

ORIGINAL

1 BELL SOUTH TELECOMMUNICATIONS, INC.

2 TESTIMONY OF JERRY HENDRIX

3 BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

4 DOCKET NO. 991237-TP

5 JANUARY 31, 2000

6  
7 Q. PLEASE STATE YOUR NAME, EMPLOYER AND ADDRESS.

8  
9 A. My name is Jerry D. Hendrix. I am employed by BellSouth Telecommunications,  
10 Inc. (hereinafter referred to as "BellSouth" or "The Company"). My present  
11 position is Senior Director – Interconnection Services Pricing. My business  
12 address is 675 West Peachtree Street, N.E., Atlanta, Georgia, 30375.

13  
14 Q. PLEASE GIVE A BRIEF DESCRIPTION OF YOUR EDUCATIONAL  
15 BACKGROUND AND COMPANY EXPERIENCE.

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17 A. I graduated from Morehouse College in Atlanta, Georgia in 1975 with a Bachelor  
18 of Arts degree. I began employment with Southern Bell in 1979 and held various  
19 positions in the Network Distribution Department before joining the BellSouth  
20 Headquarters Regulatory Organization in 1985. On January 1, 1996 my  
21 responsibilities moved to Interconnection Services Pricing in the Interconnection  
22 Customer Business Unit.

1 Q. HAVE YOU PREVIOUSLY TESTIFIED IN REGULATORY PROCEEDINGS  
2 BEFORE ANY COMMISSION?

3

4 A. Yes, I have either testified or participated in proceedings before the Alabama,  
5 Florida, Georgia, Kentucky, Louisiana, Mississippi, and South Carolina Public  
6 Service Commissions, the North Carolina Utilities Commission and the  
7 Tennessee Regulatory Authority.

8

9 Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

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11 A. The purpose of my testimony is to discuss BellSouth's position relative to the  
12 assessment of Carrier Common Line (CCL) charges associated with intrastate  
13 switched access service "used" in conjunction with the following BellSouth  
14 services:

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(a) call forwarding;

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(b) call waiting;

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(c) three-way calling;

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(d) foreign exchange;

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(e) voice messaging that utilize call forwarding;

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(f) fax processing that utilize call forwarding; and

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(g) routing to paging.

1 The testimony of Mr. W. Keith Milner will address call arrangements at issue in  
2 this proceeding as to how originating and terminating switched access service is  
3 provided once the call is initiated.

4  
5 Q. PLEASE DEFINE CCL ACCESS.

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7 A. Carrier Common Line Access provides for the use of BellSouth's common lines  
8 by IXCs to access end users for the purpose of furnishing IXC intrastate  
9 telecommunications service.

10  
11 Q. WHAT IS AT&T'S POSITION ON HOW CCL CHARGES SHOULD BE  
12 ASSESSED TO THE CALL ARRANGEMENTS CITED IN THIS DOCKET?

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14 A. AT&T's theory is that CCL charges should be assessed based upon a separate  
15 analysis of each and every call and each access minute of use involved in that  
16 call. Additionally, it is AT&T's position that such charges should be assessed  
17 only when a common line facility is being actively utilized for the particular minute  
18 of use involved; and that such charges should be assessed one time where two  
19 calls simultaneously use the same facility.

20  
21 Q. WHAT IS BELLSOUTH'S POSITION REGARDING CCL CHARGE  
22 ASSESSMENT?

23

1 A. BellSouth's position, which is supported by the Commission's Orders in Docket  
2 No. 820537-TP, Order No. 12765 and Order No. 14452, is that CCL charges are  
3 to be assessed for each and every intrastate originating and terminating switched  
4 access minute of use, without regard to the identifiable use of a specific common  
5 line facility. This application of the CCL is clearly the intent of the Commission,  
6 as evidenced by Order No. 12765. Page 7 provides, in part, for "a minute of use  
7 charge at the Exchange Carrier Association (ECA) interstate rate of 7.38 cents  
8 for originating and 7.38 cents for terminating calls." Page 24 of the same Order  
9 shows that the CCL charge of 4.61 cents, which is a part of the 7.38 cents above,  
10 is applicable per "originating and terminating access minute." Nowhere in its  
11 orders did the Commission limit the application of CCL charges to other than  
12 every originating and terminating minute of use. Thus, AT&T's theory that the  
13 CCL should only be applied intermittently during certain call types is not  
14 supported by Commission Orders.

15

16 There are only three situations in which the Commission recognized exceptions  
17 to the application of the CCL to every originating and terminating minute of use.

18 They are:

- 19 1. the closed end of intrastate WATS and WATS-type services, which utilize  
20 special access services; (Order No. 13934, at 9)
- 21 2. where intrastate MTS and MTS-type services are resold (Order No. 12765, at  
22 18-19; and

1           3. Radio Common Carrier (RCC) interconnection arrangements (Order No.  
2           12765, at 31-32).

3  
4           Only one of the call arrangements mentioned in AT&T's complaint (routing to  
5           paging call arrangement) falls within any of these exceptions; BellSouth agrees  
6           that CCL charges should not be assessed in that instance. In fact, BellSouth  
7           stopped assessing CCL charges on such calls in March of 1996. For other  
8           arrangements, the Commission's access charge plan requires the assessment of  
9           CCL charges per switched access minute of use regardless of the actual use of  
10          the common line during the minute of use; therefore, AT&T's complaint is without  
11          merit. Moreover, even if AT&T's position did have merit, the common line is  
12          utilized in all of these call arrangements, and thus the application of CCL charges  
13          is appropriate.

14  
15        **Q.    WHAT COSTS ARE RECOVERED BY CCL CHARGES?**

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17        **A.    CCL charges recover part of the costs of providing "local loops," a term that**  
18        **refers to the outside telephone wires, underground conduit, telephone poles,**  
19        **and other facilities that link each telephone customer to the telephone network.**  
20        **In addition to adopting the CCL, the Commission also instituted a flat-rated Busy**  
21        **Hour Minutes of Capacity (BHMOC) charge to recover a portion of subscriber**  
22        **loop costs based on the IXC's capacity entering the switched network. The**  
23        **BHMOC charge was billed on a monthly basis per ordered busy hour minute of**

1 capacity installed as of the billing date each month. This rate application  
2 provided the IXCs "an incentive to maximize usage during off peak time periods  
3 because the cost would be determined by capacity to access local facilities and  
4 not be related to usage." (Order No. 12765, at 14) The BHMOC was set to make  
5 up the difference on the revenue requirement left after the application of access  
6 charges and ancillary services.

7  
8 Q. IN WHAT CONTEXT DID THE COMMISSION ADOPT THE ACCESS CHARGE  
9 STRUCTURE, INCLUDING THE CCL CHARGE?

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11 A. The access charge structure, including the CCL charge, was "initiated to explore  
12 and implement an intrastate access charge structure that would compensate  
13 local exchange companies (LECs) for the use of their local facilities to terminate  
14 and originate long distance (toll) telephone traffic within Florida." (Order No.  
15 12765, at 4) The need for implementing an intrastate access charge structure  
16 was prompted by the Modified Final Judgement (MFJ) entered in the AT&T  
17 divestiture proceeding and the Federal Communications Commission's (FCC)  
18 action on interstate access charges in Docket 78-72. Both of these federal  
19 actions reserved to the state commissions the obligation and authority to  
20 establish intrastate access charges to compensate the LECs for the use of their  
21 local facilities for originating and terminating toll traffic and to provide incentives  
22 for competition. "Prior to the advent of competition, AT&T provided long distance  
23 services. Costs for the use of the local network were reimbursed through the

1 settlement process. With competition, this process must be replaced with a  
2 system whereby competitors pay fees for use of the local network for originating  
3 and terminating long distance calls. These fees are called access charges.”  
4 (Order No. 12765, at 6)

5  
6 Q. HOW ARE CCL CHARGES ASSESSED TO SWITCHED ACCESS  
7 CUSTOMERS?

