

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

In the Matter of)
)
Vonage Holdings Corporation)
Petition for a Declaratory Ruling)
_____)

WC Docket No. 03-211

REPLY COMMENTS OF AT&T CORP.

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November 24, 2003

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Pursuant to this Commission’s Public Notice,¹ AT&T Corp. (“AT&T”) respectfully submits these reply comments.

INTRODUCTION AND SUMMARY

This declaratory order proceeding is only one of many *fora* in which it has become increasingly clear that voice over Internet Protocol (“VoIP”) and related developments demand the most careful consideration. This long-anticipated, extraordinarily promising, and highly disruptive technology seems suddenly to have risen to the tops of agendas throughout the industry. This can be seen as interexchange carriers convert their circuit-switched infrastructures to unitary IP networks able to receive communications in any form and from any device and seamlessly transport them across Internet backbone facilities that span the globe to connect with any other device anywhere; as equipment manufacturers offer individual business users opportunities to employ VoIP in their intracompany communications; and as cable and other providers utilize VoIP capabilities in conjunction with broadband Internet access to offer VoIP

¹ Public Notice, *Pleading Cycle Established for Comments on Vonage Petition for Declaratory Ruling*, WC Docket No. 03-211, DA 03-2952, (Sept. 26, 2003).

services to residential customers. Even the moribund Bell monopolies have awakened to VoIP's potential – and potential threat – and have announced their own plans finally to offer VoIP services.

No one disputes that VoIP can bring enormous consumer benefits in the form of innovative new services that are capable of delivering not only high quality “voice,” but a host of other next-generation features as well. VoIP has the *potential* to revolutionize communications and to speed the delivery of advanced services to all Americans, *see* 47 U.S.C. §§ 157 note; 230(b). Indeed, VoIP may prove to be the long-sought “killer app” for broadband that will drive the reach and speed of Internet access to levels sought by visionary calls to accelerate the digital migration. And the very breadth and flexibility of existing and future VoIP technologies creates opportunities both for the full range of traditional providers of communications services and for decidedly non-traditional providers.

Despite the great promise of VoIP, concerns have been raised about the potential impact of VoIP on universal service. Meritless and entirely self-serving claims have also been raised about the effect of VoIP on legacy access charge regimes. Predictably, the latter claims have been raised by incumbent LECs who seek to continue to enjoy subsidies from their competitors in the form of bloated access charges. The Commission must address both of these issues head-on in proceedings designed to implement the comprehensive reforms in universal service and intercarrier compensation that it has too long neglected. To fail to do so, and instead distort the evolution of VoIP, would terribly disserve the Nation and confirm that the Commission – contrary to its promise and obligation – has neither the resolve nor the ability to allow technology to bring the Nation's communications infrastructure into the digital age.

That is because wide-scale deployment and acceptance of VoIP services will require innovation and investment on a massive scale – not only in new software and customer premises equipment solutions, but in upgrading backbone networks and adapting network facilities to support the advanced IP-based platforms necessary to provide consumers with true enterprise-class service quality. Although no one can predict today which particular VoIP technologies, service providers or business models will ultimately prove the most efficient and responsive to consumer demand, there is every reason to believe that – with the right regulatory environment – the best solutions will emerge and VoIP will live up to its full promise.

It has become equally clear, however, that mindless application of legacy regulations to VoIP services – regulations that, in many cases, no longer make sense even for the legacy services for which they were designed – poses a grave threat to efficient evolution of VoIP. As Cisco explains, “VoIP – in all its forms – can and should help resolve important public policy concerns,” but that potential would be severely undermined by “imposing the full gamut of common carrier regulation.”²

In 1998, the Commission demonstrated genuine leadership in announcing a “wait and see” approach to regulating VoIP services.³ Following that determination, VoIP was, until recently, allowed to develop in an environment largely free of the burdens of legacy regulation. That policy has been universally lauded, and it has enabled the tremendous VoIP progress that has occurred to date.

In the past year, however, as commercial VoIP applications have been more widely deployed, the Bells and other incumbent local exchange carriers (“LECs”) have come to

² Cisco at 5-6.

