

Decision 89 02 026 FEB 8 1989**ORIGINAL**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
Mailed

Application of AT&T Communications of)
 California, Inc. (U-5002-C) under)
 Rule 18 for a Certificate of Public)
 Convenience and Necessity for)
 Authority to Provide IntraLATA High)
 Speed Digital Private Line Service at)
 Speed of 1.544 megabits per Second)
 or Higher Throughout the State of)
 California.)

FEB 9 1989

Application 88-10-052
(Filed October 31, 1988)OPINIONSummary

This decision grants applicant, AT&T Communications of California (AT&T-C) a certificate of public convenience and necessity (CPCN) to provide intraLATA 1.544 mbps high speed digital private line service in accordance with the rates and charges and special conditions set forth in its proposed Advice Letter and associated tariff sheets in Appendix A hereto. These tariff provisions are to become effective five days after filing, but not earlier than February 15, 1989.

Background

On October 31, 1988, AT&T-C filed Application (A.) 88-10-052 in which it seeks a CPCN to provide intraLATA high speed digital private line service at 1.544 mbps or higher in accordance with the modified settlement adopted by this Commission in Decision (D.) 88-09-059, dated September 28, 1988, which approved with certain modifications a settlement reached by many of the parties in Phase I of Investigation (I.) 87-11-033.¹

¹ I.87-11-033 is the Commission's investigation of alternative regulatory frameworks for local exchange telephone companies.

Appendix A of D.88-09-059 prescribes the following conditions for competition for intraLATA high speed digital private line services:

"Competitive providers in high speed digital markets may hold out the availability of and provide multiplexing equipment or services, including voice services, as part of such high speed digital services.

"For purposes of this document, digital private line services at 1.544 megabits per second (mbps) or above are considered to be 'high speed digital private line' service. As used herein, 'intraLATA high speed digital private line' service is defined as the dedicated connection of two or more end user premises within a LATA for the purpose of providing intraLATA high speed digital nonswitched services. Competitive carriers may provide multiplexing service for voice and/or data at the end user's premises such that the transmission speed from or to the end user's premises is at 1.544 mbps or above.

"This document does not permit the transport from or to the end user's premises for intraLATA service of either analog or digital transmissions at speeds less than 1.544 mbps." (D.88-09-059, Appendix A, mimeo. p. 8.)

In D.88-09-059 we also concluded that authorizations granted for provision of competitive intraLATA high speed digital private line services should be coincident with the effectiveness of local exchange carrier pricing flexibility for such services (D.88-09-059, mimeo. p. 8). Since that time, Pacific Bell (Pacific) and GTE California, Incorporated (GTEC) have requested pricing flexibility for these services in A.88-10-012 and A.88-10-017, respectively. Workshops were held in those matters and they are scheduled for Commission consideration at today's meeting as well. The parties appearing at the recent Pacific and GTEC workshops, including representatives of AT&T-C, agreed that it would be most desirable if all of the current applications for

authority to provide competitive intraLATA high speed digital private line services were approved with the same effective date for commencing service.

Description of Applicant

Applicant (AT&T-C) is a telecommunications subsidiary of the American Telephone and Telegraph Company, operating within the State of California and providing interLATA and interstate telecommunications services. AT&T-C's principal offices are located at 795 Folsom Street, San Francisco, California 94107.

In support of this application AT&T-C provided evidence of its authority to do business in California including a reference to the certified copy of its Articles of Incorporation on file with this Commission in Application (A.) 85-11-029. AT&T-C also appended its most recent financial statements including its Balance Sheet and Income Statement for the month of December 1987 to the application. The data supplied with and referenced in the application confirms that AT&T-C has the financial resources, broad communications knowledge, and technical expertise to effectively undertake this new communications business activity in California. As to AT&T-C's current interLATA communications services offered within California, there is no evidence of any significant service deficiencies or complaints (A.85-11-029).

Description of Proposed Service

AT&T-C's proposed intraLATA 1.544 mbps high speed digital private line service² is a dedicated full period data communications service as previously discussed herein.