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9 A. CCL charges are assessed on a per access minute of use basis to switched  
10 access customers that use local exchange common line loop plant facilities for  
11 the origination or termination of traffic to their customers. The manner in which  
12 BellSouth assesses CCL charges is consistent with the Commission orders  
13 issued in Docket No. 820537-TP and with BellSouth's Commission-approved  
14 tariff.

15  
16 Q. WHAT WOULD HAVE BEEN THE IMPACT ON FLORIDA'S ACCESS  
17 CHARGES/REVENUES IF AT&T'S CCL ASSESSMENT METHODOLOGY HAD  
18 BEEN FOLLOWED AND CCL WAS NOT APPLIED ON CERTAIN TYPES OF  
19 CALLS?

20  
21 A. Based on the access rate setting methodology prescribed by the Commission in  
22 Docket No. 820537-TP, there would have been little, if any, impact on AT&T and  
23 no impact on the IXC industry in total. The Commission prescribed an access

1 revenue requirement methodology (Order No. 12765, at 8) that stated " . . . we  
2 are setting access charge rates and other related charges so that LECs can  
3 achieve a revenue level for intrastate toll operations equal to the level expected  
4 in 1984 under a business as usual scenario." The Commission further described  
5 its methodology on page 7 of the same Order as follows: " . . . the total of  
6 access charges and other related charges for 1984 will be determined by  
7 subtracting the intramarket territory/intraLATA toll revenues from the total  
8 anticipated statewide intrastate toll revenues." The Commission provided details  
9 of its methodology on page 9 of the same Order where it provided the component  
10 parts of the \$402,262,441 access charge revenue requirement. Examination of  
11 those component parts and the underlying methodology shows that the BHMOC  
12 charge was set at a level to close to the revenue requirement. Under the  
13 Commission's Access Charge Plan, it did not matter whether or not a particular  
14 call or particular minute of use associated with such interexchange services  
15 actually "used" a common line. This is true because the level of the BHMOC  
16 charge was set at whatever level was required in order to recover an overall  
17 revenue requirement. If the CCL element of switched services (access charges)  
18 had been applied in such a manner as to generate less revenue, the BHMOC  
19 would have been set higher to close to the revenue requirement. Thus, the net  
20 impact on AT&T would have been the same.

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22 Q. DOES BELLSOUTH PROPERLY ASSESS CCL CHARGES PER ACCESS  
23 MINUTE OF USE FOR THE CALL ARRANGEMENTS AT ISSUE?



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A. Yes. The assessment of CCL charges "per access minute of use" is consistent with the Commission orders issued in Docket No. 820537-TP and with BellSouth's Commission-approved tariff. In order to understand the CCL charge, it is important to understand the concepts of "originating" and "terminating" access. Access service is viewed both from where a LEC's access service physically ends for calls delivered by a LEC to an interexchange carrier and in terms of where a LEC's access service begins for calls received by the LEC from an interexchange carrier. Thus, a LEC's originating access service provided within a LATA ends physically at the point where the service is delivered to the IXC at the IXC's premises within the LATA, and a LEC's terminating access service provided within a LATA begins physically at the point at which the call enters the LEC network.

Access minutes of use are involved in the call arrangements at issue in this proceeding. The Commission's orders simply do not provide for the intermittent suppression or suspension of such charges which AT&T advocates. Rather, access minutes of use are involved continuously for the entire duration of the call and thus BellSouth is entitled to bill for access minutes of use continuously for the duration of the call. BellSouth's Commission-approved intrastate Access Services Tariff states that "originating and terminating calls will be measured (i.e., recorded or assumed) by the Company to determine the basis for computing chargeable access minutes." The measuring access minutes requirements are

1 reflected in BellSouth Access Services Tariff, as shown on the pertinent tariff  
2 pages attached as Hendrix Exhibit 1. The requirement to apply CCL charges per  
3 access minute of use for the call arrangements at issue in this proceeding is  
4 reflected in BellSouth Access Services Tariff, as shown on the pertinent tariff  
5 pages attached as Hendrix Exhibit 2 (Sections E3.1, E3.3.A, E3.6 and E3.9 and  
6 E3.10).

7  
8 **CALL FORWARDING**

9 Q. DOES BELLSOUTH PROPERLY ASSESS CCL CHARGES PER ACCESS  
10 MINUTE OF USE FOR THE CALL FORWARDING ARRANGEMENT?

11  
12 A. Yes. AT&T has described, in particular, a call forwarding arrangement involving  
13 an intrastate IXC-carried call terminated to the end user's number and an IXC-  
14 carried call originated at the end user's subscriber's direction, through its  
15 activation of the call forwarding custom calling feature. This particular call  
16 arrangement will be discussed here to illustrate the appropriate method of  
17 measuring access minutes of use and assessing CCL charges.

18  
19 The first call is an intrastate IXC-carried call coming into the LATA. BellSouth is  
20 providing terminating access from the point at which the call leaves the IXCs'  
21 switch and comes into BellSouth's exchange network in the LATA. Access  
22 minutes of use are measured from the time signaling is received by the call

1 forwarding customer's switch indicating that the second call has been answered,  
2 until the call is disconnected.

3  
4 Where the initial call is forwarded to another location via an IXC, BellSouth is  
5 providing originating access which, as discussed above, physically ends at the  
6 premises of the interexchange carrier to which the call is delivered for further  
7 routing to the forward-to location. These access minutes of use are measured  
8 from the time that the involved interexchange carrier acknowledges receipt of the  
9 call until the time that the call is disconnected.

10  
11 Q. IS AT&T'S VIEW OF ASSESSING CCL CHARGES PER ACCESS MINUTE OF  
12 USE FOR THE CALL FORWARDING ARRANGEMENT CORRECT?

13  
14 A. No. AT&T argues that BellSouth is inappropriately billing AT&T for terminating  
15 access to the initially called number and for originating access for the intrastate  
16 IXC-carrier call to the forwarded-to location. It is AT&T's view that neither of  
17 these charges is appropriate because the local subscriber loop is never utilized,  
18 either to complete the call to the initially called number or to originate the other  
19 call to the alternative location number.