³ Report to Congress, Federal-State Joint Board on Universal Service, 13 FCC Rcd. 11501
(continued . . .)

recognize and fear one of the great virtues of VoIP – its longer-term potential as a significant competitive substitute to traditional incumbent LEC services. As a result, VoIP is now under regulatory attack on all fronts, from state commission adjudications and rulemaking proceedings to legislative efforts to remarkably aggressive incumbent LEC self-help measures, all transparently designed to suppress VoIP development and entry. As the comments in this proceeding starkly confirm, the issues raised in these *ad hoc* proceedings run the gamut from regulatory and jurisdictional classifications, E911, universal service, access charges, CALEA, and “Net Neutrality.” As the comments likewise confirm, the clear and present danger posed by misguided regulatory initiatives demands bold and far-reaching Commission action.

Fortunately, the Commission again appears poised to assume a leadership role, recognizing that the regulatory issues surrounding VoIP are so interrelated and of such importance that they can only be addressed sensibly in a broad federal proceeding to “comprehensively tackle the proper regulatory treatment of VoIP and related issues.”⁴ For this reason, the Chairman specifically noted the three pending petitions, including AT&T’s, as presenting issues that require this broad examination.⁵ And, as the Chairman has stressed, this forthcoming comprehensive review must take place on “the cleanest slate possible.”⁶ Only through contemporaneous and thoughtful application of first principles to the full range of issues can the Commission retain the flexibility to reach correct and sustainable decisions that will

(. . . continued)
(1998) (“*Universal Service Report*”).

⁴ Letter from Chairman Michael K. Powell to Sen. Ron Wyden, at 1-2 (Nov. 5, 2003) (“*Powell VoIP Letter*”).

⁵ *Id.* at 1-2.

⁶ SBC at 4 (quoting remarks of Michael K. Powell at the October 14, 2003 USTA Conference).

promote, rather than impede, VoIP deployment. And only by developing policies that account for and apply equally to VoIP in all of its present and future incarnations can the Commission avoid the most costly error of all – picking winners and losers by government fiat, rather than through competition and consumer choice, and thereby tilting the playing field in ways that handicap or foreclose promising investments and services.⁷

Although commenters of all stripes support rolling all of the pending VoIP petitions into an all-inclusive rulemaking proceeding and recognize the dangers of piecemeal adjudication, two of the Bells, SBC and BellSouth, urge a course that would all but guarantee the very mistakes that the Commission hopes to avoid through comprehensive review. While paying lip service to the need for the Commission to undertake “a *comprehensive* resolution of both pending and potential regulatory issues [necessary to] effectively eliminate uncertainty and foster investment in Internet-based services,”⁸ SBC and BellSouth would have the Commission fatally undermine that initiative by prejudging important issues and “summarily denying” AT&T’s VoIP Petition in WC Docket No. 02-361.

These Bells suggest that even if the AT&T VoIP Petition and the broader rulemaking raise common issues – as they so clearly do – considering those issues in single comprehensive rulemaking could “needlessly complicate” the Commission’s broad rulemaking.⁹ As demonstrated below, quite the opposite is true. There is no path to the outcome that the Bells’

⁷ SBC at 3; *accord*, Declaratory Ruling & Notice of Proposed Rulemaking, *Inquiry Concerning High-Speed Access to the Internet Over Cable and Other Facilities*, 17 FCC Rcd. 4798, ¶ 6 (2002) (“We strive to develop an analytical approach that is, to the extent possible, consistent across multiple platforms.”).

⁸ SBC at 3 (emphasis in original).

⁹ *Id.*

seek in WC Docket No. 02-361 that would not tie the Commission's hands in the forthcoming comprehensive review. That is, of course, exactly what SBC and BellSouth hope to accomplish. They recognize that thoughtful consideration of the interrelated VoIP issues can only lead to a deregulatory approach that broadly exempts VoIP services from non-cost-based charges and other harmful legacy regulations and provides maximum flexibility to VoIP providers to decide how best to structure their services without fear of adverse regulatory consequences. The Bells therefore urge the Commission to set up its own roadblocks to a broad-based and rational VoIP regulatory framework by thoughtlessly scribbling on the slate, prior to thinking through what picture it wishes to draw.

The Bells also recognize that in the current regulatory vacuum the first words from the Commission will have enormous significance. The states have begun to signal support for a "wait and see" approach while the Commission completes its comprehensive review of VoIP issues. But if the Commission does not itself adhere to that policy and instead starts down a results-oriented path of service-specific determinations, it cannot hope to retain its leadership role – particularly if, as SBC and BellSouth urge, the Commission's first words are that the ILECs' interest in protecting their above-cost access charge revenues should override legitimate VoIP interests. *See California Public Utility Commission at 11-12* ("Vonage's VoIP service is substantially the same as the VoIP service that AT&T [described in its FCC VoIP petition];" any distinction "between Vonage's VoIP service and that of AT&T is not material for regulatory classification purposes").

The Commission must also keep in mind that any separate decision that it makes with regard to regulation of any particular VoIP service will immediately be appealed, regardless whether the Commission purports to decide fundamental regulatory classification, jurisdiction or

other issues. The Commission's recent experience in the Ninth Circuit vividly illustrates that there is no better way for the Commission to lose control of the policy reins than to involve the courts before the Commission has completed its own consideration. *See Brand X Internet Services v. FCC*, 345 F.3d 1120 (9th Cir. 2003). It should also be obvious that VoIP has already become a very public and highly-charged issue. Legislators, consumer advocates, the mainstream press and many others are all watching closely. If the Commission, first thing out of the box, takes any action that endorses legacy regulation of any VoIP service, it *will* be viewed – and widely denounced – as taxing the Internet.¹⁰ There is simply no reason to invite trouble and take actions that can only detract from the Commission's efforts to fully and fairly address all VoIP-related issues on the cleanest possible slate.

The Commission should reject the Bells' ploy. It should instead follow its announced plan of addressing the full range of VoIP issues on an expedited basis in the forthcoming rulemaking proceeding and continue the "wait and see" policy that it announced in 1998 – under which carriers are not free to impose legacy regulations on VoIP services unless and until the Commission determines that is appropriate – pending completion of the forthcoming rulemaking proceeding. Moreover, to the extent that the Commission believes that VoIP could adversely impact its universal service and intercarrier compensation policies, it should get on with the long-overdue business of reforming the universal service and intercarrier compensation systems. What the Commission plainly should not do is allow some slipshod attempt at piecemeal reform to derail an extraordinarily promising new technology.

¹⁰ *See* http://www.hostingtech.com/news/2003/11/17/St_Nitf_FCC_LIKELY_TO_SET_BAD_VoIP_RUL_d1113002.8co.html ("They're talking about taxing voice-over-Internet to subsidize existing voice services, Hundt said").

ARGUMENT

The Commission should reject the SBC and BellSouth requests that it regulate now and ask questions later. Ruling that AT&T's (or Vonage's or any other provider's) VoIP service is subject to access charges would directly or by necessary implication limit the Commission's discretion to address broader and related VoIP issues in the forthcoming rulemaking proceeding. For example, if the Commission accepted the Bells' argument that AT&T's VoIP service is a telecommunications service and that all telecommunications services *necessarily* must be subject to access charges, it would have dramatically limited its consideration of the appropriate treatment of other VoIP services, limited its ability to impose innovative or responsive regulatory requirements short of the traditional exchange access regime to those services, and impeded its ability to determine what incentives are necessary to ensure the full development of Internet-based services.

The comments in this proceeding leave no doubt that all IP-based communications services, including AT&T's, are integral parts of the development of next-generation Internet-based services that lie at the heart of, and cannot be separated from, any comprehensive examination of VoIP services and their regulation. In fact, the Bells themselves reluctantly recognize this. As Verizon's comments confirm, for example, the IP capabilities inherent in network routing and related services are necessarily linked to other IP-based services and to the consumer benefits that these advanced services are providing:

The use of Internet protocols in network routing and traffic management permits the creation of platforms over which a myriad of electronic communications services can be offered that challenge traditional views of telecommunications. In this new world, services can be developed using software and relatively cheap server technologies, and IP packets are routed over the most efficient routes available at a given moment, often crossing and re-crossing political and jurisdictional boundaries. Devices of all kinds – from PCs to ordinary telephones – can be used to communicate via e-mail, instant messaging and IP-based voice

services and offer consumers a wide range of alternatives to traditional voice services.¹¹

Any “comprehensive” consideration of VoIP related issues would necessarily have to address the interrelated aspects of this “new world” created by IP-based network capabilities. No coherent regulatory policy could ignore the implications of “network routing and traffic management” while attempting to establish a regulatory framework for the various services to end users, including AT&T’s services, that rely upon the IP platforms created by such advanced network capabilities.

USTA likewise acknowledges that the Commission cannot undertake the comprehensive rulemaking addressing VoIP issues without also considering issues raised by AT&T’s Petition. USTA expressly notes that AT&T’s Petition, like those of Vonage and Pulver.com, “potentially have an impact on universal service, E911, CALEA, and other dockets.”¹² It thus recommends that “[b]ecause of the broad range of issues that must be considered in connection with VoIP classification, . . . the FCC [should] reach final conclusions regarding the regulatory classifications of various VoIP configurations and architectures addressed in the *Report to Congress* and complete pending rulemakings concerning the appropriate regulatory classification for broadband access to the Internet before ruling on the Vonage Petition and others like it.”¹³

Nonetheless, SBC and BellSouth ask the Commission to engage in piecemeal decisionmaking that, in the words of the Department of Justice, would “frustrate the resolution of several pending proceedings.”¹⁴ Prejudging issues and constraining the Commission’s discretion

¹¹ Verizon at i.

¹² USTA at 3.

¹³ *Id.* at 3-4.

¹⁴ Department of Justice/FBI, at 9; *see also* Minnesota Office of the Attorney General at 6-7
(continued . . .)

are, of course, exactly what SBC and BellSouth seek to gain by proposing summary disposition of AT&T's VoIP Petition. By walling off from any "comprehensive" rulemaking many of the most important issues related to VoIP services, SBC and BellSouth would not only immediately lock in place important elements of legacy regulatory regimes, but would also markedly tilt the playing field for the Commission's subsequent deliberations regarding "the appropriate regulatory environment for VoIP services."¹⁵ There is simply no reason for the Commission to make its task of establishing the appropriate regulatory regime for VoIP more difficult by estopping itself through summary action on AT&T's VoIP Petition or otherwise opening itself up to subsequent claims that the rules resulting from its broader VoIP proceeding are arbitrary and capricious due to inconsistencies with the Commission's earlier treatment of particular VoIP services.

In all events, the reasons provided by these Bells for deciding AT&T's Petition in advance of the Commission's comprehensive rulemaking do not withstand scrutiny. First, the two Bells argue that AT&T's service "crosses" the public switched network.¹⁶ Of course it does, because virtually every customer is today connected to that network. But that fact neither distinguishes AT&T's service from the services of other VoIP providers nor has any bearing on the appropriate treatment of any VoIP services. *Compare, e.g., NECA at 2-3* ("regardless of whether a call originates from a computer or from a standard telephone, when it terminates on the PSTN it is indistinguishable from other access traffic and should be treated as such"). As

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(arguing that issues raised in Vonage's petition should be considered as part of a broader rulemaking, and noting that AT&T's VoIP petition raises closely-related issues).

¹⁵ *Powell VoIP Letter at 2.*

¹⁶ SBC at 8.

broadband penetration increases, VoIP providers will increasingly be able to offer service to customers that are not connected to the public switched network, at least not at one end of the call. But it will be a very long time – if ever – before VoIP offers that serve only customers that never connect to the public switched network displace significant portions of today’s circuit-switched voice traffic. Moreover, subjecting the types of services offered by AT&T and other interexchange carriers to legacy regulation threatens to disrupt the transition away from inefficient circuit-switched technology.

This is also the complete answer to the Bells’ attempt to find regulatory significance in the fact that AT&T’s service competes with traditional voice service.¹⁷ Providing alternatives to circuit-switched communications is an essential step in the evolution of IP networks, and AT&T’s current VoIP services are no different in this respect than current-generation VoIP services, like those offered by Vonage, which are beginning, in some very limited circumstances, to give some consumers some choice for voice communications. Moreover, even if VoIP could only give consumers an alternative for voice communications, that alone would be a powerful reason *not* to impose non-cost-based charges and other legacy regulation that can only impede VoIP-based competition, particularly for a Commission that has long sought market-based reform of access charges. In all events, VoIP services have the potential to offer not just voice, but an array of sophisticated and customized communications management features that are not available with traditional voice services.

Alternatively, the two Bells claim that AT&T’s Petition can be distinguished on the ground that it concerns a “phone-to-phone” service with no net protocol conversion.¹⁸ But SBC

¹⁷ *Id.* at 7.

¹⁸ BellSouth at 8.

and the other Bells make the same claim about Vonage's services and will undoubtedly do the same for many other VoIP services that are now being deployed or are on the drawing board.¹⁹ Indeed, if anything, this argument highlights the need for the Commission to consider these issues in a comprehensive fashion. Whatever principled distinction may have once existed between "phone-to-phone" and "computer-to-phone" (or "computer-to-computer") services, the Commission would have great difficulty maintaining any such distinction in a world in which electronic "boxes," whether labeled "phones," "computers," "modems" or something else, are all essentially computers. As the California Public Utility Commission explains:

Like Vonage's service, AT&T advertises its services generally to the public for a fee; it interconnects its VoIP service with the PSTN; it utilizes numbers from the North American Numbering Plan; it utilizes protocol conversion to permit real-time point-to-point transmission over the Internet; and it transmits customer information without a net change in the form or content of the information itself (i.e., the voice communication). The only distinction between Vonage's VoIP service and that of AT&T is that the translation or conversion between digital formats takes place on the customer's side of the network with Vonage, and within the network with AT&T.²⁰

There is no basis under currently effective rules for imposing access charges on phone-to-phone offerings, as the Bells contend. In the *Universal Service Report*, the FCC tentatively concluded that computer-to-computer and computer-to-phone services are enhanced or information services, and that certain phone-to-phone IP telephony services appeared to be

¹⁹ See, e.g., SBC at 8 n. 15 ("True IP telephony services also are subject to terminating access charges, even if they are properly classified as information services"). As Vonage-type services expand, fewer and fewer VoIP offerings of any kind could ever be found to entail no net protocol conversion, because interexchange carrier customers, for example, will increasingly be calling customers of Vonage and similar VoIP service providers. In short, the lines that the Bells would have the Commission draw are not sustainable as we move to a world of mixed use customers and all carriers will need to convert some communications and not others.

²⁰ California PUC at 11-12. The growing lack of meaningful distinctions between services that the California PUC identifies as a reason to subject VoIP services to legacy regulation is, in fact, another reason to address phone-to-phone and other VoIP services within the context of the
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telecommunications services. But it refused to make “any definitive pronouncements” and “defer[red] a more definitive resolution of these issues” to a future rulemaking or other proceeding that would comprehensively address these services and determine if this tentative distinction “accurately distinguishes between phone-to-phone and other forms of IP telephony, and is not likely to be quickly overcome by changes in technology.”²¹ The Commission stated that the future proceeding would address the “regulatory requirements to which phone-to-phone providers may be subject if we were to conclude that they are ‘telecommunications carriers’” because they provide “telecommunications services.”

With regard to access charges, the Commission stated that even if it were to conclude that “certain forms of phone-to-phone IP telephony service are ‘telecommunications services,’” and “obtain the same circuit-switched access as obtained by other interexchange carriers,” the services would not be subject to the same access charges as apply to circuit switched calls – *i.e.*, the carrier’s carrier charges imposed by Rule 69.5. Rather, in that event, the Commission “*may* find it reasonable that they pay similar access charges.”²² Conversely, the Commission noted that, because of the costs of determining whether particular phone-to-phone VoIP services were subject to particular per minute access charges, the Commission would then “face difficult and contested issues” and may decline to require even “similar access charges.”²³ The *Universal Service Report* thus treats all phone-to-phone IP-based telephony services as exempt from the

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larger VoIP debate that will occur in the forthcoming rulemaking proceeding.

²¹ *Universal Service Report* ¶¶ 90-91.

²² *Id.* ¶ 91.

²³ *Id.* (emphasis added).

carrier's carrier charges imposed by Rule 69.5 – and only *potentially* subject to “similar access charges” that the Commission *might* impose in a future rulemaking.

The two Bells' claim that AT&T's VoIP Petition must be addressed prior to the broader rulemaking to avoid “undermin[ing] universal service objectives of the Act” is a throw-away argument, which even they do not attempt support.²⁴ As AT&T has previously shown, it pays universal service charges in relation to traffic it carries on the IP-based services that triggered its petition, and the Commission's policies have largely eliminated the cross-subsidies designed to support universal service and once used to justify the incumbent LECs' bloated access charges. Elsewhere in its comments, SBC actually argues that “Internet-based services” (which SBC concedes includes AT&T's service) present issues for universal service obligations that should *not* be addressed “on an *ad hoc* basis without any unifying and limiting principle” and should appropriately be addressed in the proceeding designed to construct a “comprehensive national framework” for Internet-based services.²⁵ Any implications of AT&T's service for universal service thus presents an additional reason to include, not exclude, consideration of AT&T's service in the Commission's VoIP rulemaking.