AT&T-C proposes to use its own existing facilities and special access services of the local exchange telephone companies to provide these intraLATA high speed digital private line

² AT&T-C refers to this service as ACCUNET T1.5 Service in its High Capacity Private Line Services - Tariff Schedule B-9.

services. All services furnished by AT&T-C will be provided by dedicated, nonswitched facilities.

AT&T-C is not seeking authority for construction of facilities in this application. It intends to use its existing common facilities to furnish the proposed intraLATA private line services; therefore, granting this application would not likely have a significant adverse impact on the environment.

AT&T-C estimates that it will have five and 50 customers to this competitive service, at the end of the first and fifth year of operation, respectively.

AT&T-C believes that its proposed service is consistent with Section IV "Private Line Services" of the approved Phase I Settlement attached to D.88-09-059.

Under AT&T-C's proposal, customers will benefit because this application, if approved, will provide a competitive alternative source for portions of the circuits needed to render intraLATA high speed digital private line service at speeds of 1.544 mbps or higher.

AT&T-C currently provides this same service on an interLATA basis and with the authority requested herein, it would extend its offering on an intraLATA basis consistent with Section IV of the Modified Phase I Settlement of Investigation (I.) 87-11-033.

Notice of Application and Comments Received

AT&T-C is likely to compete with existing carriers³ and prospectively with other telecommunications providers when it offers this new service. Therefore it served copies of this application on other carriers with which it is likely to compete.

³ Primarily Pacific Bell (Pacific) and GTE California, Incorporated (GTEC).

AT&T-C also served copies of this application on the current list of interested parties to I.87-11-033.

On December 2, 1988 the Commission's Division of Ratepayer Advocates (DRA) filed comments supporting this application since AT&T-C's proposed rates are equal to, or above those proposed by Pacific and GTEC for similar services in their respective service territories.

However, DRA requests that AT&T-C be required to furnish a rate comparison exhibit to compare its rates with those proposed by Pacific Bell and GTEC. In addition, DRA recommends that we institute reporting requirements for AT&T-C when we authorize this new service as follows:

- "a. Quarterly reports for a two year period beginning with the effective date of AT&T's rates and charges, to be filed with the Commission's Advisory and Compliance Division (CACD) with a copy to DRA - Telecommunications RATE Design Branch which provides data for AT&T's Hicap service:
 - "i. monthly in-service volumes.
 - "ii. monthly inward movement volumes.
 - "iii. monthly recurring billing by tariff rate item.
 - "iv. monthly nonrecurring billings by tariff rate item.
 - "v. monthly costs by rate element for recurring costs.
 - "vi. monthly costs by rate element for nonrecurring charges on a work function by work function basis.
- "b. The format of these quarterly reports should be determined in consultation with CACD.
- "c. AT&T should file quarterly reports 45 days after the end of the respective quarter for which the report applies."

DRA asserts that the Commission will need this information to keep abreast of developments in the intraLATA Hicap⁴ market and to determine whether or not intraLATA Hicap service is competitive. Additionally, this information is needed by the Commission to protect competitors against anticompetitive behavior, e.g. below cost pricing.

Lastly DRA requests that any advice letter and associated tariff revisions filed by AT&T-C for this new offering, pursuant to this order, be made effective on not less than five (5) days' notice of the filing.

On December 22, 1988 AT&T-C responded to DRA's comments, agreeing to amend its application to include information comparing its proposed rates to those proposed by GTEC in A.88-10-017 and Pacific in A.88-10-012. However, after it receives authority to implement this new service, AT&T-C wishes to be treated as other competitors; it sees little value in future rate comparisons and objects to providing them on an ongoing basis.

AT&T-C objects to DRA's recommended reporting requirements, asserting that the DRA fails to recognize the importance of the Commission's decision to open the intraLATA Hicap market to competition. AT&T-C contends that competitors will advise the Commission of any perceived anticompetitive behavior, and customers and potential competitors will inform the Commission of the vigor of competition in the market place. AT&T-C believes it is totally inappropriate to burden a potential competitor such as AT&T-C with onerous reporting requirements for the independent analysis of DRA or the CACD.

On December 2, 1988 Pacific Bell wrote a letter to the assigned ALJ regarding this application. In that letter Pacific

⁴ Hicap is still another name being used to refer to high speed digital private line service.

stated that it does not oppose AT&T-C's application as long as AT&T-C adheres to its agreement to only offer nonswitched service as full period dedicated connections of two or more end-user premises within a LATA.

In addition Pacific notes that multiplexing of this service may only occur at speeds of 1.544 mbps or above, under the provisions of Section IV of Appendix A to D.88-09-059.

Lastly Pacific asks that AT&T-C's tariff not be approved prior to the revised tariffs for its own 1.544 mbps high speed digital private line services in A.88-10-012.

Discussion

AT&T-C currently provides interLATA high speed 1.544 mbps digital private line service throughout California. The additional authorization sought herein would allow AT&T-C to compete in the intraLATA market throughout California as well. AT&T-C will use its own existing facilities along with special access services of the local exchange telephone companies to provide these services. All services furnished by AT&T-C under this proposal will be provided via full period, dedicated, nonswitched facilities, as contrasted to time sharing of a private line service, using switched satellite facilities, or traditional switched message toll telephone service.

In D.88-09-059 we concluded that competition to provide intraLATA high speed digital private line services according to the conditions in the adopted modified settlement is in the public interest, and accordingly we allowed potential competitors to request such authorization.

We concur with the comments received from Pacific that AT&T-C's proposed service must be provided in compliance with the requirement of D.88-09-059 (Appendix A, Section IV. A.1.a.), and we limit the authority granted herein accordingly.

The reporting requirements suggested by DRA, as set forth earlier herein, deserve careful review and consideration, and two

points of view become apparent. On one hand, the Commission recognizes the presence of competitors in this marketplace and the need to address this presence with the proper regulatory framework, which we will adopt today. On the other hand this market structure is in its embryonic stage. While we will allow market forces to take their effect, we nevertheless cannot abandon our responsibility of regulating this industry. In order to provide adequate oversight, some monitoring is in order. A recent example is the monitoring program we adopted for AT&T-C in D.88-12-091. While we agree with DRA's recommendation for reporting in concept, we find that its specific recommendation may be burdensome, especially when we are moving toward an observation and monitoring approach for regulating AT&T-C. Therefore, we will adopt a more modest version of that reporting recommendation, which we are also requiring of other nondominant⁵ carriers who are entering this competitive market, as follows:

1. AT&T-C will be required to submit semiannual reports for a two-year period beginning with the effective date of AT&T-C's rates and charges. The reports will be filed with the CACD with copies to the DRA - Telecommunications Rate Design Branch and will contain the following recorded data for AT&T-C's intraLATA 1.544 mbps high speed digital private line service:
 - a. Monthly in-service volumes.
 - b. Monthly inward movement volumes.
 - c. Monthly recurring billings by tariff rate item, and,

⁵ While AT&T-C is a dominant interLATA carrier, it does not have such a position in the intraLATA market in which it seeks to compete with this service offering.

- d. Monthly nonrecurring billings by tariff rate item.
2. The format of these semiannual reports should be determined in consultation with CACD.

This reporting requirement will sunset with the submission of the report for the semiannual period ending December 31, 1990.

Finally, in D.88-09-059 we agreed to take action on all conforming requests for authority to provide competitive intraLATA high speed digital private line services which were filed no later than October 31, 1988, with any resulting authorizations to be effective coincident with the effectiveness of local exchange carrier pricing flexibility for these services. To that end, we will coordinate the effectiveness of AT&T-C's expanded authority and the local exchange carriers' pricing flexibility to become effective at the same time, namely on February 15, 1989.

We conclude that the authority which AT&T-C requests should be granted as provided by this order.

Since there is a need to make the tariffs for this service effective on the same date (February 15, 1989) as that for local exchange carrier pricing flexibility for these services, and there are no pending protests to this application, we will make this order effective today.

Findings of Fact

1. AT&T-C is a telephone corporation organized under California law and a regulated utility as defined under PU Code § 234.
2. AT&T-C is requesting a CPCN to provide 1.544 mbps high speed digital private line service on an intraLATA basis in California, as a complement to its current interLATA service offerings.

3. There are no pending protests to this application; therefore no hearing is deemed necessary for processing this application.

4. AT&T-C has the technical ability to provide this proposed service on a safe, effective, reliable, and continuous basis.

5. AT&T-C asserts that it has the financial integrity to effectively implement the proposed service without any significant impact on its other telephone utility operations.

6. Since no new facilities are necessary for rendering the proposed service, it can be seen with reasonable certainty that granting this application will not have a significant adverse impact on the environment.

7. In D.88-09-059, we concluded that competition to provide intraLATA high speed digital private line services as provided in the adopted modified settlement in Phase I of I.87-11-033 is in the public interest and should be authorized.

8. AT&T-C has agreed that it will not multiplex this service below 1.544 mbps.

9. AT&T-C has also agreed not to switch intraLATA voice or data traffic pursuant to this application.

10. In D.88-09-059, we concluded that it is reasonable to coordinate the effectiveness of any authorization granted to interexchange carriers to provide intraLATA high speed digital private line services with the effectiveness of local exchange carrier pricing flexibility for such services.

11. There is no reason to treat AT&T-C differently than other interexchange carriers regarding the granting of authority to provide intraLATA high speed digital private line services.

12. Public convenience and necessity require the granting of A.88-10-052 to the extent set forth in the Ordering Paragraphs which follow.

Conclusions of Law

1. AT&T-C's request for authority to provide intraLATA 1.544 mbps high speed digital private line service set forth in its A.88-10-052 is consistent with the provisions of D.88-09-059 and should be granted to the extent set forth in the Ordering Paragraphs hereof.

2. AT&T-C should be prohibited from holding out the availability of other intraLATA services it is not authorized to provide and should be required to advise its customers that intraLATA communications it is not authorized to provide should be placed over the facilities of an authorized carrier.

3. The effective date of AT&T-C's statewide intraLATA high speed digital private line service authority should be coincident with the effective date of similar tariffs to be filed by Pacific and GTEC pursuant to decisions in A.88-10-012 and A.88-10-017, respectively.

4. In order to allow AT&T-C to make these services available on February 15, 1989 this order should be effective today.

5. Only the amount paid to the State for operative rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify the monopoly feature of these rights at any time.

ORDER

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to applicant, AT&T Communications of California (AT&T-C) to provide intraLATA high speed digital private line services at 1.544 mbps or higher within all LATAs in California subject to the following conditions:

- a. AT&T-C may hold out the availability of and provide multiplexing equipment or services, including voice services, as part of such high speed digital services.
- b. Digital private line services at 1.544 megabits per second (mbps) or above are considered to be "high speed digital private line service." "IntraLATA high speed digital private line" service is defined as the dedicated connection of two or more end user premises within a LATA for the purpose of providing intraLATA high speed digital nonswitched services.
- c. AT&T-C may provide multiplexing service for voice and/or data at the end user's premises such that the transmission speed from or to the end user's premises is at 1.544 mbps or above.
- d. This authority does not permit the transport from or to the end user's premises for intraLATA service of either analog or digital transmissions at speeds less than 1.544 mbps.
- e. AT&T-C must establish rates and charges for its intraLATA high speed digital private line service above its cost of providing such service.
- f. AT&T-C shall refrain from holding out to the public the provision of any intraLATA services it is not authorized to provide.
- g. AT&T-C shall advise its subscribers that intraLATA communications which AT&T-C is not authorized to provide should be placed over the facilities of an authorized carrier.

2. AT&T-C is hereby authorized to file an advice letter and associated tariff sheets identical to Appendix A to this order for its initial offering of intraLATA high speed 1.544 mbps digital private line service.

3. The advice letter and associated tariff sheets described in Ordering Paragraph 2, above, shall be filed in compliance with the provisions of General Order 96-A after the effective date of this order. The revised schedules shall apply only to service rendered after their effective date which shall be at least five days after filing, but not earlier than February 15, 1989.

4. The requirements of G.O. 96-A relative to the effectiveness of tariffs after filing are waived for AT&T-C (for this service only), at this time in order that future tariff revisions for this competitive intraLATA service may become effective on five days notice after filing.