20  
21 This view is not correct, however, because access minutes of use are not  
22 assessed in the intermittent fashion advocated by AT&T. The Call Forwarding  
23 arrangement could not exist but for the existence of the local exchange service,

1 including the common line. The Commission Orders in Docket 820537-TP  
2 prescribe that the CCL charge is applicable per "originating and terminating  
3 access minute." No where in its orders did the Commission limit the application  
4 of CCL charges to other than every originating and terminating minutes of use.  
5

6 CALL WAITING

7 Q. DOES BELLSOUTH PROPERLY ASSESS CCL CHARGES PER ACCESS  
8 MINUTE OF USE FOR THE CALL WAITING ARRANGEMENT?  
9

10 A. For an intrastate IXC-carried call terminated into the LATA to a call waiting  
11 customer line on an in-progress call, terminating access is provided physically  
12 beginning from the point at which that call leaves the IXC's premises and enters  
13 the LECs' exchange network. The access minutes of use would be measured  
14 from the time the call is answered by the call waiting subscriber to the time the  
15 call is disconnected. Either the calling party hanging up or the end user hanging  
16 up disconnects the call.  
17

18 Whether the first call has been made to the call waiting subscriber (i.e., the  
19 customer with the call waiting arrangement received the first call) or was initiated  
20 by the call waiting subscriber (i.e., the customer with the call waiting arrangement  
21 originated the first call), the call is disconnected when the calling or called party  
22 hangs up. When the call waiting subscriber flashes the switch-hook to answer a

1 second call, the first call is not "disconnected" but remains alive, waiting for the  
2 end user to take the first call off hold so that conversation can resume.

3  
4 Q. IS AT&T'S VIEW OF ASSESSING CCL CHARGES PER ACCESS MINUTE OF  
5 USE FOR THE CALL WAITING ARRANGEMENT CORRECT?

6  
7 A. No. AT&T argues that CCL access charges should not be assessed while the  
8 call is "on hold" because the call does not use the local loop during this time.

9  
10 This view is not correct, however, because access minutes of use are not  
11 assessed in the intermittent fashion advocated by AT&T. The Call Waiting  
12 arrangement could not exist but for the existence of the local exchange service,  
13 including the common line. The fact that a call is intermittently put "on hold" but  
14 not disconnected does not require the suspension or suppression of CCL  
15 charges. As indicated in BellSouth's Commission-approved Access Services  
16 Tariff regarding how access minutes are measured (See Hendrix Exhibit 1), there  
17 is nothing in the tariff that provides for the suspension or suppression of access  
18 minutes of use as would be required in order to obtain the result advocated by  
19 AT&T. Moreover, the Commission ordered that CCL charges were to be  
20 assessed on "originating and terminating minutes of use"; it did not order that  
21 CCL charges were to be assessed intermittently.

1 THREE-WAY CALLING

2 Q. DOES BELLSOUTH PROPERLY ASSESS CCL CHARGES PER ACCESS  
3 MINUTE OF USE FOR THE THREE-WAY CALLING ARRANGEMENT?  
4

5 A. Yes. Access minutes of use also are involved for three-way calling  
6 arrangements. For instance, an intrastate IXC-carried call to an end user  
7 subscriber of three-way calling would involve terminating access from the time  
8 the call leaves the involved IXC's switch and enters the LEC's exchange network.  
9 *Terminating access minutes of use are involved from the time the end user*  
10 *answers the call until either the calling party or the called party hangs up. When*  
11 *this call is put on hold momentarily for the Three Way calling subscriber to add a*  
12 *second call to the first call, the first call is not disconnected. In order to add the*  
13 *second call, the three-way calling subscriber flashes the switch hook which puts*  
14 *the first call on hold, dials a second number. If this call is an intrastate IXC-*  
15 *carried call, originating access is involved for the access provided to the*  
16 *interexchange carrier up to the point where the call leaves the LEC's exchange*  
17 *network and enters the IXC's network. Access minutes of use are measured from*  
18 *the time the call is acknowledged by the interexchange carrier until the call is*  
19 *disconnected by either the calling party or the called party disconnecting.*

20  
21 Q. IS AT&T'S VIEW OF ASSESSING CCL CHARGES PER ACCESS MINUTE OF  
22 USE FOR THE THREE-WAY CALLING ARRANGEMENT CORRECT?  
23

1 A. No. AT&T argues that the parties involved in a three-way call are interconnected  
2 through a bridging circuit in the LEC end office, which allows two conversations  
3 to take place simultaneously over a single loop. AT&T alleges, therefore that  
4 BellSouth is inappropriately applying double CCL charges, as if two local  
5 subscriber loops were being used.

6  
7 *AT&T's view is not correct, however, because access minutes of use are not*  
8 *assessed in the intermittent fashion advocated by AT&T. The Three Way calling*  
9 *arrangement could not exist but for the existence of the local exchange service,*  
10 *including the common line. The fact that a call is intermittently put "on hold" but*  
11 *not disconnected or a single line is "used" for more than one call at a time, does*  
12 *not require the suspension or suppression of CCL charges. As indicated in*  
13 *BellSouth's Commission-approved Access Services Tariff regarding how access*  
14 *minutes are measured (See Hendrix Exhibit 1), there is nothing in the tariff that*  
15 *provides for the suspension or suppression of access minutes of use as would be*  
16 *required in order to obtain the result advocated by AT&T. Moreover, the*  
17 *Commission ordered that CCL charges were to be assessed on "originating and*  
18 *terminating minutes of use"; it did not order that CCL charges were to be*  
19 *assessed intermittently.*

20 **FOREIGN EXCHANGE, VOICE MAIL AND FAX PROVIDER**

21 Q. DOES BELLSOUTH PROPERLY ASSESS CCL CHARGES PER ACCESS  
22 MINUTE OF USE FOR THE FOREIGN EXCHANGE, VOICE MAIL AND FAX  
23 PROVIDER CALL ARRANGEMENTS?

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A. Yes. Access minutes of use are also involved for the Foreign Exchange, voice mail and FAX provider arrangements at issue in this proceeding. A call forwarding customer may have its calls forwarded to a voice mail and FAX provider's service. An intrastate IXC-carried call to the call forwarding customer would involve access.

Intrastate IXC-carried calls directly to the voice mail or FAX provider and intrastate IXC-carried calls to a subscriber of BellSouth's Foreign Exchange Service would involve access to the same extent as any other intrastate IXC-carried calls made to a local exchange service subscriber. Terminating access would begin physically at the interexchange carrier's premises. Measurement of the terminating access minutes of use would begin when the switch of the called party (the voice mail or FAX provider or the BellSouth Foreign Exchange Service subscriber) receives signaling indicating the called party (the voice mail or FAX provider or the BellSouth Foreign Exchange Service subscriber) has answered the call.

Any intrastate IXC-carried calls initiated by the BellSouth Foreign Exchange Service subscriber would also involve access. The originating access would end physically at the premises of the interexchange carrier, and measurement of the originating access minutes of use would begin when the interexchange carrier acknowledges receipt of the call and would end when either the calling party (the BellSouth Foreign Exchange Service subscriber) or the called party disconnects.



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**Q. IS AT&T'S VIEW OF ASSESSING CCL CHARGES PER ACCESS MINUTE OF USE FOR THE FOREIGN EXCHANGE, VOICE MAIL AND FAX PROVIDER CALL ARRANGEMENTS CORRECT?**

**A. No. With Foreign Exchange, AT&T argues that when a subscriber to a Foreign Exchange Service receives a call which was dialed to its foreign end office telephone number, the call travels from the distant central office to the subscriber over a private line not a local subscriber loop. Therefore, AT&T argues that terminating CCL charges are inappropriate. With Voice Mail and Fax Provider services utilizing Call Forwarding, AT&T argues that when a Voice Mail or Fax Provider subscribers receives a voice mail message or a fax, the call is intercepted and forwarded by the LEC to a storage system that can record messages or receive faxes. Therefore, according to AT&T, terminating CCL charges for the forwarded call are inappropriate.**

**AT&T's view is not correct. In brief, BellSouth Foreign Exchange service is an exchange service regulated by the Commission which provides for a connection into the public switched network in the same LATA as the location of the end user and may be "used" in common for both exchange calling and inter- and intrastate toll. The service is not provisioned by means of a WATS access line or any other dedicated access line. With Voice Mail and Fax Provider services, common lines are in fact utilized for calls to voice mail and FAX providers as**

1 these entities obtain local exchange services in order to obtain access into the  
2 public network for receipt of calls through the network, whether such calls are  
3 made directly to the voice mail or FAX provider for retrieval purposes or by  
4 means of call forwarding from end users.

5  
6 The common line is "used" with the provision of BellSouth Foreign Exchange,  
7 Voice Mail and FAX Provider services. BellSouth's position, which is supported  
8 by the Commission in Docket No. 820537-TP, Order No. 12765 and Order No.  
9 14452, is that CCL charges are to be assessed for each and every intrastate  
10 originating and terminating switched access minute of use, without regard to the  
11 identifiable use of a specific common line facility. CCL charges recover part of  
12 the costs of providing "local loops," a term that refers to the outside telephone  
13 wires, underground conduit, telephones poles, and other facilities that link each  
14 telephone customer to the telephone network. Thus, BellSouth appropriately  
15 assess CCL charges on these services.

16  
17 **Q. IS BELLSOUTH'S APPLICATION OF THE CCL CHARGES TO A**  
18 **TRANSPORTED TOLL CALL WHICH INVOLVES INTERACTION WITH ANY OF**  
19 **THE CALL ARRANGEMENTS IDENTIFIED IN THIS DOCKET CONSISTENT**  
20 **WITH ITS ACCESS TARIFF AND SECTION 364.08, FLORIDA STATUES?**

21  
22 **A. Yes. Section 364.08 of the Florida Statues states that "A telecommunications**  
23 **company may not charge, demand, collect, or receive for any service rendered or**

1 to be rendered any compensation other than the charge applicable to such  
2 service as specified in its schedule on file and in effect at the time." Since the  
3 beginning of access charges in Florida, the manner in which BellSouth assesses  
4 CCL charges has been consistent with the Commission orders issued in Docket  
5 No. 820537-TP and with BellSouth's Commission-approved tariff (See Hendrix  
6 Exhibit 2). Thus, BellSouth's application of CCL charges on an "originating and  
7 terminating" minute of use basis is in compliance with Section 364.08 of the  
8 Florida Statutes.

9  
10 Q. IS BELLSOUTH'S PRACTICE REGARDING THE IMPOSITION OF CCL  
11 CHARGES ON A TRANSPORTED TOLL CALL WHICH INVOLVES  
12 INTERACTION WITH ANY OF THE CALL ARRANGEMENTS IDENTIFIED IN  
13 THIS DOCKET UNFAIR AND ANTI-COMPETITIVE IN VIOLATION OF  
14 SECTION 364.01 (4) (G), FLORIDA STATUTES?

15  
16 A. No. Section 364.01(4)(g) states that "the Commission shall exercise its  
17 exclusive jurisdiction in order to ensure that all providers of telecommunications  
18 services are treated fairly, by preventing anti-competitive behavior and  
19 eliminating unnecessary regulatory restraint." Because BellSouth is properly  
20 assessing the CCL charge, its behavior is in no way anti-competitive.

21  
22 Q. HAS THE FEDERAL COMMUNICATIONS COMMISSION ADDRESSED THESE  
23 ISSUES AT THE INTERSTATE LEVEL?

1

2 A. Yes, in File No. E-95-10.

3

4 Q. HAS THE FCC RENDERED AN ORDER IN FILE NO. E95-10? IF SO,  
5 PROVIDE A BRIEF SUMMARY OF THE ORDER.

6

7 A. Yes. The FCC concluded that the participating IXCs failed to meet their burden  
8 of establishing that the imposition of CCL charges in connection with call waiting,  
9 three-way calling and intraLATA foreign exchange services are unlawful under  
10 Section 69.105(a) of the Orders and Section 201(b) of the Act.

11

12 The FCC also concluded that the participating IXCs made showings that the  
13 imposition of CCL charges for unused common lines in connection with call  
14 forwarding, interLATA foreign exchange, voice mail, fax processing and paging  
15 services violates Section 69.105(a) of the Orders and Section 201(b) of the Act.

16

17 Q. IS THE FCC DOCKET RELEVANT TO THIS PROCEEDING?

18

19 A. The FCC's decision, because it dealt solely with interstate calls, and did not  
20 address the intrastate calls at issue in this docket, is not binding on this  
21 Commission.

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23 Q. IS AT&T ENTITLED TO DAMAGES IN THIS PROCEEDING?

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A. No. BellSouth has demonstrated it is appropriately assessing CCL charges on all the call arrangements at issue in this proceeding and thus AT&T is not entitled to any damages. Should the Commission decide otherwise, however, AT&T has the burden of proof to prove its alleged damages. Without such proof, AT&T is not entitled to any damages in this case.

Q. DOES THIS CONCLUDE YOUR TESTIMONY?

A. Yes.

BELLSOUTH  
TELECOMMUNICATIONS, INC.  
FLORIDA  
ISSUED: February 14, 1997  
BY: Joseph P. Lecher, President -FL  
Miami, Florida

ACCESS SERVICES TARIFF

First Revised Page 97  
Cancels Original Page 97

EFFECTIVE: March 1, 1997

**E6. BELLSOUTH SWA SERVICE**

**E6.7 Rate Regulations (Cont'd)**

**E6.7.7 Moves (Cont'd)**

B. The charges for the move are dependent on whether the move is to a new location within the same building or to a different building. (Cont'd)

2. Moves to a Different Building (Cont'd)

Moves to a Company-provided *BellSouth Expanded Interconnection service* interconnection arrangement, where the IC's and interconnector's existing wire center is the same, will be treated as a service move rather than a discontinuance and start of service. Cross connect rates, nonrecurring charges, and optional feature and function charges as contained in Section E20, following, will apply. In addition, service reconfiguration charges are applicable per IC request and per circuit moved as contained in E6.8.8 following. Individual services will not be available simultaneously at both the original premises location and new wire center interconnection space. Additional cooperative end-to-end testing is available and will be conducted by the Company when requested at rates and charges contained in E13.3.5 following. New minimum period requirements may be established for the rearranged services in accordance with the regulations for a service. The IC will remain responsible for satisfying all outstanding minimum period charges for the original service locations.

Moves to a different building (IC premises) in the IC's existing serving wire center serving area will be treated as a service move rather than a discontinuance and start of service. Nonrecurring charges for the new Switched Local Channel will apply as well as any optional feature and function charges for that Switched Local Channel. In addition, service reconfiguration charges are applicable per IC request and circuit moved as contained in E6.8.8 following. Service will not be available simultaneously at both the original and new IC locations. Additional cooperative end-to-end testing is available and will be conducted by the Company at a IC's request at rates and charges contained in E13.3.5 following. New minimum period requirements may be established for the rearranged services in accordance with the regulations for a service. The IC will also remain responsible for satisfying all outstanding minimum period charges for the original service locations. When the move involves a multipoint service, the nonrecurring charge will apply per rate element affected.

**E6.7.8 Measuring Access Minutes**

IC traffic to end offices switches will be measured (i.e., recorded or assumed) by the Company at end office switches or access tandem switches. Originating and terminating calls will be measured (i.e., recorded or assumed) by the Company to determine the basis for computing chargeable access minutes. For terminating calls over *BellSouth SWA FGA*, *BellSouth SWA FGB*, *BellSouth SWA LSBSA* and *BellSouth SWA TSBSA 1*; *BellSouth SWA FGC* or *BellSouth SWA TSBSA 2* to *BellSouth SWA LXX Toll Free Dialing Ten Digit Screening service* and *BellSouth SWA FGD* or *BellSouth SWA TSBSA 3*; and for originating calls over *BellSouth SWA FGA* or *BellSouth SWA LSBSA* where the off-hook supervisory signal is provided by the IC's equipment and *BellSouth SWA FGB*, *BellSouth SWA FGD*, and *BellSouth SWA TSBSA 1* and *TSBSA 3*, the measured minutes are the chargeable access minutes. For originating calls over *BellSouth SWA FGA* or *BellSouth SWA LSBSA* where the off-hook supervisory signal is forwarded by the IC's equipment when the called party answers and *BellSouth SWA FGC* or *BellSouth SWA TSBSA 2*, chargeable originating access minutes are derived from recorded minutes in the following manner.

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 Miami, Florida

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**E6. BELLSOUTH SWA SERVICE**

**E6.7 Rate Regulations (Cont'd)**

**E6.7.8 Measuring Access Minutes (Cont'd)**

- Step 1: Obtain recorded originating minutes and messages (measured as set forth in A. and C. following for *BellSouth SWA FGA* and *BellSouth SWA LSBSA* where the off-hook supervisory signal is forwarded by the customer's equipment when the called party answers and *BellSouth SWA FGC* and *BellSouth SWA TSBSA 2*, respectively) from the appropriate recording data.
- Step 2: Obtain the total attempts by dividing the originating measured messages by the completion ratio. Completion ratios (CR) are obtained separately for the major call categories such as DDD, operator, 500, 800, 900 and directory assistance from a sample study which analyzes the ultimate completion status of the total attempts which receive acknowledgement from the IC. That is, Measured Messages divided by Completion Ratio equals Total Attempts.
- Step 3: Obtain the total non-conversation time additive (NCTA) by multiplying the total attempts (obtained in Step 2) by the NCTA per attempt ratio. The NCTA per attempt ratio is obtained from the sample study identified in Step 2 by measuring the non-conversation time associated with both completed and incompletd attempts. The total NCTA is the time on a completed attempt from IC acknowledgement of receipt of call to called party answer (set up and ringing) plus the time on an incompletd attempt from IC acknowledgement of call until the access tandem or end office receives a disconnect signal (ring-no answer, busy or network blockage). That is, Total Attempts times Non-Conversation Time per Attempt Ratio equals Total NCTA.
- Step 4: Obtain total chargeable originating access minutes by adding the total NCTA (obtained in Step 3) to the recorded measured minutes (obtained in Step 1). That is, Measured Minutes plus NCTA equals Chargeable Originating Access Minutes.

Following is an example which illustrates how the chargeable originating access minutes are derived from the measured originating minutes using this formula.

Where: Measured Minutes (M. Min.) = 7,000  
 Measured Messages (M. Mes.) = 1,000  
 Completion Ratio (CR) = .75  
 NCTA Per Attempt = .4

1. Total Attempt - 1,000 (M. Mes)  

$$\frac{1,000}{.75(CR)} = 1,333.33$$
2. Total NCTA = .4 (NCTA per Attempt) x 1,333.33 = 533.33
3. Total Chargeable Originating Access Minutes = 7,000(M. Min) + 533.33(NCTA) = 7,533.33

When assumed minutes are used, the assumed minutes are the chargeable access minutes.

*BellSouth SWA FGA* and *BellSouth SWA LSBSA* access minutes or fractions thereof, the exact value of the fraction being a function of the switch technology where the measurement is made, are accumulated over the billing period for each line or hunt group, and are then rounded up to the nearest access minute for each line or hunt group. *BellSouth SWA FGB*, *BellSouth SWA FGC*, *BellSouth SWA FGD* and *BellSouth SWA TSBSA* access minutes or fractions thereof, the exact value of the fraction being a function of the switch technology where the measurement is made, are accumulated over the billing period for each end office, and are then rounded up to the nearest access minute for each end office.

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**E6. BELLSOUTH SWA SERVICE**

**E6.7 Rate Regulations (Cont'd)**

**E6.7.8 Measuring Access Minutes (Cont'd)**

Assumed minutes are used for *BellSouth SWA FGA* and *BellSouth SWA LSBSA* service which originates or terminates in end offices not equipped with measurement capabilities. The assumed average intrastate access minutes for *BellSouth SWA FGA* and *BellSouth SWA LSBSA* is as set forth following.

When a *BellSouth SWA FGA* and *BellSouth SWA LSBSA* service arranged for two-way calling is provided where the originating and/or terminating access minutes are not recorded, the assumed average intrastate access minutes, by direction, are shown following. Where one direction is measured and the other is not, the assumed minutes for the unmeasured direction are used. However, the total minutes will not exceed the actual recorded minutes or the sum of the originating and terminating assumed minutes, whichever is greater.

When a *BellSouth SWA FGA* and *BellSouth SWA LSBSA* service arranged for one-way (i.e., originating only or terminating only) calling is provided where the access minutes are not recorded, the assumed average intrastate access minutes of use are shown following.

Florida Assumed Average Access Minutes

Two-Way		Originating Only	Terminating Only
Originating	Terminating		
1629	1451	3080	3080

**A. *BellSouth SWA FGA* and *BellSouth SWA LSBSA* Usage Measurement**

For originating calls over *BellSouth SWA FGA* and *BellSouth SWA LSBSA* usage measurement begins when the originating *BellSouth SWA FGA* and *BellSouth SWA LSBSA* entry switch receives an off-hook supervisory signal forwarded from the IC's point of termination. This off-hook signal is either provided by the customer's equipment or is forwarded by the customer's equipment when the called party answers.

The measurement of originating call usage over *BellSouth SWA FGA* and *BellSouth SWA LSBSA* ends when the originating *BellSouth SWA FGA* and *BellSouth SWA LSBSA* entry switch receives an on-hook supervisory signal from either the originating end user's end office, indicating the originating end user has disconnected, or the IC's point of termination, whichever is recognized first by the entry switch.

For terminating calls over *BellSouth SWA FGA* and *BellSouth SWA LSBSA*, usage measurement begins when the terminating *BellSouth SWA FGA* and *BellSouth SWA LSBSA* entry switch receives an off-hook supervisory signal from the terminating end user's end office, indicating the terminating end user has answered. The measurement of terminating call usage over *BellSouth SWA FGA* and *BellSouth SWA LSBSA* ends when the terminating *BellSouth SWA FGA* and *BellSouth SWA LSBSA* entry switch receives an on-hook supervisory signal from either the terminating end user's end office, indicating the terminating end user has disconnected, or the IC's point of termination, whichever is recognized first by the entry switch.

**B. *BellSouth SWA FGB* and *BellSouth SWA TSBSA I* Usage Measurement**

For originating calls over *BellSouth SWA FGB* and *BellSouth SWA TSBSA I* usage measurement begins when the originating *BellSouth SWA FGB* and *BellSouth SWA TSBSA I* entry switch receives answer supervision forwarded from the IC's point of termination, indicating the IC's equipment has answered.



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**E6. BELLSOUTH SWA SERVICE**

**E6.7 Rate Regulations (Cont'd)**

**E6.7.8 Measuring Access Minutes (Cont'd)**

**B. *BellSouth SWA FGB* and *TSBSA Technical Option 1 Usage Measurement (Cont'd)***

The measurement of originating call usage over *BellSouth SWA FGB* and *BellSouth SWA TSBSA 1* ends when the originating *BellSouth SWA FGB* and *BellSouth SWA TSBSA 1* entry switch receives disconnect supervision from either the originating end user's end office, indicating the originating end user has disconnected, or the IC's point of termination, whichever is recognized first by the entry switch.

For terminating calls over *BellSouth SWA FGB* and *BellSouth SWA TSBSA 1* usage measurement begins when the terminating *BellSouth SWA FGB* and *BellSouth SWA TSBSA 1* entry switch receives answer supervision from the terminating end user's end office, indicating the terminating end user has answered.

The measurement of terminating call usage over *BellSouth SWA FGB* and *BellSouth SWA TSBSA 1* ends when the terminating *BellSouth SWA FGB* and *BellSouth SWA TSBSA 1* entry switch receives disconnect supervision from either the terminating end user's end office, indicating the terminating end user has disconnected, or the IC's point of termination, whichever is recognized first by the entry switch.

**C. *BellSouth SWA FGC* and *BellSouth SWA TSBSA 2 Usage Measurement***

*BellSouth SWA FGC* and *BellSouth SWA TSBSA 2* usage measurement begins when the originating *BellSouth SWA FGC* and *BellSouth SWA TSBSA 2* entry switch receives answer supervision from the IC's point of termination, indicating the called party has answered.

The measurement of originating call usage over *BellSouth SWA FGC* and *BellSouth SWA TSBSA 2* ends when the originating *BellSouth SWA FGC* and *BellSouth SWA TSBSA 2* entry switch receives disconnect supervision from either the originating end user's end office, indicating the originating end user has disconnected, or the IC's point of termination, whichever is recognized first by the entry switch.

For terminating calls over *BellSouth SWA FGC* and *BellSouth SWA TSBSA 2* to services other than 800, 900 or Directory Assistance, terminating *BellSouth SWA FGC* and *BellSouth SWA TSBSA 2* usage may not be directly measured at the terminating entry switch, but may be imputed from originating usage, excluding usage from calls to *BellSouth SWA 8XX Toll Free Dialing Ten Digit Screening*, *BellSouth SWA 900* or *BellSouth* Directory Assistance Access services. Actual measured usage will be used where available rather than an imputed value.

For terminating calls over *BellSouth SWA FGC* and *BellSouth SWA TSBSA 2* to *BellSouth SWA 8XX Toll Free Dialing Ten Digit Screening* service, usage measurement begins when the terminating *BellSouth SWA FGC* and *BellSouth SWA TSBSA 2* entry switch receives answer supervision from the terminating end user's end office, indicating the terminating *BellSouth SWA 8XX Toll Free Dialing Ten Digit Screening* service end user has answered.

The measurement of terminating call usage over *BellSouth SWA FGC* and *BellSouth SWA TSBSA 2* to *BellSouth SWA 8XX Toll Free Dialing Ten Digit Screening* service ends when the terminating *BellSouth SWA FGC* and *BellSouth SWA TSBSA 2* entry switch receives an on-hook supervisory signal from the terminating end user's end office, indicating the terminating *BellSouth SWA 8XX Toll Free Dialing Ten Digit Screening* service end user has disconnected, or from the IC's point of termination, whichever is recognized first by the entry switch.

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**E6. BELLSOUTH SWA SERVICE**

**E6.7 Rate Regulations (Cont'd)**

**E6.7.8 Measuring Access Minutes (Cont'd)**

**D. BellSouth SWA FGD and BellSouth SWA TSBSA 3 Usage Measurement**

For originating calls over *BellSouth SWA FGD* and *BellSouth SWA TSBSA* *BellSouth SWA 3* usage measurement begins when the originating *BellSouth SWA FGD* and *BellSouth SWA TSBSA 3* entry switch receives the first wink supervisory signal forwarded from the IC's point of termination. For originating calls over *BellSouth SWA FGD* and *BellSouth SWA TSBSA 3* with *BellSouth SWA CCSAC*, usage measurement begins when the last point of switching sends the initial address message to the IC.

The measurement of originating call usage over *BellSouth SWA FGD* and *BellSouth SWA TSBSA 3* ends when the originating *BellSouth SWA FGD* and *BellSouth SWA TSBSA* *BellSouth SWA 3* entry switch receives disconnect supervision from either the originating end user's end office, indicating the originating end user has disconnected, or the IC's point of termination, whichever is recognized first by the entry switch.

For terminating calls over *BellSouth SWA FGD* and *BellSouth SWA TSBSA 3* the measurement of access minutes begins when the terminating *BellSouth SWA FGD* and *BellSouth SWA TSBSA 3* entry switch receives answer supervision from the terminating end user's end office, indicating the terminating end user has answered.

The measurement of terminating call usage over *BellSouth SWA FGD* and *BellSouth SWA TSBSA 3* ends when the terminating *BellSouth SWA FGD* and *BellSouth SWA TSBSA 3* entry switch receives disconnect supervision from either the terminating end user's end office, indicating the terminating end user has disconnected, or the IC's point of termination, whichever is recognized first by the entry switch.

**E6.7.9 Network Blocking Charge for BellSouth SWA FGD and BellSouth SWA TSBSA 3**

The IC will be notified by the Company to increase its capacity (i.e. trunks) when excessive trunk group blocking occurs on groups carrying *BellSouth SWA FGD* and *BellSouth SWA TSBSA 3* traffic. Excessive trunk group blocking occurs when the blocking thresholds as described in E6.5.7 preceding are exceeded. If the order for sufficient additional capacity to handle an IC's traffic has not been received by the Company within 15 days of the notification, the Company will bill the IC, at the rate set forth in E6.8.1.C. following, for each overflow in excess of the chargeable threshold.

**CHARGEABLE THRESHOLDS**

For Trunk Groups As Specified In E6.5.7.A.5.a

Trunk Group Size	Allowable Overflows Per Trunk Per Month
1 - 2	18
3 - 4	19
5 - 6	13
7 - 40	10
41 - 139	9
140 - 500	8
501 or greater	7

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**E3. CARRIER COMMON LINE ACCESS**

The Company will provide Carrier Common Line Access Service (Carrier Common Line Access) to ICs or to End Users of FX/ONAL or End Users of *BellSouth SWA FGB Services*.

**E3.1 General Description**

- A. Carrier Common Line Access provides for the use of Company common lines by ICs for access to end users to furnish IC intrastate telecommunications service.
- B. Carrier Common Line Access is provided where the IC obtains Company *BellSouth SWA* services under this Tariff.
- C. Premium Access is (1) *BellSouth SWA* service provided to ICs under this Tariff which furnish intrastate MTS/*BellSouth SWA* WATS, and (2) *BellSouth SWA* service in an end office converted to equal access.
- D. Non Premium Access is *BellSouth SWA* service provided in an end office not yet converted to equal access to ICs that do not furnish intrastate MTS/*BellSouth SWA* WATS.

