

Before the
Federal Communications Commission
Washington, D.C. 20554

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In the Matter of)
)
Policy and Rules Concerning the)
Interstate, Interexchange Marketplace)
)
Implementation of Section 254(g) of the)
Communications Act of 1934, as amended)
)
)

CC Docket No. 96-61

ORDER

Adopted: November 16, 2000

Released: November 17, 2000

By the Chief, Common Carrier Bureau:

I. INTRODUCTION

1. In 1996, the Commission adopted mandatory detariffing for the interstate, domestic, interexchange service of nondominant interexchange carriers (IXCs).¹ After two Commission orders on reconsideration and judicial review in the D.C. Circuit, the Commission's detariffing rules took effect on May 1, 2000.² In this Order, the Common Carrier Bureau, pursuant to a specific delegation of authority, resolves a number of issues relevant to the transition to a detariffed regime. Specifically, we:

- (1) Extend the deadline for detariffing mass-market consumer services from January 31, 2001 to April 30, 2001;
- (2) Affirm that the deadline for detariffing contract-type services is January 31, 2001;
- (3) Decline to permit IXCs to continue filing new or revised contract tariffs that bundle domestic and international service until such time as the Commission

¹ *Policy and Rules Concerning the Interstate, Interexchange Marketplace, Implementation of Section 245(g) of the Communications Act of 1934*, CC Docket No. 96-61, Second Report and Order, 11 FCC Rcd 20730 (1996) (*Second Report and Order*).

² *Policy and Rules Concerning the Interstate, Interexchange Marketplace, Implementation of Section 245(g) of the Communications Act of 1934*, CC Docket No. 96-61, Order on Reconsideration, 12 FCC 15014 (1997) (*Reconsideration Order*); *Policy and Rules Concerning the Interstate, Interexchange Marketplace, Implementation of Section 254(g) of the Communications Act of 1934*, CC Docket No. 96-61, Second Order on Reconsideration and Erratum, 14 FCC Rcd 6004 (1999) (*Second Reconsideration Order*); *Domestic, Interexchange Carrier Detariffing Order Takes Effect*, CC Docket No. 96-61, Public Notice, DA 00-1028 (Com.Car.Bur. May 9, 2000) (*May 9 Notice*); *MCI WorldCom, Inc. v. FCC*, 209 F.3d 760 (D.C.Cir. 2000) (*MCI WorldCom*).

may have detariffed their international offerings;

- (4) Permit the practice of filing a bundled domestic and international tariff with a disclaimer stating that the domestic portion of the document is for information purposes only;
- (5) Require IXCs to be in full compliance with the public disclosure and Internet web-posting requirements at the time any service is detariffed, with respect to that service. With respect to new and revised contract services that have become effective since May 1, 2000, IXCs must be in full compliance with the public disclosure and web-posting requirements within 30 days of the release of this Order;
- (6) Require Internet web sites and public disclosure sites to be updated no later than 24 hours after the effective date of a change in the rates, terms, or conditions of a detariffed service;
- (7) Clarify that the disclosure and web-posting requirements apply to contract services as well as to mass-market offerings;
- (8) Specify the filing deadlines for the required annual certification of compliance with geographic rate averaging and rate integration requirements; and
- (9) Clarify the application of tariff filing requirements during the transition period.

II. DETARIFFING AND TRANSITION ISSUES

A. Transition Period

2. The Commission ordered all nondominant IXCs to cancel or permit the expiration of all tariffs for domestic, interstate, interexchange services within nine months of the effective date of the *Second Report and Order* and not to file any such tariffs thereafter.³ The Commission also required carriers to establish public disclosure locations and web sites to distribute information on the rates, terms, and conditions of the carrier's interstate, domestic, interexchange services during the transition period.⁴ In response to the D.C. Circuit's stay of the Commission's detariffing rules pending judicial review, the Commission delegated authority to the Bureau to determine the appropriate transition period and to address other transition issues when the detariffing rules became effective.⁵ The court subsequently upheld the detariffing rules⁶ and

³ *Second Report and Order*, 11 FCC Rcd at 20779, para. 89.

⁴ *Second Report and Order*, 11 FCC Rcd at 20745-46, para. 25; *Second Reconsideration Order*, 14 FCC Rcd at 6015-16, para. 18.