5. Within 30 days after this order is effective, applicant shall file a written acceptance of the certificate granted in this proceeding; absent such filing, the authority granted by this certificate may be revoked.

6. Applicant shall notify the Commission Advisory and Compliance Division (CACD) Director in writing of the date service is first rendered to the public as authorized herein, within 5 days after service begins.

7. AT&T-C shall monitor the implementation of its intraLATA 1.544 mbps high speed digital private line service and shall submit semiannual reports for a two-year period beginning with the effective date of the rates and charges for this service as authorized herein. These reports shall be filed with the CACD with copies to the DRA-Telecommunications Rate Design Branch and shall include the following recorded data for applicant's intraLATA 1.544 mbps high speed digital service:

- a. Monthly in-service volumes.
- b. Monthly inward movement volumes.
- c. Monthly recurring billings by tariff rate item, and,
- d. Monthly nonrecurring billings by tariff rate item.

The format of these semiannual reports shall be determined in consultation with the CACD staff.

8. The reporting requirement of Ordering Paragraph 7 shall commence within 45 days after June 30, 1989, and shall terminate upon submission of the report for the semiannual period ending December 31, 1990, to be submitted on or before February 14, 1991.

9. Within 60 days after the effective date of this order, AT&T-C shall prepare and issue to every employee who, in the course of his or her employment, has occasion to enter the premises of customers or subscribers of the corporation an identification card in a distinctive format having a photograph of the employee. AT&T-C shall require every employee to present the card upon requesting entry into any building or structure on the premises of a customer or subscriber, as set forth in P.U. Code § 708.

10. The certificate granted and the authority to render service under the rates, charges, and rules authorized herein will expire if not exercised within 12 months after the effective date of this order.

11. The corporate identification number currently assigned to AT&T Communications of California is U-5002-C, which should continue to be included in the caption of all original filings with this Commission, and in the title of other pleadings filed in existing cases.

12. IntraLATA 1.544 mbps high speed digital private line service is a utility service and is subject to the user fee as a percentage of gross intrastate revenue under PU Code §§ 431 through 435.

13. This proceeding is closed.

This order is effective today.

Dated FEB 8 1988, at San Francisco, California.

G. MITCHELL WILK
President
FREDERICK R. DUDA
STANLEY W. HULETT
JOHN B. CHANLAN
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.

Victor Weiss
Victor Weiss, Executive Director

February , 1989

DRAFT

U 5002 C
Advice Letter No.

Public Utilities Commission of the State of California

Pursuant to Ordering Paragraph of Decision No. 89- this filing revises Schedule Cal. P.U.C. No. B9 to provide intralata high speed digital private line service consistent with the terms and conditions as set forth in Decision No. 88-09-059, Appendix A.

We attach for filing the following changes in tariff sheets:

Schedule Cal. P.U.C. No. B9
7th Revised Check Sheet A
3rd Revised Sheet 2
6th Revised Sheet 7
Schedule Cal. P.U.C. No. B Price List
1st Revised Check Sheet A
1st Revised Sheet 32

In accordance with Section III, G. of General Order No. 96-A, we are mailing a copy of this Advice Letter and related tariff sheets to competing and adjacent utilities and/or other utilities, and to appearances in Phase I of I.87-11-033.

This filing will not increase any rate or charge, cause the withdrawal of any service, nor conflict with any other schedules or rules.

This Advice Letter requires no new or additional cost information.

We request you authorize this revision to become effective

Yours truly,

AT&T COMMUNICATIONS OF CALIFORNIA, INC.

By

E.V. Forshee
External Affairs Director

Attachments

Private Line Services Tariff

B9. HIGH CAPACITY SERVICES

LIST OF EFFECTIVE SHEETS

Sheets listed below are effective as of the date shown on each sheet.

DRAFT
1/13/89

<u>Revision Number</u>	<u>Sheet</u>
7th'	CS A
3rd	ToC A
1st	ToC B
Original	ToC C
2nd	1
1st	1.1
2nd	1.2
1st	1.3
3rd'	2
1st	3
2nd	4
1st	5
3rd	6
6th'	7
Original	7.1
1st	7.2
1st	8
1st	9
1st	10
1st	11
1st	12
1st	13
1st	14
1st	15
1st	16
1st	17
1st	18
Original	19
Original	20
Original	21
Original	22
Original	23
Original	24
Original	25
Original	26
Original	27
Original	28
Original	29
Original	30
Original	31
Original	32

NOTE 1: Sheets issued.

Advice Letter No.

Decision No.

Issued by

Kenneth R. Parker
Regional Director

Date Filed:

Effective:

Resolution No.

Private Line Services Tariff

B9. HIGH CAPACITY SERVICES

9.1 ACCUNET T1.5 SERVICE (Cont'd)

DRAFT
1/13/89

9.1.2 REGULATIONS

A. AVAILABILITY OF A SERVICE

ACCUNET T1.5 Service channels are offered within and between all wire centers served by the Company where suitable digital transmission facilities are available. In order to determine whether suitable facilities are available, a service inquiry is initiated through a Company sales office.

When an ACCUNET T1.5 Service channel is offered for IntraLATA service, it will only be used for the dedicated connection of two or more end user premises within a LATA for the purpose of providing IntraLATA high speed digital non-switched service.

(N)
|
(N)

B. MINIMUM PROTECTION CRITERIA

Minimum protection criteria have not been specified for ACCUNET T1.5 Service because inherent protection is afforded in the normal provision of the channel. However, the Company reserves the right to specify such criteria if required.

C. USE OF SERVICE

1. The customer must provide information regarding the intended use of the service sufficient to permit the Company to furnish and maintain the service ordered and assure that tariff regulations are followed.
2. The Company shall not be responsible for the manner in which the use of service will be allocated. Orders which involve the start, rearrangement, release or discontinuance of service will be accepted by the Company only from the customer.

Continued

Advice Letter No.

Decision No.

Issued by

Kenneth R. Parker
Regional Director

Date Filed:

Effective:

Resolution No.

Private Line Services Tariff

B9. HIGH CAPACITY SERVICES

9.1 ACCUNET T1.5 SERVICE (Cont'd)
9.1.3 RATES AND CHARGES (Cont'd)

DRAFT
1/13/89

C. LOCAL DISTRIBUTION CHANNEL

The rates set forth below apply for each Local Distribution Channel. Local Distribution Channels are not required for Interoffice channel terminations at a Company serving office.

	<u>Nonrecurring Charge Range⁴</u>	<u>Monthly Rate Range⁴</u>	<u>USOC</u>	
Local Distribution Channels with customer premises located in Pacific Bell local exchange territory	\$1350.00-1650.00	\$274.50-335.50	1ROP2	(N) (T)
Local Distribution Channels with customer premises located in General Telephone local exchange territory ¹	\$2115.00-2585.00	\$517.50-632.50	1ROG2	(N) (T)
<u>Special Access Surcharge²</u>		<u>Monthly Rate Range⁴</u>	<u>USOC</u>	(T)
- Where applicable, per customer premises termination, each		\$22.50-27.50	SRBAP	
- Where not applicable, per customer premises termination, each ³		NONE	SRBEX	

NOTE 1: In cases where customer premises are located in non Pacific Bell/General Telephone territory, the General Telephone Local Distribution Channel rate will be applied. (N)
NOTE 2: See Schedule Cal. P.U.C. No. B2.6. (T)
NOTE 3: If exemption certification is received after completion of an order a change charge applies. See Schedule Cal. P.U.C. No. B3.1.5.A. (T)
NOTE 4: See Price List for current price. (N)

Continued

Advice Letter No.

Decision No.

Issued by

Kenneth R. Parker
Regional Director

Date Filed:

Effective:

Resolution No.

DRAFTGENERAL LIST OF EFFECTIVE SHEETS

Sheets listed below are effective as of the date shown on each sheet.