**E3.2 Limitations**

- A. A telephone number is not provided with Carrier Common Line Access.
- B. Detail billing is not provided for Carrier Common Line Access.
- C. Directory listings are not included in the rates and charges for Carrier Common Line Access.
- D. Intercept arrangements are not included in the rates and charges for Carrier Common Line Access.
- E. Where *BellSouth SWA* services are connected with Dedicated Access Services at Company designated *BellSouth SWA* WATS serving offices for the provision of *BellSouth SWA* WATS or *BellSouth SWA* WATS-type Services, *BellSouth SWA* service minutes which are carried on that end of the service (i.e., originating minutes for outward *BellSouth SWA* WATS and *BellSouth SWA* WATS-type services and terminating minutes for inward *BellSouth SWA* WATS and *BellSouth SWA* WATS-type services) shall not be assessed Carrier Common Line Access Service per minute charges.
- F. All line side connections provided in the same combined access group will be limited to the same features and operating characteristics. Such features and characteristics will be limited to those which are available under both this Tariff and the general and/or local exchange tariff applicable to the group involved.
- G. All trunk side connections provided in the same combined access group will be limited to the same features and operating characteristics.

**E3.3 Undertaking of the Company**

- A. Where the IC is provided with *BellSouth SWA* service under other sections of this Tariff, the Company will provide the use of Company common lines by an IC for access to end users at rates and charges as specified in E3.10 following.
- B. The *BellSouth SWA* service provided by the Company includes the *BellSouth SWA* service provided for both interstate and intrastate communications. The Carrier Common Line Access Service rates and charges as set forth in E3.10 following apply to intrastate *BellSouth SWA* service access minutes in accordance with the rate regulations as set forth in E3.9 following.

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### E3. CARRIER COMMON LINE ACCESS

#### E3.5 Payment Arrangements (Cont'd)

- B. (Cont'd)
2. 0.000590 per day, compounded daily for the number of days from the payment date to and including the date that the IC actually makes the payment to the Company.
- C. In the event a billing dispute concerning a month's Carrier Common Line Access billed to the IC by the Company is resolved in favor of the Company, any payments withheld pending settlement of the dispute shall be subject to the late payment penalty set forth in B. preceding. If the IC disputes the bill on or before the payment date, and pays the undisputed amount on or before the payment date, any late payment charge for the disputed amount will not start until 10 days after the payment date. If the billing dispute is resolved in favor of the IC, no late payment will apply to the disputed amount. In addition, if the IC disputes the billed amount and pays the total amount (i.e., the non-disputed amount and the disputed amount) on or before the payment date and the billing dispute is resolved in the favor of the IC, the IC will receive a credit for a disputed amount penalty from the billing entity if the billing dispute is not resolved within 10 working days following the payment date or the date the IC furnishes to the billing entity documentation to support its claim plus 10 working days, whichever date is the later date. The disputed amount penalty shall be the disputed amount resolved in the IC's favor times a penalty factor.

#### E3.6 Determination of Usage Subject to Carrier Common Line Access Charges

Except as set forth herein, all *BellSouth SWA* service provided to the IC will be subject to Carrier Common Line Access Charges.

- A. When the IC reports interstate and intrastate use of *BellSouth SWA* service, the associated Carrier Common Line Access used by the IC for intrastate use will be determined as set forth in E3.9 following.
- B. Where *BellSouth SWA FGC* or *BellSouth SWA TSBSA 2* end office switching is provided without Company recording and the IC records minutes of use which will be used to determine Carrier Common Line Access charges (i.e., *BellSouth SWA FGC* or *BellSouth SWA TSBSA 2* operator and calls such as pay telephone sent-paid, operator-DDD, operator-person, collect, credit-card, third number and/or other like calls), the IC shall furnish such minutes of use detail to the Company in a timely manner. If the IC does not furnish the data to the Company, the IC shall identify all *BellSouth SWA* services which could carry such calls in order for the Company to accumulate the minutes of use through the use of special Company measuring and recording equipment.
- C. When access to the local exchange is required to provide an IC Service that uses service (e.g. MTS/WATS-type, telex, data, etc.) a resold Private Line Service, *BellSouth SWA FG* service rates and regulations, as set forth in E6.7 following will apply. Carrier Common Line Access rates and charges as set forth in E3.10 following apply in accordance with the resale rate regulations as set forth in E3.7 following.

#### E3.7 Resold Services

- A. Where the IC is reselling MTS or MTS-type service(s) on which the Carrier Common Line and *BellSouth SWA* charges have been assessed, the IC may, at the option of the IC, obtain *BellSouth SWA FGA*, *BellSouth SWA FGB*, *BellSouth SWA FGD*, *BellSouth SWA LSBSA* or *BellSouth SWA TSBSA 1* or 3 *BellSouth SWA FG* service under this Tariff as set forth in Section E6. following for originating and/or terminating access in the local exchange. Such access group arrangements, whether single lines or trunks or multiline hunt groups or trunk groups, will have Carrier Common Line Access Charges applied as set forth in E3.10 following in accordance with the resale rate regulations set forth in this Section. For purposes of administering this provision:

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**E3. CARRIER COMMON LINE ACCESS**

**E3.8 (DELETED)(Cont'd)**

**E3.9 Rate Regulations**

- A. The Carrier Common Line Charges will be billed to each BellSouth SWA service provided under this Tariff in accordance with the regulations as set forth following except as set forth in E3.7.D preceding and D. following.
- B. When access minutes which are used to determine the Carrier Common Line Charges, they will be accumulated using call detail recorded by Company equipment except as set forth in C. following and BellSouth SWA FGC or BellSouth SWA TSBSA 2 operator and automated operator service systems call detail such as *line controlled pay station* sent-paid, operator-DDD, operator-person, collect, credit-card, third number and/or other like calls recorded by the IC. The Company measuring and recording equipment except as set forth in C. following will be associated with end office or local tandem switching equipment and will record each originating and terminating access minute where answer supervision is received. The accumulated access minutes will be summed on a line by line basis, by line group or end office, whichever type of account is used by the Company, for each IC and then rounded to the nearest minute.
- C. When Carrier Common Line Access Service is provided in association with BellSouth SWA FGA, BellSouth SWA FGB, BellSouth SWA LSBSA and BellSouth SWA TSBSA 1 BellSouth SWA service in an end office not converted to equal access, in Company end offices that are not equipped for measurement capabilities, an assumed average access minutes will be used to determine the Carrier Common Line charges. The assumed average access minutes are as set forth in E6.7.8 following.
- D. When the IC orders line side BellSouth SWA as set forth in E6.7.3. following and reports the data as set forth in E3.4.F. preceding and in E6.7.3. following, the IC monthly Carrier Common Line Charge access minutes will be adjusted as follows:
  1. For the first month both the BellSouth SWA service and the resold Dedicated Access Line Service provided under this Tariff are in service in the same state in the same LATA and provided by the same Company, the Carrier Common Line Access originating access minutes for the IC LATA account or End Office account involved, whichever type of account is used by the billing entity, will be adjusted as follows. After the billing entity verifies that the number of Dedicated Access Line Services in service as reported by the IC is accurate, the Carrier Common Line Access originating access minutes developed for the IC account involved will be reduced by the amount of minutes associated with resold Dedicated Access Line Services reported as set forth in E3.4.F. preceding and E6.7.3. following for line side BellSouth SWA service. The adjustment will be made to the involved IC account no later than either the next bill date, or the one subsequent to that, depending on when the report is received.

