

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Telecommunications Branch
Commission Advisory and Compliance
Division

RESOLUTION T-15835
January 10, 1996

R E S O L U T I O N

RESOLUTION T-15835. PACIFIC BELL (U-1001-C). ORDER GRANTING PROVISIONAL APPROVAL OF TARIFF MODIFICATIONS TO OFFER COMMON CHANNEL SIGNALING ACCESS, LINE IDENTIFICATION DATA BASE ACCESS, DIRECTORY ASSISTANCE SERVICE, CUSTOMER GUIDE SERVICE, AND LISTING SERVICE TO COMPETITIVE LOCAL EXCHANGE CARRIERS IN ACCORDANCE WITH R.95-04-043 AND D.95-12-056.

BY ADVICE LETTERS 17883, 17884, 17885, AND 17886, FILED NOVEMBER 22, 1995 AND BY SUPPLEMENTAL ADVICE LETTER 17886-A FILED DECEMBER 18, 1995.

SUMMARY

This resolution grants Pacific Bell (Pacific) provisional approval to offer competitive local carriers (CLCs) access to signaling protocols and certain directory, data base, and listing services based on the tariff schedule modifications filed in Advice Letters 17883, 17884, 17885, 17886, and 17886-A. These provisional tariffs will remain in effect for one year or until the Commission addresses the provision of these services in R.95-04-043, whichever is sooner.

BACKGROUND

In April of 1995, the Commission issued its local competition rulemaking (R.95-04-043) containing proposed interim rules for local exchange competition. Rule 11, Additional Intercompany Arrangements, stated that local exchange companies (LECs) shall provide CLCs access to all LEC service databases, such as directory assistance, 800, Line Information Data Base (LIDB), and Advanced Intelligent Network (AIN), through signaling interconnection and shall provide access to all signaling protocols used in the routing of local and interexchange traffic (R.95-04-043, Appendix A, Rule 11.D and 11.E). Rule 11 also required LECs to provide CLCs with directory listings beyond the basic listings at nondiscriminatory rates (R.95-04-043, Appendix A, Rule 11.H.3).

In D.95-07-054, the Commission adopted initial rules for local exchange competition and authorized prospective CLC's to request certificates of public convenience and necessity to provide facilities based local exchange service beginning January 1, 1996. However, Rule 11 regarding additional intercompany arrangements was not finalized in that decision. Instead, the

assigned ALJ issued a ruling on August 18, 1995, setting a procedural schedule to resolve outstanding issues regarding the provision of competitive local exchange services. The schedule adopted in that ruling stated that "additional intercompany arrangements" such as access to LEC databases, directory listings, and signaling protocols would be resolved by March 1, 1996 based on written comments filed in Phase II of R.95-04-043.

In D.95-12-056, the Commission updated the rules adopted in the July decision and stated that with regard to additional intercompany arrangements:

LECs shall provide certain essential services under reasonable and nondiscriminatory terms and conditions, either under tariff or by contract on an interim basis pending further determination in Phase II. (D.95-12-056, Appendix C, Rule 8.A)

On November 22, 1995, Pacific filed advice letters 17883, 17884, 17885, and 17886.

Advice letter 17883 modifies Pacific's existing switched access tariff to offer intrastate use of Common Channel Signaling Access Capability (CCSAC) and LIDB over Signaling System Seven protocols. Pacific states that both CCSAC and LIDB tariffs are in strict operational and rate parity with Pacific's interstate filing. CCSAC provides signaling information out-of-band of the voice network which permits more efficient use of the public switched network and faster call set-up and completion. LIDB is a billing validation and calling card verification service that allows CLCs to validate Pacific Bell calling card calls and other alternate billed calls.

Advice letter 17884 revises Pacific's existing Access Service Tariff regarding Directory Assistance to allow CLCs to order this service.

Advice letter 17885 revises Pacific's existing Access Service Tariff regarding Customer Guide Service to state that CLC's may purchase this service and that charges for unused space on a sheet in the customer guide section of the directory will be pro-rated among the customers who have purchased space on that sheet.

Advice letter 17886, as supplemented by advice letter 17886A filed on December 18, 1995, revises Pacific's existing Access Service Tariff to add a Listing Service which allows CLCs to order additional listings in Pacific directories. Pacific states that Listing Service is offered as a Category II service.

NOTICE/PROTESTS

Pacific states that copies of Advice Letters 17883, 17884, 17885, and 17886 as supplemented were mailed to competing and adjacent utilities and/or other utilities and interested parties. The advice letters were listed in the Commission's Daily Calendar.

AT&T, on behalf of the California Telecommunications Coalition,¹ filed a protest to Pacific's Advice Letters 17883, 17884, 17885, 17886 on December 19, 1995.

In its protest, AT&T states that although the Coalition does not wish to impede the timely availability of these services, many aspects of the tariff filings require modification. Furthermore, the rates charged in the tariffs should be subject to refund because rates for CLCs should either be based on total service long run incremental cost (TSLRIC) or reflect reciprocal exchange of mutually beneficial functions for no explicit charge.