<u>Revision Number</u>	<u>Sheet</u>
1st'	CS A
Original	TOC A
Original	1
Original	2
Original	3
Original	4
Original	5
Original	6
Original	7
Original	8
Original	9
Original	10
Original	11
Original	12
Original	13
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1st'	32
Original'	33

NOTE 1: Sheets issued

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Resolution No.

B9. HIGH CAPACITY SERVICES

<u>Schedule Location</u>	<u>Rate Element</u>	<u>Nonrecurring Charge</u>	<u>Monthly Charge</u>	<u>Code</u>	
9.1.3.A.	Interoffice Channel				
9.1.3.A.	- Each two point channel	\$1899.31		1LNPX	
9.1.3.A.	- 1-100 miles per channel		\$ 615.06	1LNPX	
9.1.3.A.	- 100+miles per channel		1083.06	1LNPX	
9.1.3.A.	- 1-100 per air miles		25.59	1LNPX	
9.1.3.A.	- 100+ per air miles		20.91	1LNPX	
9.1.3.C.	Local Distribution Channel				
9.1.3.C.	- For customer premises in Pacific Bell territory	1500.00	305.00	1ROP2	(N) (N) (D)
9.1.3.C.	- For customer premises in General Telephone territory	2350.00	575.00	1ROG2	(N) (N)
9.1.3.C.	Special Access Surcharge				
9.1.3.C.	- Applicable		25.00	SRBAP	
9.1.3.C.	- Non-applicable		NONE	SRBEX	
9.1.3.D.	Central office Connection				
9.1.3.D.	- Per connection	300.00	60.00	04C++	
9.1.3.E.	Office Functions				
9.1.3.E.1.	- Per automatic protection capability		300.00	APZ	
9.1.3.E.2.	- Per transfer arrangement		165.00	XTA++	
9.1.3.E.3.	- Per M-24 Multiplexing		280.00	VUM	
	- Each throughput option		5.00	TH4XV	
	- Each addition, deletion or reconfiguration	50.00		NRZTH	

Continued

Advice Letter No.

Decision No.

Issued by

Kenneth R. Parker
Regional Director

Date Filed:

Effective:

Resolution No.



795 Folsom Street
San Francisco, California 94107
Phone (415) 442-2600

January 24, 1989

Honorable George A. Amaroli
Administrative Law Judge
Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Re: A.88-10-052, AT&T Application for IntraLATA High Speed Digital
Private Line Service

Dear Judge Amaroli:

On January 13, 1989, AT&T submitted to you a draft Advice Letter and High Speed Digital Private Line Tariff that AT&T seeks to have approved in this Application. Today's submission revises the draft Advice Letter to include one additional tariff page (SCHEDULE CAL. P.U.C. NO. B PRICE LIST), and to properly reflect the other changed High Speed Digital Private Line tariff sheets. In addition, I have attached copies of the required tariff pages stamped as "draft" and deleted all of the other tariff pages that were unnecessarily included with our January 13 transmittal.

Please do not hesitate to call me on 442-2218 if I can be of further assistance.

Chris Ensign

Chris Ensign
District Manager

Attachments

Conclusions of Law

1. AT&T-C's request for authority to provide intraLATA 1.544 mbps high speed digital private line service set forth in its A.88-10-052 is consistent with the provisions of D.88-09-059 and should be granted to the extent set forth in the Ordering Paragraphs hereof.

2. AT&T-C should be prohibited from holding out the availability of other intraLATA services it is not authorized to provide and should be required to advise its customers that intraLATA communications it is not authorized to provide should be placed over the facilities of an authorized carrier.

3. The effective date of AT&T-C's statewide intraLATA high speed digital private line service authority should be coincident with the effective date of similar tariffs to be filed by Pacific and GTEC pursuant to decisions in A.88-10-012 and A.88-10-017, respectively.

4. In order to allow AT&T-C to make these services available on February 15, 1989 this order should be effective today.

5. Absent a determination of original cost of plant for applicant, in an evidentiary hearing, only the amount paid to the State for operative rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify the monopoly feature of these rights at any time.

ORDER

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to applicant, AT&T Communications of California (AT&T-C) to provide intraLATA high speed digital private line services at 1.544 mbps or higher within all LATAs in California subject to the following conditions: