

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of:)	
)	
The Bell Atlantic Telephone Companies)	Transmittal Nos. 1373 and 1374
Revisions for Tariff F.C.C. Nos. 1 and 11)	
)	
The Verizon Telephone Companies)	
Tariff F.C.C. Nos. 1 and 11)	Transmittal Nos. 23 and 24

ORDER

Adopted: April 25, 2001

Released: April 25, 2001

By the Chief, Competitive Pricing Division:

I. INTRODUCTION

1. In this Order, we suspend for one day and set for investigation the tariff revisions filed in Tariff F.C.C. Nos. 1 and 11 by the Bell Atlantic Telephone Companies¹ ("Bell Atlantic"). The revisions in Tariff F.C.C. No. 1 revise the monthly rate for DC Power for physical collocation and establish a new rate element for DC Power for virtual collocation in the Bell Atlantic-South region. The revisions in Tariff F.C.C. No. 11 revise monthly rates for DC Power for physical and virtual expanded interconnection arrangements in New York/Connecticut and New England. The revisions in both tariffs also established provisions concerning inspections and associated penalties, which have since been withdrawn. The revisions were filed in Transmittal Nos. 1373 and 1374 on April 11, 2001 and April 12, 2001, respectively, with an effective date of April 26, 2001.

2. On April 17, 2001, Conversent Communications filed a petition to reject or, in the alternative, suspend and require an accounting of Bell Atlantic's tariff filings. Additionally, on April 18, 2001, Sprint Corp. filed a petition to reject or suspend and investigate; Qwest Communications International, Inc. and Qwest Communications Corporation (collectively, "Qwest") filed a joint petition for suspension or rejection; WorldCom, Inc. filed a petition to suspend and investigate; AT&T Corp. filed a petition to suspend and investigate; and Association for Local Telecommunications Services ("ALTS"), Allegiance Telecom, Inc., Choice One Communications, Inc., Covad Communications Company, Network Plus, Inc., Rhythms Links, Inc., and XO Communications, Inc. filed a petition to suspend, investigate or

¹ The former Bell Atlantic Telephone Companies are now doing business as Verizon Communications. Subsequent to filing Transmittal Nos. 1373 and 1374, Verizon filed its Transmittal Nos. 23 and 24 in order to issue the Verizon Telephone Companies Tariff F.C.C. Nos. 1 and 11 to replace Bell Atlantic Tariff F.C.C. Nos. 1 and 11. These are scheduled to become effective April 28, 2001. The tariff revisions filed under Bell Atlantic Transmittal Nos. 1373 and 1374 were brought forward to the Verizon tariffs without change.

reject Bell Atlantic's tariff filings. On April 24, 2001, the Verizon Telephone Companies ("Verizon") filed a reply.

II. DISCUSSION

3. Most petitioners generally argue that Bell Atlantic has failed to include adequate cost information concerning overhead and investments.² We find that these petitions raise substantial questions of lawfulness that warrant investigation. These issues include, but are not limited to, whether Bell Atlantic and Verizon have failed to include adequate cost information concerning overhead and investments.

4. Accordingly, we suspend Bell Atlantic's and Verizon's tariff filings for one day and initiate an investigation into the lawfulness of the tariffs. The specific issues that will be the subject of the investigation will be identified in an upcoming designation order and include, but may not be limited to, the issue identified in this Order. We may also, by Order, identify discrete issues that do not warrant further investigation.

III. *EX PARTE* REQUIREMENTS

5. This investigation is a permit-but-disclose proceeding and subject to the requirements of section 1.1206(b) of the Commission's rules, 47 C.F.R. § 1.1206(b), as revised. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must contain a summary of the substance of the presentation and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required. See 47 C.F.R. § 1.1206(b)(2), as revised. Other rules pertaining to oral and written presentations are set forth in section 1.1206(b) of the Commission's rules. 47 C.F.R. § 1.1206(b).

IV. ORDERING CLAUSES

6. ACCORDINGLY, IT IS ORDERED that, pursuant to Section 204(a) of the Communications Act of 1934, 47 U.S.C. § 204(a), and through the authority delegated pursuant to Sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91 and 0.291, the remaining tariff revisions filed by the Bell Atlantic Telephone Companies under Transmittal Nos. 1373 and 1374 and the corresponding tariff revisions filed by the Verizon Telephone Companies under Transmittal Nos. 23 and 24 ARE SUSPENDED for one day and an investigation IS INSTITUTED.

7. IT IS FURTHER ORDERED that, pursuant to Sections 204(a) and 4(i) of the Communications Act of 1934, 47 U.S.C. §§ 204(a) and 154(i), and through the authority delegated pursuant to Sections 0.91 and 0.291 of the Commission's rules, 47 U.S.C. §§ 0.91 and 0.291, the Bell Atlantic Telephone Companies and the Verizon Telephone Companies SHALL

² Petitioners also object to the random inspection provisions and associated penalties, which have been withdrawn. On April 23, 2001, Verizon, and on April 24, 2001, Bell Atlantic filed an application for special permission requesting waiver of the Commission's rules in order to withdraw the proposed inspection and associated penalty provisions without them becoming effective. See Bell Atlantic Transmittal No. 1375 and Verizon Transmittal No. 29.

KEEP ACCURATE ACCOUNT of all monies received that are associated with the rates that are subject to this investigation.

8. IT IS FURTHER ORDERED that the Bell Atlantic Telephone Companies and the Verizon Telephone Companies SHALL FILE supplements reflecting the one day suspension. For this purpose, we waive Sections 61.58 and 61.59 of the Commission's rules, 47 C.F.R. §§ 61.58 and 61.59. Carriers should cite the "DA" number on the instant Order as the authority for the filings.

9. IT IS FURTHER ORDERED that the Bell Atlantic Telephone Companies and the Verizon Telephone Companies SHALL FILE these supplements no later than five business days from the release date of this Order.

10. IT IS FURTHER ORDERED that the petitions of Sprint Corp., Qwest, WorldCom, AT&T, ALTS, Allegiance Telecom, Inc., Choice One Communications, Inc., Covad Communications Company, Network Plus, Inc., Rhythms Links, Inc., XO Communications, Inc., and Conversent Communications to reject or in the alternative, suspend and investigate the Expanded Interconnection Services tariff filings of the Bell Atlantic Telephone Companies ARE GRANTED to the extent indicated herein and otherwise ARE DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Jane E. Jackson
Chief, Competitive Pricing Division
Common Carrier Bureau