

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

In the Matter of)	
)	
Ameritech Operating Companies)	
Tariff FCC No. 2)	
Transmittal No. 1312)	
)	
Nevada Bell Telephone Company)	
Tariff FCC No. 1)	
Transmittal No. 20)	
)	
Pacific Bell Telephone Company)	WC Docket No. 02-319
FCC Tariff No. 1)	
Transmittal No. 77)	
)	
Southern New England Telephone Company)	
Tariff FCC No. 39)	
Transmittal No. 772)	
)	
Southwestern Bell Telephone Company)	
FCC Tariff No. 73)	
Transmittal No. 2906)	

ORDER

Adopted: January 15, 2003

Released: January 16, 2003

By the Commission:

1. On August 16, 2002, the Wireline Competition Bureau (the Bureau) released an order that suspended for five months and set for investigation the above-referenced tariff transmittals.¹ These transmittals sought to revise existing security deposit provisions and to shorten the notice period for refusal or discontinuance of services. On October 10, 2002 the Bureau designated issues for investigation.²

¹ *Ameritech Operating Companies, Nevada Bell Telephone Company, Pacific Bell Telephone Company, Southern New England Telephone Company, and Southwestern Bell Telephone Company* (collectively SBC), Transmittal Nos. 1312, 20, 77, 772, and 2906, Tariffs FCC Nos. 2, 1, 1, 39, and 73, Order, 17 FCC Rcd 15913 (WCB/Pricing 2002).

² *Ameritech Operating Companies, Tariff FCC No. 2, Transmittal No. 1312, Nevada Bell Telephone Company*, (continued....)

2. On December 23, 2002, the Commission released a policy statement responding to a petition filed by Verizon asking, among other things, that the Commission permit carriers to revise their tariffs to require advance payments, security deposits, and shorter notice periods to protect against the risk of nonpayment.³ The *Policy Statement* was intended to provide general guidance to incumbent LECs seeking to revise the deposit and payment provisions of their interstate access tariffs. Based on the record developed in that proceeding, the Commission found that the tariff revisions that Verizon sought in its petition, which were similar to those proposed by SBC, were not narrowly tailored to meet the incumbent LECs' need for additional protection against nonpayment without imposing undue burdens on access customers in general.⁴ The Commission was particularly concerned about the potential for discriminatory application and the lack of evidence demonstrating that current uncollectibles pose a unique threat warranting the burdensome security deposits and advance payments sought by the carriers.⁵ The *Policy Statement* also suggested specific tariff provisions to address the risk of nonpayment.⁶

3. SBC withdrew these transmittals on January 13, 2003.⁷ This withdrawal rendered moot the investigation of the SBC tariffs. Accordingly, we terminate the investigation of those tariffs.

(Continued from previous page) _____
FCC Tariff No. 1, Transmittal No. 20, Pacific Bell Telephone Company, FCC Tariff No. 1, Transmittal No. 77, Southern New England Telephone Company, Tariff FCC No. 39, Transmittal No. 772, Southwestern Bell Telephone Company, FCC Tariff No. 73, Transmittal No. 2906, WC Docket No. 02-319, Order, 17 FCC Rcd 19661(WCB/Pricing 2002) (Designation Order).

³ *Verizon Petition for Emergency Declaratory and Other Relief*, WC Docket No. 02-202, Policy Statement, FCC 02-337 (rel. Dec. 23, 2002) (“*Policy Statement*”).

⁴ *Id.* at para. 6.

⁵ *Id.* at para. 14.

⁶ *Id.* at para. 26.

⁷ *Ameritech Operating Companies, Tariff FCC No. 2, Transmittal No. 1328, Nevada Bell Telephone Company, FCC Tariff No. 1, Transmittal No. 28, Pacific Bell Telephone Company, FCC Tariff No. 1, Transmittal No. 937, Southern New England Telephone Company, Tariff FCC No. 39, Transmittal No. 783, Southwestern Bell Telephone Company, FCC Tariff No. 73, Transmittal No. 2926*, filed January 13, 2003.

4. ACCORDINGLY, IT IS ORDERED that, pursuant to section 204 of the Communications Act of 1934, as amended, 47 U.S.C. § 204, the investigation of Ameritech Operating Companies, Tariff FCC No. 2, Transmittal No. 1312, Nevada Bell Telephone Company, FCC Tariff No. 1, Transmittal No. 20, Pacific Bell Telephone Company, FCC Tariff No. 1, Transmittal No. 77, Southern New England Telephone Company, Tariff FCC No. 39, Transmittal No. 772, Southwestern Bell Telephone Company, FCC Tariff No. 73, Transmittal No. 2906, imposed in DA 02-2039, WC Docket No. 02-319, IS TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary