

E. Submission to Congress and the General Accounting Office

Under 5 U.S.C. 801(a)(1)(A) as added by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of the rule in today's Federal Register. Since this rule decreases regulatory impact, it is not a "major rule" as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 63

Environmental protection, Compliance dates, Reporting and recordkeeping requirements, Secondary lead smelters.

Dated: December 9, 1996.

Carol M. Browner,
The Administrator.

For the reasons set out in the preamble, title 40, chapter I, of the Code of Federal Regulations is amended as follows:

PART 63—[AMENDED]

1. The authority citation for part 63 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

2. Section 63.546 is amended by revising paragraph (a) to read as follows:

§ 63.546 Compliance dates.

(a) Each owner or operator of an existing secondary lead smelter shall achieve compliance with the requirements of this subpart no later than December 23, 1997. Existing sources wishing to apply for an extension of compliance pursuant to § 63.6(i) of this part must do so no later than June 23, 1997.

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3. Section 63.549 is amended by revising paragraph (b) to read as follows:

§ 63.549 Notification requirements.

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(b) The owner or operator of a secondary lead smelter shall submit the fugitive dust control standard operating procedures manual required under § 63.545(a) and the standard operating procedures manual for baghouses required under § 63.548(a) to the Administrator or delegated authority along with a notification that the smelter is seeking review and approval of these plans and procedures. Owners or operators of existing secondary lead smelters shall submit this notification no later than June 23, 1997. The owner or operator of a secondary lead smelter

that commences construction or reconstruction after June 9, 1994, shall submit this notification no later than 180 days before startup of the constructed or reconstructed secondary lead smelter, but no sooner than June 23, 1995.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 61

[CC Docket No. 93-129; CC Docket No. 86-10; FCC 96-392]

800 Data Base Access Tariffs and the 800 Service Management System Tariff; Provision of 800 Services

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: On September 26, 1996, the Commission adopted a Report and Order that concludes and terminates an investigation into tariffs filed by local exchange carriers (LECs) in March 1993, for 800 data base services. This Order requires LECs that filed tariffs for 800 data base services in accordance with the Commission's rules in CC Docket No. 86-10, to recalculate their price cap indexes and resubmit their tariffs. In the Order, we examine terms and conditions of the LECs' tariffs for compliance with various Commission Orders concerning 800 data base service. We also determine the reasonableness of the price cap LECs' restructure of their 800 data base service rates, the reasonableness of certain exogenous costs claimed by those LECs and the allocation of those exogenous costs between the interstate and intrastate jurisdictions.

With regard to the Bell Operating Companies' (BOC) central data base service tariff, we determine the reasonableness of a number of tariff provisions as well as the reasonableness of the costs and cost allocations underlying the BOCs' rates for that service. Finally, in this Order we deny an application for review filed by several LECs seeking reversal of the cost disclosure requirements imposed by the Bureau in this investigation and we grant GTE's revised petition for waiver of the cost disclosure requirements. By issuing this Order, the Commission intended to bring tariffs filed by LECs and BOCs into compliance with the requirements of the Communications Act of 1934, as amended, the

Commission's rules and the policies adopted for 800 data base services in CC Docket 86-10.

EFFECTIVE DATE: January 13, 1997.

FOR FURTHER INFORMATION CONTACT: John Scott, Competitive Pricing Division, Common Carrier Bureau, (202) 418-1528.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order adopted September 26, 1996, and released October 28, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Public Reference Room (Room 230), 1919 M St., NW, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Suite 140, 2100 M Street, NW., Washington, DC 20037.

