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RECORDS AND  
REPORTING

January 26, 1999

Mrs. Blanca S. Bayó  
Director, Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Docket No. 980770-T1

Dear Mrs. Bayó:

Pursuant to Ms. Keating's instructions, this is to advise that BellSouth objects to the following issues proposed by AT&T:

1. When a DID customer ports less than a block of twenty DID numbers to a CLEC, what are the appropriate nonrecurring charges for the DID numbers not ported?
2. When nonrecurring charges are assessed on unported DID numbers as a result of porting less than a full block, who should be billed?

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BellSouth opposes these issues for several reasons. First, on June 19, 1998, AT&T filed its Petition, requesting that BellSouth modify its policies to allow the porting of less than a block of twenty consecutive Direct-in-Dialing ("DID") numbers and establish rates, terms and conditions for such porting. Specifically, AT&T complained of BellSouth's proposed "special assembly" (contract preparation) charges when porting less than a full block of twenty DID numbers.

On December 17, 1998, BellSouth filed revisions to Section A12.7 of the General Subscriber Services Tariff providing for nonconsecutive DID numbers and for allowing for the porting of less than a block of twenty

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DID numbers and for the porting of nonconsecutive DID numbers. Recurring and nonrecurring rates were also established for nonconsecutive DID numbers. These revisions became effective on January 1, 1999.

BellSouth's tariff changes essentially moot the petition filed on June 19, 1998 by AT&T. AT&T's main complaint was that BellSouth did not allow for porting of less than twenty nonconsecutive DID numbers. BellSouth's tariff revisions allow for such porting. AT&T further complained of the special assembly charges. BellSouth's tariff revisions have set recurring and nonrecurring charges and no special assembly (contract preparation) charges will be applicable. Thus, AT&T's complaint has been resolved and should be withdrawn or dismissed.

Second, the issues proposed by AT&T go beyond the boundaries of the Complaint. Essentially, AT&T is asking the Commission to determine what nonrecurring charges the end user should pay the porting of a DID number, not the charges AT&T should pay. AT&T is asking the Commission to determine whether BellSouth should bill the end user for the porting on AT&T. These issues have nothing to do with the gravamen of the Complaint, i.e., requesting BellSouth to provide for nonconsecutive DID numbers in less than blocks of twenty and the appropriate rates, terms and conditions therefor. BellSouth thus asserts that these issues are not germane to the complaint filed by AT&T.

AT&T has no standing to argue these issues. In the case at hand the end user customer buys the DID numbers at rates tariffed in the General Subscriber Services Tariff. This has been the case for consecutive DID numbers for the last several years. All BellSouth's tariff changes is that now the end user customer can purchase nonconsecutive DID numbers and make the choice of what should be done with these numbers, vis-à-vis allowing an ALEC to port some of those numbers to another location. The numbers are still purchased by the end user customer and, therefore, BellSouth bills the end user customers for the charges associated with the DID numbers. The end user customer is still the party responsible for the bill. The contract (tariff) is between the end user and BellSouth, not BellSouth and AT&T. Moreover, it is the end user's choice/decision as to whether he/she desires that the number be ported to another location, not the decision of AT&T. Therefore, BellSouth asserts that AT&T is not the appropriate party to raise these issues.

Fourth, the recurring and nonrecurring rates set forth in the tariff revisions reflect BellSouth's costs of providing nonconsecutive DID numbers. Provisioning of nonconsecutive DID numbers requires a separate transaction for each nonconsecutive DID number. Provisioning for consecutive DID numbers requires only one transaction. Thus, BellSouth's tariffed rates are appropriate.

For these reasons, BellSouth urges the Prehearing Officer to reject the issues proposed by AT&T.

Sincerely,

*Nancy B. White*  
Nancy B. White (BW)

NBW:jn

cc: Tracy Hatch, Esq.  
Beth Keating, Esq.