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**E3. CARRIER COMMON LINE ACCESS**

**E3.9 Rate Regulations (Cont'd)**

D. (Cont'd)

2. For every monthly period after the first monthly period both the *BellSouth SWA* service and the resold Dedicated Access Line Service provided under this Tariff are in service in the same state in the same LATA and provided by the same Company, the Carrier Common Line Access originating access minutes for the IC LATA account or End Office account involved, whichever type of account is used by the billing entity, will be adjusted as follows. The Carrier Common Line Access originating access minutes developed for the IC account involved will be reduced by the amount of minutes associated with resold Dedicated Access Line Services reported as set forth in E3.4.F. preceding and E6.7.3. following for line side *BellSouth SWA* service. The adjustment will be made to the involved IC account no later than either the next bill date, or the one subsequent to that, depending on when the report is received.
3. The originating access minutes for Carrier Common Line Access, adjusted as set forth in 1. or 2. preceding, whichever is appropriate, or any other section of this Tariff, that are billed to an IC in a monthly period shall not be less than zero.
4. The adjustment as set forth in 1., 2. and 3. preceding will be made to the involved IC account after making the adjustments to the IC account as set forth in E. and F. following.

E. When the IC reports exchange minutes of use, as long as the exchange minutes are not included in the minutes used to develop the reports as set forth in E2.3.14. preceding, as set forth in E3.4.G. preceding for in service *BellSouth SWA* service in a LATA, the Carrier Common Line Access minutes for the IC LATA account or End Office account involved, whichever type of account is used by the billing entity, will be adjusted as follows. After the billing entity verifies the exchange minutes reported by the IC are accurate, the Carrier Common Line Access minutes developed for the IC account involved will be reduced by the exchange minutes of use reported by the IC. If the billing entity determines the reported exchange minutes are not accurate, no adjustment will be made until a new report properly stating the exchange minutes is delivered to the billing entity by the IC. The access minutes, adjusted as set forth in this paragraph or any other section of this Tariff, that are billed to the IC in a monthly period shall not be less than zero. This adjustment will be made to the involved IC account prior to making the adjustments to the IC account as set forth in D. preceding and F. following.

F. When the customer reports interstate and intrastate use of in-service *BellSouth SWA* service, the Carrier Common Line Access Service charges will be billed only to intrastate *BellSouth SWA* service access minutes based on the data reported by the customer as set forth in E2.3.10 preceding except where the Company is billing according to actuals by jurisdiction. The intrastate *BellSouth SWA* service access minutes will, after adjustment as set forth in E3.7.D. preceding, when necessary, be used to determine the Carrier Common Line Access Service charges as set forth in G. following.

G. After the adjustments as set forth in E3.7.D. and D. preceding have been applied, when necessary, to the *BellSouth SWA* service access minutes, the charges for the involved customer account will be determined as follows:

1. The access minutes for all rated *BellSouth SWA* service subject to Carrier Common Line Access Service charges will be multiplied by the access per minute rate as set forth in E3.10 following.
2. Carrier Common Line Access Service charges shall not be reduced as set forth in E3.7.A. preceding unless Switched Access Charges, as set forth in Section E6. following, are applied to the customer's *BellSouth SWA* services.
3. Terminating access per minute charge(s) apply to:
  - all terminating access minutes of use;

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**E3. CARRIER COMMON LINE ACCESS**

**E3.9 Rate Regulations (Cont'd)**

G. After the adjustments as set forth in E3.7.D. and D. preceding have been applied, when necessary, to the *BellSouth SWA* service access minutes, the charges for the involved customer account will be determined as follows: (Cont'd)

3. Terminating access per minute charge(s) apply to: (Cont'd)

- all originating access minutes of use associated with *BellSouth SWA* FGA and *BellSouth SWA* LSBSA services where the off-hook supervisory signaling is forwarded by the customer's equipment when the called party answers;
- all originating access minutes of use associated with calls placed to 700, 800 and 900 numbers, less the percentage of originating access minutes of use reported by the customer, as set forth following, that are associated with calls placed to 700, 800 and 900 numbers that terminate in a *BellSouth SWA* service that is assessed Carrier Common Line Access Service charges.

For originating access minutes of use associated with calls placed to 700, 800 and 900 numbers which terminate on a *BellSouth SWA* service assessed Carrier Common Line Access Service charges, the customer shall report as follows: On or before the fifteenth day of each March, June, September and December the customer shall provide the Company a report of the percentage of total interstate 700, 800 and 900 originating minutes of use that will terminate in a *BellSouth SWA* service that is assessed Carrier Common Line Access Service charges for the forthcoming quarter. The reported percentage will be used by the Company to determine the customer's current monthly bill for the originating minutes of use for which the report was provided as set forth in 5. following. The customer reported percentage should reflect any under or over estimate in the prior quarter. In the event the customer does not supply a report, the Company will assume the percentage to be the same as that provided in the previous quarterly report.

If a dispute arises concerning the customer provided quarterly percentage report, the Company may request the customer to provide the data the customer used to determine the percentage. The customer shall retain for twelve (12) months call detail records from which the reported percentage credit can be ascertained. Upon request of the Company, the customer shall make records available for inspection as reasonably necessary for purposes of verification of the percentages and shall supply the data within 30 days of the Company's request. The Company will not request such data more than twice a year.

H. The originating premium access or non-premium access, per minute charge(s) apply to all originating access minutes of use:

- less those originating access minutes of use associated with *BellSouth SWA* FGA and *BellSouth SWA* LSBSA services where off-hook supervisory signaling is forwarded by the customer's equipment when the called party answers;
- less all originating access minutes of use associated with calls placed to 700, 800, and 900 numbers;
- plus all originating access minutes of use associated with calls placed to 700, 800, and 900 numbers for which the customer furnishes a report of the percentage of minutes that terminate in a *BellSouth SWA* service that is assessed Carrier Common Line Access Service charges, and for which a corresponding reduction in the number of terminating access minutes of use has been made as set forth in G. preceding.

Material previously appearing on this page now appears on page(s) 11 of this section.

BELLSOUTH  
TELECOMMUNICATIONS, INC.  
FLORIDA  
ISSUED: August 1, 1997  
BY: Joseph P. Lacher, President -FL  
Miami, Florida

ACCESS SERVICES TARIFF

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EFFECTIVE: October 1, 1997

E3. CARRIER COMMON LINE ACCESS

E3.10 Rates and Charges (Cont'd)

A. The rate for Carrier Common Line Access is: (Cont'd)

1. Per Originating Access Minute (Cont'd)

	Rate	USOC
(a) BellSouth Telecommunications, Inc. - BellSouth SWA FGA, BellSouth SWA FGB, BellSouth SWA FGD, BellSouth SWA LSBSA, BellSouth SWA TSBSA 1 and BellSouth SWA TSBSA 3.	\$.01000	NA
(b) Indiantown Telephone System - Feature Groups A, B, D, LSBSA and TSBSA Technical Options 1 and 3	.0247	NA
(c) For all other Independent Companies concurring in this Tariff	.0304	NA

2. Per Terminating Access Minute

(a) BellSouth Telecommunications, Inc. - BellSouth SWA FGA, BellSouth SWA FGB, BellSouth SWA FGD, BellSouth SWA LSBSA, BellSouth SWA TSBSA 1 and BellSouth SWA TSBSA 3.	.01767	NA
(b) Indiantown Telephone System - Feature Groups A, B, D, LSBSA and TSBSA Technical Options 1 and 3	.0325	NA
(c) Frontier Communications of the South, Inc. - Feature Groups A, B, D, LSBSA and TSBSA Technical Options 1 and 3	.034420	NA
(d) For all other Independent Companies concurring in this Tariff	.0382	NA