This report summarizes the Commission’s action in the matter of Petition for Waiver and Partial Reconsideration or Stay of Inmate-Only Payphones Declaratory Ruling (DA 96–1073, adopted July 3, 1996 and released July 3, 1996). The file is available for inspection and copying in the Network Services Reference Room, room 220, 2000 M Street, NW., Washington, DC, during the weekday hours of 8:30 a.m. to 3:30 p.m. Monday through Thursday; 8:30 a.m. to 11:30 a.m. on Friday; closed between 12:30 p.m. and 1:30 p.m. Monday through Thursday; or copies may be purchased from the Commission’s duplicating contractor, ITS, Inc. 2100 M St., NW., Suite 140, Washington, DC 20037, phone (202) 857–3800.

Adherence to the Commission’s rule would have delayed implementation of the Declaratory Ruling, and the appropriate remedy is not to delay implementation, but rather to waive the normal time period.

5. Finally, the Commission based its Declaratory Ruling on longstanding CPE policies and not the Telecommunications Act of 1996; petitioners offered no bar to the Commission’s continued application of these policies with regard to smaller LECs.

Ordering Clauses

6. It is ordered, pursuant to § 1.3 of the Commission’s rules, 47 CFR 1.3, and authority delegated in § 0.91 of Commission’s rules, 47 CFR 0.91, and § 0.291 of the Commission’s rules, 47 CFR 0.291, that the Petition for Partial Reconsideration or Stay filed jointly by Bell Atlantic, BellSouth, NYNEX, and Pacific Bell and Nevada Bell; the Petition for Reconsideration and Stay filed by Cincinnati Bell; the Petition for Waiver filed by Southwestern Bell; and the Petition for Waiver filed by Pacific Bell and Nevada Bell are denied to the extent described above.

7. It is further ordered that pursuant to § 1.3 of the Commission’s rules, 47 CFR 1.3, and authority delegated in § 0.91 of the Commission’s rules, 47 CFR 0.91, and § 0.291 of the Commission’s rules, 47 CFR 0.291, that we stay the requirement that carriers file their CAM revisions on July 3, 1996, consistent with this order; however, carriers are still required to begin separating their costs effective July 3, 1996.

8. It is further ordered that pursuant to § 1.3 of the Commission’s rules, 47 CFR 1.3, and authority delegated in § 0.91 of the Commission’s rules, 47 CFR 0.91, and § 0.291 of the Commission’s rules, 47 CFR 0.291, that we waive the network disclosure time requirements applicable to a new unbundled network service to the extent described above.

List of Subjects in 47 CFR Parts 61 and 64

Federal Communications Commission, Inmate-only payphone equipment, Telephones.