Finally, the two Bells suggest that the VoIP services addressed in AT&T's petition are not sufficiently “advanced” to be considered in the context of the Commission's VoIP proceeding, which is intended to spur “new” investment.²⁶ This contention is utterly vacuous.

²⁴ SBC at 3.

²⁵ SBC at 5.

²⁶ SBC at 7. SBC even goes as far as arguing (at 3) that AT&T's Petition should be separately addressed, because it is “not properly characterized” as carrying “Internet-based traffic” and is thus beyond the scope of the broader rulemaking proceeding to establish a comprehensive framework for “competitors providing IP telephony and other Internet-based services.” But SBC cannot even sustain that argument within the four corners of its own comments. After making this argument, SBC ultimately concedes (at 7, 8) that “AT&T uses Internet-based transmission
(continued . . .)

As AT&T demonstrated in WC Docket No. 02-361, it is pushing the limits of IP-based technology. And, the capital commitments required for upgrading backbone networks and adapting network facilities to support advanced IP-based platforms are immense and certainly as important to VoIP evolution as the investments in software, customer premises equipment and other facilities that the Bells concede must be considered in determining the appropriate regulatory framework for VoIP services.

Ultimately, the Bells are their own worst enemies on this point. BellSouth points to various state proceedings that require that “this Commission develop a national policy framework for VoIP.”²⁷ One proceeding that BellSouth prominently features is the Alabama Commission’s consideration of a petition from 31 incumbent LECs to declare that VoIP providers are subject to intrastate access charges. The applicability to VoIP services of access charges designed for services that are not IP-based is, of course, exactly the issue presented by AT&T’s Petition and the one that BellSouth elsewhere claims should not be encompassed in the Commission’s broader VoIP proceeding.²⁸

At bottom, the Bells’ position is that they have a right to earn monopoly profits from the nation’s largest carriers indefinitely, even while acknowledging that “changes to the overall intercarrier compensation scheme are long overdue.”²⁹ But imposing legacy access charges on the services of AT&T and other large carriers now while maintaining the *status quo* for

(. . . continued)
facilities.”

²⁷ BellSouth at 3.

²⁸ As other commenters have noted, the Alabama proceeding is only one of many recently-initiated state VoIP proceedings. *See, e.g.*, Department of Justice/FBI at 5-6.

²⁹ SBC at 8.

“smaller” VoIP providers that provide functionally indistinguishable services would be facially discriminatory and thus face almost certain reversal.³⁰ And summarily denying AT&T’s VoIP Petition would not only be wrong on the merits, but would undermine efforts to replace legacy regulations with the appropriate regulatory environment for VoIP services: any comprehensive consideration of the proper regulatory treatment of VoIP would, of course, need to address the Commission’s “tentative” conclusions set forth in its earlier *Report to Congress*, which adopted the “hand’s off” or “wait and see” approach to access charges that formed the basis for AT&T’s VoIP Petition.

CONCLUSION

For the foregoing reasons and those presented by the overwhelming majority of commenters in this proceeding, the Commission’s “comprehensive” rulemaking to consider the appropriate regulation of VoIP services should encompass *all* VoIP-related issues, including the application of access charges to VoIP services. In the interim, the Commission should reaffirm that VoIP services cannot be subjected to legacy access charge and other regulations unless and until the Commission determines that such regulations are appropriate for those services.

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³⁰ *Copper Valley Machine Works, Inc. v. Andrus*, 653 F.2d 595, 607 (D.C. Cir. 1981) (“[a]ffording different treatment to similar situations is the essence of arbitrary agency action”); *Garrett v. FCC*, 513 F.2d 1056, 1060 (D.C. Cir. 1975).

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November 24, 2003

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of November, 2003, I caused true and correct copies of the forgoing Reply Comments of AT&T Corp. to be served on all parties by mailing, postage prepaid to their addresses listed on the attached service list.

Dated: November 24, 2003
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/s/ Yea Afolabi

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