⁵ *See Reconsideration Order*, 12 FCC Rcd at 15044, para. 52.

⁶ *See MCI WorldCom*.

lifted its stay on May 1, 2000,⁷ at which time the rules became effective. Pursuant to its delegated authority, the Bureau then adopted a nine-month transition period with a deadline of January 31, 2001 for detariffing of IXC interstate, domestic, interexchange services.⁸ The Bureau also sought comment on potential modifications to the transition plan.⁹

3. In response to the Bureau's action, several parties recommend that the transition period be extended to allow the Commission an opportunity to complete a detariffing proceeding for international interexchange services, and that the transition periods for both the domestic and international interexchange services should coincide.¹⁰ On October 18, 2000, the Commission released a Notice of Proposed Rulemaking seeking comment on whether to detariff the international interexchange services of nondominant IXCs.¹¹ The pleading cycle in that proceeding closes December 4, 2000.

4. The Commission has engaged in a lengthy effort to accomplish detariffing of long-distance service in large part because it concluded that tariffing both prevents the operation of competitive markets and ultimately is harmful to the interests of consumers of such services. In particular, the Commission concluded that detariffing will enhance competition among providers of interstate, domestic, interexchange services; promote competitive market conditions; eliminate possible invocation of the filed rate doctrine by nondominant IXCs; and establish market conditions that more closely resemble an unregulated environment.¹² Commenters assert, however, that the long-term benefits of detariffing may be overshadowed, in the short term, by the inconvenience and possible confusion of going through the detariffing process twice in the event the Commission decides to detariff international interexchange services. We find that, with respect to users of mass-market consumer services, we should extend briefly the deadline for detariffing such services in order to allow the Commission time to fully consider whether such an approach is appropriate. Accordingly, in order to allow the Commission to consider whether to establish a coordinated timetable for detariffing domestic and international consumer services, we extend the deadline for full detariffing of IXC interstate, domestic, interexchange services to April 30, 2001. For the contract-type services of domestic interexchange carriers, we retain the nine-month transition period that we announced in the *May 9 Notice*. We conclude that the likelihood of confusion with respect to business customers using such services is much less of a concern, and thus is clearly outweighed by the benefits of detariffing as soon as possible.

⁷ *MCI WorldCom, Inc. v. FCC*, No. 96-1459, Order (D.C.Cir. May 1, 2000).

⁸ See *May 9 Notice*.

⁹ A list of parties filing comments is attached as Appendix A.

¹⁰ AT&T at 5-8; Econobill Reply at 5; Sprint at 7.

¹¹ *2000 Biennial Regulatory Review, Policy and Rules Concerning the International, Interexchange Marketplace*, IB Docket No. 00-202, Notice of Proposed Rulemaking, FCC 00-367 (rel. Oct. 18, 2000).

¹² *Second Report and Order*, 11 FCC Rcd at 20760, para. 52.

B. Bundled Domestic and International Services

1. Permissive Tariffing of Domestic Services

5. In the *Second Report and Order*, the Commission recognized that a number of IXC's file bundled or "mixed" services tariffs, which include both interstate, domestic, interexchange services and international services. Because the order did not require detariffing of international services, it allows carriers to cancel portions of "mixed" services tariffs that are subject to detariffing by either: (1) cancelling the entire tariff and refile a new tariff for only those services that remain subject to tariff filing requirements; or (2) issuing revised tariff pages cancelling the material in the tariffs that relate to services subject to forbearance. In order to minimize the costs of partitioning bundled offerings, the Commission also modified its rules to permit nondominant IXC's to cross reference detariffed interstate, domestic, interexchange service offerings in their tariffs for international services for purposes of calculating discounts and minimum revenue requirements.¹³ The Commission also determined in the *Second Report and Order* that it would not accept new contract tariffs or revisions to current contract tariffs for long-term service arrangements during the transition period but would accept new and revised tariffs for mass market services.

6. A number of parties filed comments stating that the cancellation of the domestic portion of bundled contract tariffs will cause confusion for customers and administrative problems for the carriers.¹⁴ These parties recommend permissive tariffing¹⁵ of the domestic portion of the bundled contract tariffs to alleviate potential customer confusion during the transition period and while the Commission decides the issue of international detariffing, because customers expect to find service information in one document or location.¹⁶ Business Consumers, however, objects to these proposed modifications of the Commission's mandatory detariffing decision.¹⁷

¹³ *Second Report and Order*, 11 FCC Rcd at 20780-83, paras. 91-98; *May 9 Notice* at 3.

¹⁴ AT&T at 2-8; ASCENT at 2; Econobill at 1-2; Sprint at 2-5; Letter from Mike Del Casino, AT&T Regional Division Manager, to Magalie Roman Salas, Secretary, FCC, filed April 17, 2000.

¹⁵ We note that the parties have used the terms "permissive detariffing" and "permissive tariffing" interchangeably to describe a regime in which carriers are permitted but not required to file tariffs for services subject to our detariffing order. The term "permissive tariffing" is used in that context for this order.

¹⁶ AT&T at 2-8; ASCENT at 2; Econobill at 1-2; Sprint at 2-5. *See also* Econobill Reply at 3 (arguing that permissive tariffing should be allowed only where the carrier agrees to waive its rights to invoke the filed-rate doctrine). These parties also suggest that the Commission extend the transition period until such time as the Commission makes a decision regarding detariffing of the IXC's international services. The issue of the transition period is discussed at Section III.A above.

We grant Econobill's Motion to Accept Late-Filed Pleading, filed on June 15, 2000 in order to develop the record in this proceeding to the fullest extent possible. No other parties are prejudiced by this action. *See also Motion for Extension of Time to File Comments Denied*, CC Docket No. 96-61, Public Notice, DA 00-1275 (Comp.Pric.Div., June 14, 2000) (Division denied Econobill's Motion for Extension of Time to file reply comments).

¹⁷ Business Consumers at 5.

7. We will not depart from the policy the Commission enunciated in the *Second Report and Order* that permissive tariffing of the domestic portion of bundled contract tariffs is not in the public interest because permissive tariffing would not eliminate the possible invocation of the “filed-rate” doctrine.¹⁸ Also, permissive tariffing would merely cause added delay to the process of implementing detariffing for all domestic services. Because we find that the requested actions are inconsistent with the Commission’s goals outlined in the *Second Report and Order*, we decline to adopt these suggestions.

2. Disclaimers

8. In their comments, some IXC’s suggest that the problems associated with a dual regime for domestic and international services would be minimized if carriers were allowed to file the domestic portion of a contract tariff for bundled domestic and international services with a disclaimer or banner that states that the domestic portion is included only for informational purposes.¹⁹ Several IXC’s have been filing new and revised contract tariffs for bundled services with such banners.²⁰ Several parties cite to the potential for customer confusion during both the transition period and during the period in which Commission considers detariffing of international services as a basis for allowing banners to be included in the bundled contract tariffs.²¹

9. The Commission has already revised its rules to allow carriers to cross-reference detariffed interstate, domestic interexchange service offerings in their tariffs for international services for the purpose of calculating discounts.²² Cross-referencing is technically sufficient to ensure that detariffing of domestic offerings does not deprive customers of the opportunity to negotiate discounts based on their total volume of calls. It is appropriate, however, to consider whether additional relief is necessary to reduce customer confusion that could arise during the period that international services are subject to tariff filing requirements and domestic services are subject to detariffing.

10. We will permit IXC’s to file, as international service tariffs, tariff documents that describe bundled domestic and international contract service. Such filings must bear a banner or

¹⁸ *Second Report and Order*, 11 FCC Rcd at 20765-66, paras. 60-62.

¹⁹ AT&T at 4-5; Sprint at 4-5; *see also* Letter from Mike Del Casino, Regulatory Division Manager, AT&T, to Magalie Roman Salas, Secretary, FCC, filed May 17, 2000; Letter from Leonard J. Cali, Vice President of Federal Government Affairs, AT&T, to Magalie Roman Salas, Secretary, FCC, filed April 19, 2000.

²⁰ *See, e.g.*, AT&T Communications International Contract Tariff No. 13904, Issued May 26, 2000, Effective May 27, 2000 at Original Title Page (“This International Contract Tariff only applies to the AT&T international services specified herein and does not apply to any AT&T domestic interstate services. Pursuant to FCC Rule 61.20, all AT&T domestic interstate services are furnished under a separate non-tariffed arrangement. Accordingly, all references in this International Contract Tariff to terms, conditions and charges relating to domestic interstate services are to be construed for the sole purpose of determining the terms, conditions and charges applicable to AT&T international service.”).