Summary of Report and Order

In CC Docket 86-10, the Commission required all LECs to convert simultaneously on May 1, 1993, to a new "data base" system of 800 access. LECs decided to implement this data base system by linking their signalling system 7 (SS7) networks with data bases containing customer information associated with each 800 number, including the inter-exchange carrier (IXC) selected by the 800 subscriber, to deliver calls to that 800 number. There are two types of 800 data base access services that IXCs may purchase from the LECs: "basic" query service and "vertical features." The LECs were required to tariff the 800 data base basic query service, which is the access service used to route 800 calls to the customer's chosen IXC. Other 800 data base service capabilities, such as sophisticated routing, were classified as "vertical features" that the LECs also had to tariff. The LECs filed 800 data base access service tariffs in March 1993. The Common Carrier Bureau suspended these tariffs for one day, imposed an accounting order, and initiated this investigation.

Terms and Conditions of the LEC 800 Data Base Tariffs

1. Area of Service (AOS) Routing in Basic Query Service

(a) Although we encourage LECs to offer more refined routing, we decline to expand our requirement beyond LATA-wide routing.

(b) We conclude that BellSouth does not clearly state in its tariff that it offers AOS routing at the LATA level. We therefore require BellSouth to file tariff

revisions clearly indicating that it offers AOS routing at the LATA level.

(c). We now clarify that LECs must provide multiple-carrier terminations. We do not, however, require the LECs to provide any additional physical facilities, such as circuits, to provide multiple-carrier terminations. Those LECs that fail to provide for multiple-carrier terminations—US West, Centel, Century, NECA, Rochester, SNET and United—must revise their tariffs to do so.

2. LEC Charges for Data Base Queries When Calls Are Incomplete

(a). The LECs may continue to assess query charges even when the associated call is not delivered to the IXC

(b). LECs with tariffs that vaguely define when a query charge will apply, such as when a query is “processed,” “attempted,” or “received,” must revise their tariffs to replace these terms with language expressly stating that they will assess a charge only for a “completed” query and defining that term.

3. Marketing of Vertical Features to End Users

(a). The Commission has established a policy that LECs may not market vertical features to 800 service subscribers, and no one now challenges that ruling. We find no reason why LECs need to modify their tariffs to prohibit such a practice.

4. Responsible Organization (Respong) Services in the LEC 800 Data Base Tariffs

(a). We conclude that provision of Respong service is not a common carrier activity, and thus should not be tariffed. We therefore require LECs to remove Respong service rates from their tariffs.

800 Data Base Access Tariffs for Price Cap Carriers

5. Exogenous Treatment of Overhead Costs

(a). Bell Atlantic, SNET and United sought to recover costs incurred specifically to implement basic 800 data base query service through a general overhead factor, with no justification that these costs met the standard established for exogenous treatment. We will disallow the claims of Bell Atlantic, United and SNET for recovery of overhead costs associated with providing 800 data base basic query service.

(b). We will allow exogenous treatment of the administrative and other costs claimed by the price cap LECs.

6. Jurisdictional Allocations of 800 Data Base Costs

(a). All LECs should use the separations procedures described in Part 36 of the rules to determine the amount of annual 800 data base costs for which they seek exogenous cost treatment in their interstate filings.

(b). US West’s assertion that the Constitution requires that it be allowed to recover through interstate service tariffs costs not assigned to the interstate jurisdiction is incorrect. The Commission actions in this Order do not constitute a “permanent physical occupation authorized by government.”

(c). The Order and Appendix C list the allowable exogenous cost for each LEC. The LECs must recalculate their Price Cap Indices (PCIs) to remove any of their costs that we have disallowed.

7. Adequacy of Ameritech’s Cost Support

(a). In its supplemental direct case, filed March 15, 1994, Ameritech states that the revised cost support demonstrates the validity of its original cost support, which was based on CCSCIS. We conclude that we cannot use the figures for exogenous costs that Ameritech claims. We will allow Ameritech exogenous treatment of an amount equal to the average amount of 800 data base costs we allow the BOCs to treat as exogenous in this Order.

8. Exogenous Treatment for Regional Data Base (SCP) Costs

(a). We will allow the LECs exogenous treatment for the portion of their investment in shared regional data bases used exclusively to provide 800 data base service.

