

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

In the Matter of)	
)	
Developing a Unified Intercarrier Compensation Regime)	CC Docket No. 01-92
)	
T-Mobile Petition for Declaratory Ruling)	
US LEC Petition for Declaratory Ruling)	
)	

REPLY COMMENTS OF SBC COMMUNICATIONS INC.

SBC Communications Inc. (“SBC”) submits these Reply Comments pursuant to the Public Notice (DA 02-2436) released in this proceeding on September 30, 2002.

With respect to the US LEC Petition, there should be no dispute with the general proposition that LECs are permitted to assess access charges upon IXCs for interexchange calls that originate or terminate on the LECs’ networks. That general proposition, moreover, holds true for calls that originate or terminate on a LEC’s network, are carried by an IXC, and either originate or terminate on a wireless carrier’s network. The Commission’s current intercarrier compensation rules fully support this conclusion. Nonetheless, there is insufficient evidence in the record of this proceeding for SBC to comment on, or for the Commission to endorse, any specific US LEC billing practice. SBC has no information as to the arrangements between US LEC, CMRS providers, and interexchange carriers or the manner in which US LEC may be processing interexchange traffic that is carried by IXCs and that originates or terminates on CMRS carriers’ networks.

With respect to the T-Mobile Petition, there should be no dispute that every telecommunications carrier has the obligation to interconnect with other telecommunications

carriers, that every LEC has the obligation to establish reciprocal compensation arrangements for traffic under 47 USC § 251(b)(5), and that ILECs, under 47 USC §§ 251(c), have the duty to provide interconnection and to negotiate in good faith the terms of interconnection and reciprocal compensation with requesting telecommunications carriers, including CMRS providers. In resolving the specific dispute between CMRS carriers and rural ILECs, the Commission must adhere to these requirements, and it should apply them in a manner that is just, reasonable, and non-discriminatory, and does not advantage any one party over another. Moreover, in resolving the dispute between the CMRS carriers and the rural ILECs, the Commission should ensure that it does not impose any obligations or burdens on carriers who provide transit services for CMRS carriers or rural ILECs who interconnect indirectly with one another.

Respectfully submitted,

/s/ Jim Lamoureux

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November 1, 2002