²¹ AT&T at 4-5; Sprint at 4-5. *But see* Comptel at 3 (arguing that banners will not be able to prevent consumer confusion).

²² *Second Report and Order*, 11 FCC Rcd at 20783, para. 99.

disclaimer in a conspicuous place, and will be permitted only during the transition period and until the Commission makes a final determination regarding detariffing of international services. This will help minimize customer confusion and reduce the administrative burden associated with separating the two services in existing contracts and contracts currently under negotiation. Bundled domestic and international contract tariffs filed that include a disclaimer or banner in a conspicuous place are consistent with the Commission's detariffing goals, and the domestic portions of such mixed service contract offerings will not be considered to be official tariffs filed pursuant to Section 203.

11. We direct carriers that choose to use the banner approach to include: (1) a statement that the domestic services portion of the tariff has been filed for informational purposes only and is not on file pursuant to the tariff filing requirements of 47 U.S.C. § 203; (2) in the case of a revised tariff, a statement that the domestic services portion of the tariff was effectively cancelled as of the date the banner language was added to the tariff; and (3) a statement that the domestic services portions of contracts relating to bundled domestic and international contract services supersede the domestic information included in the bundled domestic and international contract tariffs on file with the Commission. The inclusion of the banner language does not affect carriers' ability to negotiate new contracts covering the domestic portions of their existing contracts.²³ Customers are free to negotiate for domestic services that are not filed in bundled domestic and international tariffs. If a carrier has already separated the domestic portion from the international portion in a mixed service contract arrangement, the banner is not required on the international tariff filed with the Commission.

C. Public Disclosure and Internet Information Requirements

1. Timing of Compliance and Updates

12. The Commission determined in the *Second Report and Order*, and affirmed in the *Second Order on Reconsideration*, that it is in the public interest for nondominant IXCs to make available to the public information on current rates, terms, and conditions for all of their interstate, domestic, interexchange services in an easy to understand format, in a timely manner, and in at least one location during regular business hours.²⁴ In addition, the Commission required IXCs that have established Internet websites to post that same information on-line in a timely and easily accessible manner, and to update the information regularly.²⁵ The Commission determined that IXCs should also maintain price and service information regarding all of the interstate, domestic, interexchange service offerings to present to the Commission upon request.²⁶

²³ *Second Report and Order*, 11 FCC Rcd at 20779-80, para. 90.

²⁴ *Second Report and Order*, 11 FCC Rcd at 20776-77, paras. 84-85; *Second Order on Reconsideration*, 14 FCC Rcd at 6015, para. 18. See 47 C.F.R. § 42.10(a).

²⁵ *Second Order on Reconsideration*, 14 FCC Rcd at 6015-16, para. 18. See 47 C.F.R. § 42.10(b).

²⁶ *Second Report and Order*, 11 FCC Rcd at 20777-78, para. 87. The Commission determined that this information, including documents supporting the rates, terms, and conditions of the carriers' interstate, domestic, interexchange offerings, should be retained for a period of at least two years and six months following the date the carrier stops providing the services. The Commission also required carriers to keep the records in a manner that (continued....)

13. The parties' comments include various recommended deadlines for compliance with the public disclosure and Internet web-posting requirement. Various parties recommend that carriers should comply with the requirement (1) immediately, regardless of whether services have been detariffed;²⁷ (2) when a service offering is detariffed and no later than the expiration of the nine-month transition period;²⁸ (3) at the end of the nine-month transition period;²⁹ (4) 30 days after the expiration of the transition period;³⁰ and (5) within 30 days of the Commission's final decision.³¹ One party recommends that revised information and updates should be posted within 24 hours of the effective date of the new or revised rates and terms, but no later than the next business day.³²

14. With respect to services that are permitted to remain under tariff during the transition period, we conclude that carriers should be allowed the full transition period in order to comply with the Internet and public disclosure requirements of the *Second Report and Order* and the *Second Order on Reconsideration*. We find that it is in the public interest to allow the carriers adequate time to establish public information locations and to modify their websites so as to provide accessible, comprehensive and comprehensible information about their service offerings to the public.

15. We also agree, however, with parties that argue that carriers should post information at public information sites and on Internet websites as soon as practicable after cancelling the tariff for a service. This timing is important so customers will have continuous access to information during the transition to a detariffed environment. We find, therefore, that carriers should not cancel tariffs pursuant to the *Second Report and Order* and the Commission's rules until they are able to post rate, term, and other service information regarding the services included in the cancelled tariffs at a public information location and, for those that maintain web sites, on the Internet. Consistent with section 61.87(b) of the Commission's rules,³³ when a carrier cancels its tariff, the carrier should indicate on the title page or the first page of the cancelled tariff the website address and the address of the public information site where the rates, terms, and conditions can be found.

16. Carriers that have already cancelled their tariffs must be in full compliance with

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will allow the carrier to produce them within 10 business days of the Commission's request. See 47 C.F.R. § 42.11.

²⁷ Econobill at 2.

²⁸ ASCENT at 3; Bell Atlantic at 2; TMIS Coalition at 3-4; Sprint at 6; WorldCom at 4-6. GSA favored compliance no later than five months into the transition period, *i.e.*, September 30, 2000. GSA Comments at 6.

²⁹ AT&T Reply at 4-5; GTE at 5.

³⁰ AT&T at 8; Cable & Wireless Reply at 1-2; SBC/SNET Reply at 3.

³¹ NCTA at 7.

³² TMIS Coalition at 4-5.

³³ 47 C.F.R. § 61.87(b).

section 42.10 of the Commission's rules within 30 days from the release of this order.³⁴ Likewise, carriers must be in full compliance with section 42.10 within 30 days of the release date of this order, with respect to all new and revised contract service arrangements that have become effective since May 1, 2000.

17. During the transition period, carriers cancelling their tariffs must post the rates, terms, and conditions of the cancelled tariff on their website within 24 hours after the cancellation takes effect. Both during and after the transition period, new or revised service offerings that are not permitted to be offered under tariff must be posted on the Internet websites within 24 hours after these offerings take effect.³⁵ Public information sites must be updated within 5 days after a tariff cancellation or new or revised service offering becomes effective.

18. The Commission's rules established in the *Second Report and Order* also require nondominant IXC's to maintain price and service information regarding all of their detariffed interstate, domestic, interexchange service offerings;³⁶ and to retain the information for a period of at least two years and six months after the carrier ceases to provide the service.³⁷ Parties are reminded that these requirements are subject to the Commission's enforcement policies.

2. Content of Public Information Disclosure

19. In the *Second Report and Order*, the Commission determined that the public information locations should contain information on a carrier's current rates, terms, and conditions for all of their interstate, domestic, interexchange services that is available to the public in an easy to understand format, in a timely manner, and in at least one location during regular business hours.³⁸ In the *Order on Reconsideration*, the Commission eliminated the public disclosure requirement, but later reestablished the requirement in the *Second Order on Reconsideration*. The Commission did not prescribe specific content, or require that public disclosure of this information be made in any particular format or at any particular location, except that the information must be posted on the websites of those IXC's that currently maintain them over the Internet.³⁹

20. The commenters disagree as to whether the Commission requires the public disclosure of rates, terms and conditions for all services. WorldCom and SBC/SNET contend that only the standard, mass market offerings must be disclosed publicly and on the carriers'

³⁴ 47 C.F.R. § 42.10.

³⁵ We note that, consistent with section 255 of the Telecommunications Act of 1996, 47 U.S.C. § 255, and under the Commission's rules implementing section 255, carriers' websites are required to be accessible to and usable by individuals with disabilities. 47 C.F.R. §§ 6.5(b)(1), 6.11(a).

³⁶ 47 C.F.R. § 42.11(a).

³⁷ 47 C.F.R. § 42.11(b).

³⁸ *Second Report and Order*, 11 FCC Rcd at 20776, para. 84; *Second Order on Reconsideration*, 14 FCC Rcd at 6015, para. 18.

³⁹ See *Second Order on Reconsideration*, 14 FCC Rcd at 6015, para. 18.

websites, and not individually negotiated contracts,⁴⁰ while other parties argue that information on all services must be publicly disclosed.⁴¹ We reiterate the requirement explicitly stated in the *Second Reconsideration Order* that information on all services must be publicly disclosed, including information on services offered through individually negotiated contracts.⁴²

21. Several parties also urge us to require carriers to include information that is “easy to understand,” and in sufficient detail to allow consumers to make informed choices.⁴³ We reemphasize that carriers should disclose enough information to allow consumers to make comparisons among the various services offered by the carrier and the services offered by other carriers. Carriers, however, are not required to include more information than is currently included in their tariffs.⁴⁴

22. Although we decline to mandate a specific format to which carriers must adhere with respect to publicly disclosed information, we nevertheless are cognizant of the need for carriers to provide this information in a format which is “easy to understand” by consumers in the business and especially the residential mass market. We recognize that this information is critical in order to allow consumers to make comparisons among the various services offered by the carrier and services offered by other carriers. We encourage carriers to work with the Commission’s Consumer Information Bureau to develop appropriate formats for the required disclosures.

D. Carrier Certification

23. The Commission recognized in the *Second Report and Order* that carriers operating in competitive markets would not necessarily maintain geographically averaged and integrated rates for interstate, domestic, interexchange services, absent a legal requirement that they do so.⁴⁵ The Commission is committed to enforcing the rate averaging and rate integration requirements of the 1996 Act, and has put carriers on notice that they may be subject to civil and criminal penalties for violations of these requirements. Specifically, the Commission has directed the IXCs to file annual certifications stating that they are in compliance with their statutory geographic rate averaging and rate integration obligations.⁴⁶ The certifications must be

⁴⁰ WorldCom at 7-9; SBC/SNET Reply at 4.

⁴¹ ASCENT Reply at 3-5; TMIS Coalition Reply at 4.

⁴² *Second Reconsideration Order*, 14 FCC Rcd at 6013-15, n.60, para. 16. See also *Second Report and Order*, 11 FCC Rcd at 20776-77, paras. 84-86.

⁴³ TMIS Coalition at 5; Econobill Reply at 6-7; Letter from Thomas Crowe, Attorney, Econobill, to Magalie Roman Salas, Secretary, FCC, filed June 6, 2000.

⁴⁴ *Second Report and Order*, 11 FCC Rcd at 20776, para. 84.

⁴⁵ *Second Report and Order*, 11 FCC Rcd at 20776, para. 84.

⁴⁶ *Second Report and Order*, 11 FCC Rcd at 20775, para. 83. Rule 64.1900 requires nondominant IXCs to file certifications on an annual basis that they are providing interexchange telecommunications services in compliance with the geographic rate averaging and rate integration obligations pursuant to section 254(g) of the 1996 Act. 47 C.F.R. § 64.1900. Section 254(g) requires a provider of interexchange telecommunications services to provide these services to subscribers in rural and high cost areas at rates no higher than the rates charged to its subscribers (continued....)

signed by an officer of the company under oath attesting to the company's compliance with the statutory geographic rate averaging and rate integration requirements of section 254(g) of the Act.⁴⁷

24. WorldCom requests that carriers be allowed to file their initial certifications at the end of the transition period after all tariffs have been cancelled.⁴⁸ We find that this is a reasonable request that will reduce administrative burdens on affected carriers. We conclude, therefore, that IXCs are required to file initial certifications by May 1, 2001. Subsequently, the annual certifications should be filed on May 1 of each year.

E. Summary of Tariff Filing Requirements

25. Several parties have requested clarification of the carriers' tariff filing requirements during the transition period. WorldCom requests clarification of the prohibition on filing individually negotiated service arrangements and of the status of mass market service offerings that contain term and volume commitments during the transition period.⁴⁹ Several parties have requested clarification of the carriers' obligations with respect to contract tariffs that include both domestic and international services.⁵⁰

26. Pursuant to the *Second Report and Order*, carriers may file new tariffs and revisions to existing tariffs for mass market, interstate, domestic, interexchange services during the transition period, but must discontinue this practice at the end of the transition period.⁵¹ This includes mass-market services that contain volume and term requirements, but excludes contract tariffs such as AT&T's Tariff 12 options, MCI's special customer arrangements, and Sprint's custom network service arrangements.