(b). United and GTE claim significantly higher exogenous costs for regional data bases than those of any of the other LECs except Bell Atlantic. We will allow exogenous treatment for the full amount of regional data base costs claimed by GTE and for the reduced amount currently requested by United.

(c). We conclude that Bell Atlantic failed to meet its burden of showing that its regional data base costs are reasonable and were incurred specifically for the provision of 800 data base basic service. We find it reasonable, however, for Bell Atlantic to claim exogenous treatment for the average of the amount of regional data base costs that other BOCs have claimed.

9. Exogenous Treatment for Costs of Signalling Links Between the Regional Transfer Points and the Regional Data Bases (RSTP/SCP) and Between the Regional Data Bases and the Central Data Base (SCP/SMS)

(a). We will allow exogenous treatment of the costs, as itemized in a chart in the Order, for the signalling links between the regional data bases and the central data base.

(b). We find that the costs for the data links between the transfer points and the regional data bases, and SNET’s costs for technician labor were specifically incurred to provide 800 data base query service and are not unreasonable. The Commission therefore will allow exogenous treatment for these costs, as itemized in the chart in the Order.

(c). We conclude that Bell Atlantic and United have not shown that the costs of ports on their regional transfer points were incurred specifically to provide 800 data base basic query service and are not core SS7 costs. Therefore, we deny exogenous cost treatment for Bell Atlantic’s and United’s regional transfer point port costs.

10. Exogenous Treatment for Local Signal Transfer Point/Regional Signal Transfer Point Signalling Link Costs

(a). We will not allow exogenous treatment for the signalling links between the local and regional transfer points.

(b). Bell Atlantic and United are claiming transfer point port costs associated with the links between the local and regional transfer points. We deny exogenous cost treatment for Bell Atlantic’s and United’s ports on their regional and local transfer points.

11. Exogenous Treatment for Service Origination Point (SSP) Costs

(a). We find that the LECs have met their burden with respect to their claims for exogenous treatment for service origination point software, including right-to-use fees. Therefore, we conclude that exogenous treatment is justified for the costs of this software.

(b). Bell Atlantic also has met its burden of demonstrating that the costs for converting its end office switches from six-digit to three-digit screening were reasonable, and were incurred specifically to provide 800 data base service and are not “core SS7” costs. We will allow exogenous treatment for these costs.

12. Exogenous Treatment of Tandem Switch Costs

(a). Only Pacific currently seeks exogenous treatment for the costs of upgrading tandem switches to add increased capacity at the tandem and to add service origination point capability at the tandem. We do not find Pacific's claims persuasive since those facilities can be used to provide a wide variety of services.

13. Exogenous Treatment for 800 Service Central Data Base (SMS) Costs

(a). Because the central data base is used solely to provide 800 data base service and does not provide routing for message telephone traffic or support other services, it is clearly not a "core SS7" cost. Therefore, we will allow the regional data base operators to treat the costs associated with their central data base contracts as exogenous.

14. Exogenous Treatment of Repair Center Costs

(a). Every LEC has to perform the same customer service functions under the 800 data base access system that it did under the previous NXX access system. The Commission will not allow exogenous treatment for the costs that Bell Atlantic incurs to operate its 800 data base repair center.

15. Exogenous Treatment for Billing System Modification Costs

(a). US West, SNET, Bell Atlantic and GTE, seeking exogenous treatment for billing system changes, have made a sufficient showing that they had to add new technical capabilities to their systems in order to handle billing data for 800 data base traffic. Therefore, we will allow exogenous cost treatment for these expenses.

16. Methodology for Exogenous Cost Adjustment

(a). We conclude that the method used by Bell Atlantic, BellSouth, Pacific and United in calculating the PCIs to restructure services in their traffic sensitive baskets and to include new exogenous costs achieved reasonable results that conform to price cap principles. Because this method does not comply with our rules, however, we grant on our own motion a waiver of § 61.47(a) of the rules for the limited purpose of allowing LECs to use this method.

