behalf of itself and its subsidiaries ("BellSouth"), hereby submits the following Reply Comments on MCI WorldCom, Inc.'s ("MCI") revised petition for declaratory ruling filed on March 7, 2000.

The comments filed with regard to MCI's petition provide little justification for the Commission to grant the relief requested by MCI. Despite garnering the support of other competitive local exchange carriers, the predicate relied on by MCI for a declaratory ruling, *i.e.*, to remove an uncertainty, is missing. Since the Telecommunications Act of 1996 (the "Act") was implemented, there have been different state procedures for approving interconnection agreements. The existence of such differences does not constitute "uncertainty" as MCI and its supporters suggest.

Moreover, MCI's petition lacks specificity. There is no specific state or states identified as having inappropriate procedures and the comments supporting MCI's petition do not remedy this deficiency. The Commission is supposed to believe that there is some nationwide problem

that requires a uniform solution. The Comments of BellSouth and others show that the facts are otherwise.¹

Further, the relief requested by MCI would not merely constitute a clarification of the Commission's rules. To the contrary, it is abundantly clear that MCI wants the Commission to promulgate new rules. As BellSouth pointed out in its comments, a declaratory ruling is an inadequate vehicle for adopting new rules. Certainly, as a matter of comity to the state commissions, the Commission should notify the states of its intent to adopt procedures that would affect the way in which they carry out their responsibilities under Section 252 of the Act.

Several state commissions have submitted comments opposing any Commission action in this proceeding.² Their comments show that the procedures that they employ to review adopted agreements are fully consistent with their obligations under the Act. These comments substantively refute the predicate for MCI's declaratory ruling.

¹ See *e.g.*, BellSouth at 3; Indiana Utility Regulatory Commission at 1-2; Public Service Commission of Wisconsin at 2-3; Washington Utilities and Transportation Commission at 2; Oklahoma Corporation Commission at 2-8.

² See, generally Comments of Public Service Commission of Wisconsin, Washington Utilities and Transportation Commission; Oklahoma Corporations Commission; State of New York Department of Public Service; State Corporation Commission of the State of Kansas; The Telecommunications Regulatory Board of Puerto Rico.

For all of the reason discussed above, the Commission should deny MCI's petition.

Respectfully submitted,

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Date: April 11, 2000

CERTIFICATE OF SERVICE

I do certify that I have this 11th day of April 2000 served the following parties to this action with a copy of the foregoing **REPLY COMMENTS** by placing a true and correct copy of the same in the United States Mail, postage prepaid, addressed to the parties listed on the attached service list.

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