27. Carriers are required to file tariffs for international services, including those in mixed service tariffs, during the transition period and until the Commission issues a final decision regarding detariffing of international services. Carriers may file the domestic portion of mixed service contract tariffs during the transition period and until a final decision regarding international detariffing, as long as the tariff includes the disclaimer or banner described in Section II. B.2 above. Carriers must have on file at the Commission an international tariff that reflects the international portion of a mixed services contract. Finally, carriers may file tariffs for

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in urban areas, and to provide these services to subscribers in each State at rates no higher than the rates charged to its subscribers in any other State. 47 U.S.C. § 254(g).

⁴⁷ 47 C.F.R. § 64.1900(a) and (b). See *Implementation of Section 254(g) of the Communications Act of 1934*, 11 FCC Rcd 9564 (1996) (*Geographic Rate Averaging Order*).

⁴⁸ WorldCom at 9-11.

⁴⁹ WorldCom at 11-15.

⁵⁰ Business Consumers at 4-6. See also Letter from Mike Del Casino, Regional Division Manager, AT&T, to Magalie Roman Salas, Secretary, FCC, filed April 11, 2000; Letter from Mike Del Casino, Vice President Federal Government Affairs, AT&T, to Magalie Roman Salas, Secretary, FCC, filed April 19, 2000; Letter from Michael Fingerhut, General Attorney, Sprint, to Magalie Roman Salas, Secretary, FCC, filed May 22, 2000.

⁵¹ *Second Report and Order*, 11 FCC Rcd at 20780, para. 90.

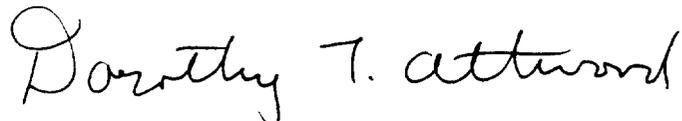
dial-around 1+ services or "casual calling" services⁵² and for services provided to new customers until a written contract is executed, but for no longer than 45 days.⁵³ The casual calling services that may continue to be tariffed are those services for which the customer and carrier do not have an underlying contractual relationship because of the unique technological concerns with dial-around services that are not conducive to the establishment of a written contract.⁵⁴

III. ORDERING CLAUSES

28. Accordingly, IT IS ORDERED that pursuant to the authority specifically delegated to the Common Carrier Bureau in the *Second Report and Order*, and under Sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91 and 0.291, the deadline for detariffing mass-market consumer services IS EXTENDED from January 31, 2001 to April 30, 2001.

29. IT IS FURTHER ORDERED that pursuant to the authority delegated under Sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91 and 0.291, Econobill Corporation's Motion to Accept Late-Filed Pleading IS HEREBY GRANTED.

FEDERAL COMMUNICATIONS COMMISSION



Dorothy T. Attwood
Chief, Common Carrier Bureau

⁵² Dial around 1+ calls are calls made by accessing the IXC through the IXC's carrier access code (CAC) in the absence of a presubscription agreement with the IXC. A CAC is a five or seven digit access code that enables callers to reach any carrier, presubscribed or otherwise, from any telephone. 47 C.F.R. § 61.19 (b).

⁵³ 47 C.F.R. § 61.19(c).

⁵⁴ *Reconsideration Order*, 12 FCC Rcd at 15036, para. 36.

**APPENDIX A
List of Parties****Comments**

Ad Hoc Telecommunications Users Committee (Business Consumers)
Association of Communications Enterprises (ASCENT)
AT&T Corporation (AT&T)
Bell Atlantic Long Distance Companies (Bell Atlantic)
Competitive Telecommunications Association (Comptel)
Econobill Corporation (Econobill)
General Services Administration (GSA)
GTE Service Corporation (GTE)
National Telephone Cooperative Association (NTCA)
Sprint Communications Company, L.P. (Sprint)
Telecommunications Management Information Systems Coalition (TMIS Coalition)
WorldCom, Inc. (WorldCom)

Reply Comments

ASCENT
American Petroleum Institute (API)
AT&T
Bell Atlantic
Business Consumers
Cable & Wireless, Inc. (Cable & Wireless)
TMIS Coalition
Econobill
GSA
GTE
SNET America, Inc. and Southwestern Bell Telephone Company (SBC/SNET)
Sprint
WorldCom