(b). The method used by Ameritech, NYNEX, SNET, Southwestern and US West complies with our price cap rules.

17. Reasonableness of the Price Cap LECs' Use of Demand To Demonstrate Compliance With the Price Cap Restructure Rules

(a). We direct LECs that, in their ratemaking calculations based their exogenous costs on a one-year base period, to revise their exogenous costs to reflect levelization over five years. Therefore, US West and Pacific must amend their filings to use five-year levelized costs.

(b). BellSouth, Southwestern, Pacific and US West each used a one-year period to determine demand. The use of a one-year base period for the determination of demand is consistent with the Commission's rules and we will not prohibit it.

(c). Ameritech, Bell Atlantic, NYNEX, United and GTE used a five-year period to determine demand. Section 61.3(e) of the Commission's rules specifies a one-year base period to determine demand. Those LECs that used a five-year base period for calculating levelized demand are hereby granted a waiver of § 61.3(e) to allow them to use a five-year base period in this instance.

18. Reasonableness of Price Cap LECs' Ratemaking Methodologies To Develop Vertical Features Rates

(a). We find that, with the exception of Ameritech and US West, the data provided by the LECs to support their vertical features rates comply with the Commission's cost support requirements for new services. We therefore will allow these vertical feature rates to take effect as filed.

(b). We cannot accept the vertical features costs that Ameritech and US West claim. For this reason, we will not allow Ameritech or US West to impose any rates for vertical features that exceed the average rates for the vertical features that we allow the BOCs to charge in this Order. The rates proposed by Ameritech fall below this average and are therefore considered reasonable. US West must revise its rate for the POTS translation feature to an amount not to exceed \$0.0006932, which is the average of the rates charged by the other BOCs for that vertical feature.

800 Data Base Access Tariffs for Rate-of-Return Carriers

19. Tariffing When Originating LEC Does Not Have a Service Origination Point (SSP)

(a) The Ordering and Billing Forum (OBF) of the Exchange Carrier Standards Association has adopted a resolution that would resolve which carrier—the originating LEC or the neighboring LEC—may charge an IXC for a query

when the originating LEC routes an 800 service call to a neighboring LEC for processing. We will not impose any further requirements on the LECs in this proceeding.

20. Pass-Through of Regional Data Base Operator Rate Reductions

(a) We require that the rate-of-return LECs that purchase query service from regional data base operators file, in accordance with paragraph 321 of this Order, tariff revisions reflecting the flow-through of any basic query rate reductions to their own customers—IXCs that purchase query service from them.

(b) In the future, for any tariffed 800 data base access service they provide, the rate-of-return LECs and Rochester must also flow-through to their customers any further significant reductions in the basic query charges they pay to regional data base operators.

21. Adjustment for Unbillable Queries

(a). The unbillable query rates estimated by some rate-of-return LECs are unsupported by the cost data they provide. We find that a more reasonable and better supported unbillable query rate for carriers to use in their rate calculations is 5 percent—the maximum estimated rate for NECA members. Therefore, all rate-of-return LECs must limit their unbillable query rate adjustment factor to no more than 5 percent.

(b). Any LEC that wishes to apply a higher adjustment factor must justify that factor in a separate tariff filing or in its next rate-of-return prescription proceeding.

800 Service Management System Tariff

22. Liability Provisions

(a). We do not find the patent infringement provisions of the central data base tariff to be unreasonable. Therefore these provisions do not deviate from standard tariff practices and we will not require the BOCs to change them.

(b). We find that the liability insurance requirements, on the other hand, are unreasonable and we will require the BOCs to eliminate them.

23. Incorporation by Reference of the Industry Guidelines for 800 Number Administration

(a). We will require the BOCs to remove the provisions incorporating these guidelines by reference into the central data base tariff.