Pacific responded to the Coalition's protest on December 29, 1995. In its response, Pacific disagrees that the rates should be subject to refund because Pacific will revise the tariffs once TSLRIC studies have been completed. Pacific also disagrees with the other modifications requested by the Coalition, except for three points raised regarding language in the Customer Guide tariff filed in Advice Letter 17885. Pacific volunteers to supplement Advice Letter 17885 to clarify these points.

DISCUSSION

In D.95-12-056, the Commission permitted LECs to offer certain essential interconnection services either under tariff or by contract on an interim basis, pending further determination in our Phase II rules (D.95-12-056, p. 16-17). Pacific's advice letters 17883, 17884, 17885, and 17886 as supplemented conform with this statement because they modify Pacific's tariffs to offer additional intercompany arrangements by tariff.

CACD recommends that the Commission approve the tariffs in these advice letters on a provisional basis only. The Commission should not grant full approval because it has solicited comments on additional intercompany arrangements in Phase II of R.95-04-043 and expects to issue a decision on these issues in the near future.

¹ The Coalition members include AT&T Communications of California, Inc.; California Cable Television Association; ICG Access Services, Inc.; MCI Metro; MCI Telecommunications Corp.; Sprint Telecommunications L.P., Inc.; Teleport Communications Group; Time Warner AXS of California, L.P.; and Toward Utility Rate Normalization.

With regard to the Coalition's protest, CACD recommends that the Commission not delay interim intercompany arrangements necessary for the start of local competition while the Commission considers the numerous issues raised in the Coalition's protest. If the Commission were to address the protest now, this might needlessly duplicate the Commission's efforts to set generic rules for intercompany arrangements in Phase II. Therefore, CACD recommends that to the extent the protest issues relate to Phase II, these issues are more appropriately addressed in the already established schedule for Phase II. The Commission should consolidate the Coalition's protest and Pacific's response into Phase II of R.95-04-043. Any protest issues which are not related to Phase II should be denied without prejudice. Parties can raise these issues for future consideration in the appropriate docket.

Finally, CACD agrees that Pacific should file a supplement to Advice Letter 17885 to clarify language in its Customer Guide tariff. The supplement should contain the clarifications noted in items 13, 16, and 17 of Pacific's protest response.

FINDINGS

1. In April 1995, the Commission issued R.95-04-043 containing proposed interim rules for local exchange competition, including Rule 11 regarding "Additional Intercompany Arrangements."
2. Additional Intercompany Arrangements are scheduled to be addressed by March 1, 1996 based on written comments filed in Phase II of R.95-04-043.
3. D.95-12-056 permits LECs to provide certain essential services (i.e. additional intercompany arrangements) either by tariff or contract on an interim basis pending further determination in Phase II.
4. Pacific's advice letters 17883, 17884, 17885, and 17886 as supplemented provide additional intercompany arrangements by tariff.
5. The Commission should provisionally approve Pacific's advice letters because the Commission has solicited comments on additional intercompany arrangements in Phase II of R.95-04-043.
6. To the extent issues raised in the Coalition's protest relate to Phase II, the Commission should consolidate the Coalition's protest and Pacific's response into Phase II and address the issues in that docket.
7. Protest issues which are not related to Phase II should be denied without prejudice.
8. Pacific should file a supplement to Advice Letter 17885 to clarify language in its Customer Guide tariff.

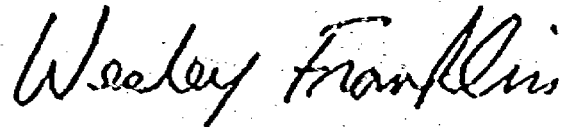
THEREFORE, IT IS ORDERED that:

January 10, 1996

1. Pacific Bell Advice Letters 17883, 17884, 17886, and 17886-A are approved on a provisional basis for one year or until replaced by further Commission action in R.95-04-043.
2. Pacific Bell shall file supplemental Advice Letter 17885-A within five days from the date of this order to clarify the language in its Customer Guide tariff to reflect the corrections noted in items 13, 16, and 17 of its protest response.
3. Advice Letter 17885 as supplemented shall be approved on a provisional basis for one year or until replaced by further Commission action in R.95-04-043 and shall become effective on 5 days notice.
4. The Coalition's protest and Pacific's response shall be consolidated into Phase II of R.95-04-043 to the extent that the issues raised in the protest relate to Phase II. Protest issues which are not related to Phase II are denied without prejudice.

This resolution is effective today.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on January 10, 1996. The following Commissioners approved it:



WESLEY M. FRANKLIN
Executive Director

DANIEL Wm. FESSLER
President
P. GREGORY CONLON
JESSIE J. KNIGHT, Jr.
HENRY M. DUQUE
JOSIAH L. NEEPER
Commissioners