(b). The central data base tariff contains provisions requiring the Respong to notify directly and obtain the acceptance of any IXC to which traffic

for a specific 800 number will be routed. We find those provisions to be reasonable and adequate to meet Commission requirements.

24. Changes in Resporg Procedures

(a). We require the BOCs, within sixty days of the date of this Order, to file tariff revisions that include accelerated procedures for accepting Resporg change requests. The tariffs shall include a provision that will require the Number Administration and Service Center (NASC) to make Resporg changes within a specified number of days.

25. Other Central Data Base (SMS) Tariff Terms and Conditions

(a). We find that the provision that grants a pro rata credit to an IXC when the central data base is unavailable for use for an unscheduled period of greater than three hours is not unreasonable.

(b). Of the other issues raised with respect to central data base tariff terms and conditions, we only find unreasonable that provision permitting the central data base to bill Resporgs based on estimated transactions, with vague promises to reconcile the bills at some future date. The BOCs are required to modify these provisions to provide that Resporgs will be billed for actual, rather than estimated, usage.

26. Reasonableness of Costs and Cost Allocations

(a). We find that the BOCs' allocation of computer maintenance costs based on relative lines of code of the software programs to be maintained is reasonable.

(b). We find that the BOCs' allocation of central processor costs based on relative use is reasonable.

(c). We believe that a business should have sufficient working capital to pay its bills in a timely fashion and that holding an amount equal to one month's revenues is a sound business policy. We will therefore not require the BOCs to reduce their central data base costs by an additional \$3.56 million.

(d). We have reviewed the BOCs' cost support and find that the information and data provided by the BOCs in their direct case and in the Description and Justification for their rate revisions in Transmittal No. 7 comply with the requirements of Section 61.38. We therefore find that the revisions filed under Transmittal No. 7 do not result in unreasonable rates.

(e). There is no basis for Allnet's claim that rates for services offered to the regional data base operators are unreasonably discriminatory.

(f). Southwestern's decision to reclassify as nonregulated the data

processing services provided to the central data base is consistent with our rules.

27. Affiliate Transactions

(a). For purposes of the affiliate transactions rules, we will treat Southwestern's provision of data processing services for the central data base as a transaction between DSMI and Southwestern. Since Southwestern actually provides "Computer Bureau Service" to DSMI at a "negotiated price," we require it to revise its cost manual to state this. We require Southwestern to revise its cost manual to state whether it records the services it provides DSMI at fully distributed costs calculated in accordance with Commission rules and, if not, the methodology it uses. If Southwestern has been using a methodology that does not comply with the rules, Southwestern shall also adjust its books to the extent necessary to account correctly for the services Southwestern's Kansas City Data Center has provided DSMI and report any such adjustments to the Commission. Southwestern shall take each of these steps within 30 days of this Order's release.

(b). We require Ameritech, Bell Atlantic, BellSouth, NYNEX, Pacific and Southwestern to revise their cost manuals to bring their treatment of services received from DSMI into compliance with the affiliate transactions rules. These revisions will also be due 30 days from this Order's release.

(c). The BOCs are disclosing in their cost allocation manuals that they purchase software systems and support from Bellcore at fully-distributed costs. Therefore, these transactions comply with the requirements of § 32.27(d) of the Commission's rules.

28. Allocation to Interstate Jurisdiction

(a). We will allow the BOCs to assign all of the costs of providing the central data base service directly to the interstate jurisdiction, provided that this assignment does not result in the double recovery of costs relating to the central data base service through charges put in place at the state level.

(b). If any state requires the BOCs to file a tariff for the central data base that would result in costs being reassigned to the intrastate jurisdiction, we would require the BOCs to revise their rates to reflect those reductions in their interstate costs.

Joint Application for Review

29. We conclude that the Common Carrier Bureau acted correctly when it required the LECs either to disclose the

proprietary cost models they used to develop their 800 data base vertical features rates or to use alternative cost methodologies. We, therefore, deny the joint application for review of the *800 Cost Disclosure Order*. We also deny US West's petition for reconsideration of the *800 Cost Disclosure Order*.

GTE Revised Petition for Waiver

30. We conclude that GTE's provision of its proprietary cost support information under the terms of its non-disclosure agreement was not unreasonable. Accordingly, we grant GTE's revised waiver request.

United and GTE Petitions for Stay and Applications for Review

31. We affirm the Bureau's action in partially suspending GTE and United's 800 data base query rates for a five month period and deny their applications for review of that action.

32. We dismiss as moot the petitions for stay filed by GTE and United because the partial rate suspension for which they seek a stay expired on October 1, 1993.

Ordering Clauses

Accordingly, *It is ordered that*, pursuant to authority contained in sections 1, 4, 201-205 and 218 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154, 201-205 and 218, that the policies and requirements set forth herein are adopted.

It is further ordered that this Order will be effective January 13, 1997.

It is further ordered, pursuant to Section 4(i) of the Communications Act of 1934, 47 U.S.C. 154(i), that the tariff provisions filed by the Ameritech Operating Companies, the Bell Atlantic Telephone Company, BellSouth Telecommunications, Inc., GTE Telephone Service Company and the GTE Telephone Operating Companies, Pacific Bell Telephone Company, Southern New England Telephone Company, Southwestern Bell Telephone Company, U S West Communications, Inc. and the United Telephone Companies are unlawful to the extent indicated herein.

It is further ordered that the Bell Atlantic Telephone Company, GTE Telephone Service Company, the GTE Telephone Operating Companies, Southern New England Telephone Company, the NYNEX Telephone Companies, Pacific Telephone Company, Southwestern Bell Telephone Company, U S West Communications, Inc. and the United Telephone Companies shall adjust their PCIs to reflect the disallowances ordered in

paragraph 86 and Appendix C of the Order.

It is further ordered that the costs of the Ameritech Companies that exceed the average of the allowed exogenous costs for the other Bell Operating Companies, as specified in paragraph 90 of the Order are disallowed.

It is further ordered that Bell Atlantic shall adjust its PCI to reflect the disallowances required in paragraphs 57, 102, 110, 115, 116 and 136 of the Order.

It is further ordered that BellSouth shall modify its tariff as required in paragraph 26 of the Order, and adjust its PCI to reflect the disallowance in paragraph 115 of the Order.

It is further ordered that Southern New England Telephone Company shall adjust its PCI to reflect the disallowance in paragraph 57 of the Order.

It is further ordered that the New York and the NYNEX Telephone Company shall adjust its PCI to reflect the disallowance in paragraph 115 of the Order.

It is further ordered that the Pacific Bell Telephone Company shall adjust its PCI to reflect the disallowance in paragraph 125 of the Order and shall modify its tariff as required in paragraph 174 of the Order.

It is further ordered that U S West Communications, Inc. shall modify its tariff as required in paragraphs 27, 174 and 195 of the Order.

It is further ordered that the United Telephone Company shall adjust its PCI to reflect the disallowances in paragraphs 57, 110, 115 and 116 of the Order, and modify its tariff as required in paragraph 27 of the Order.

It is further ordered that, any local exchange carrier that filed tariffs subject to §§ 61.41 through 61.49 of the Commission's rules, 47 CFR 61.41 through 61.49, shall recalculate the relevant indexes pursuant to the adjustments ordered in paragraphs 307 through 315 of the Order. The local exchange carriers shall file the revised indexes no later than 30 days after the release of this order by letter addressed to the Secretary, FCC.

It is further ordered that any local exchange carrier that filed tariffs subject to §§ 61.41 through 61.49 of the Commission's rules, 47 CFR 61.41 through 61.49, and, after the adjustments ordered in paragraphs 307 through 315 of the Order, has an API that exceeds its PCI shall file tariff revisions that will reduce the API to a level below the PCI. These tariff revisions shall be filed no later than 30 days after the release of this Order to be effective on not less than 15 days' notice.

It is further ordered that the Commission delegates authority to the Bureau to take action necessary to ensure that the Local Exchange Carriers properly adjust their relevant Price Cap Indices to reflect the requirements of this order.

It is further ordered that Bell Atlantic, BellSouth, Pacific and United are granted a waiver of § 61.47(a) of the Commission's rules, 47 CFR 61.47(a), as discussed in paragraph 164 of the Order.

It is further ordered that Ameritech, Bell Atlantic, GTE, NYNEX and United are granted a waiver of § 61.3(e) of the Commission's rules, 47 CFR 61.3(e), as discussed in paragraph 176 of the Order.

It is further ordered that any local exchange carrier that offers a tariffed 800 data base query service through the use of a regional data base not owned by that local exchange carrier shall file revisions concerning the application of the per-query charge, as specified in paragraph 204 of the Order.

It is further ordered that any local exchange carrier that filed tariffs subject to § 61.38 of the Commission's rules, 47 CFR 61.38, and uses a rate adjustment factor for unbillable queries exceeding 5 percent, shall make the filings required by paragraph 210 of the Order.

It is further ordered that Central Telephone Company, Century Telephone of Ohio, Inc., National Exchange Carrier Association, Rochester Telephone Company and Southern New England Telephone Company shall file the tariff amendments ordered in paragraph 27 of the Order.

It is further ordered that the Bell Operating Companies shall amend BOC Tariff F.C.C. No. 1, as required by paragraphs 218, 223, 228 and 234 of the Order.

It is further ordered that local exchange carriers shall file tariff revisions removing Resporg service from their interstate Access Tariffs pursuant to paragraph 47 of the Order. These revisions shall be filed no later than 90 days from the release of this order to be effective on not less than 15 days' notice. Carriers should reference this order as the authority for these filings.

It is further ordered that local exchange carriers shall reclassify their Resporg assets and related expenses to nonregulated status no later than the scheduled effective date of the tariff revisions removing the Resporg service from the Interstate Access Tariff.

It is further ordered that local exchange carriers required to file a cost allocation manual pursuant to § 64.903 of the Commission's rules or by Commission order shall file revisions to their manuals implementing the reclassification required herein no later

than 30 days after the release of this order, to be effective 60 days after the filing date.

It is further ordered that any local exchange carrier whose tariff is a subject of this investigation shall take any other action required by this Order but not otherwise specifically enumerated in these ordering clauses.

Accordingly, *It is further ordered* that the motions to accept late filed pleadings, filed by the Pacific and Nevada Bell Telephone Companies and the Ameritech Operating Companies, are granted.

It is further ordered that the petition for clarification filed by MCI Telecommunications Corporation, is denied.

It is further ordered that the petition for reconsideration filed by US West Communications, Inc., is denied.

It is further ordered that the petitions for review filed by the GTE Service Corporation and the United Telephone Company, are denied.

It is further ordered that the petitions for stay filed by the GTE Service Corporation and the United Telephone Company, are dismissed.

It is further ordered that the joint application for review, filed by the Ameritech Operating Companies, Bell Atlantic Telephone Company, Pacific Bell Telephone Company, the NYNEX Telephone Companies and U S West Communications, Inc., of the 800 Cost Disclosure Order, is denied.

It is further ordered that the request for non-disclosure submitted in GTE's Revised Petition for Waiver of the cost support requirements in 800 Data Base Access Tariffs and the 800 Service Management System Tariff, Order Designating Issues for Investigation is granted to the extent provided herein.

It is further ordered that for the purposes of filing tariff revisions pursuant to this Order, § 61.58 of the Commission's rules, 47 CFR 61.58, is waived. Local exchange carriers shall reference the "FCC" number of this Order as the authority for these filings.

List of Subjects in 47 CFR Part 61

Communications common carriers, Reporting and record-keeping requirements, Telephone.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

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