
BellSouth Interconnection Services

675 West Peachtree Street
Atlanta, Georgia 30375

**Carrier Notification
SN91085163**

Date: October 11, 2005

To: Wireless Service Providers (WSP)

Subject: WSPs – (Tariff, Provisioning and Product/Service) – Clarification for the Selection of Services in the BellSouth State Tariffs or the BellSouth Tariff FCC No. 1

This notification shall serve to clarify the criteria for Wireless Service Providers (WSPs) to order a service that will be utilized for both interstate and intrastate traffic. There has been some confusion as to how a WSP is to determine whether a service should be purchased pursuant to the General Services Subscriber Tariff (GSST), Private Line (B Tariff), State Access Services (E Tariff) or pursuant to the BellSouth Tariff FCC No. 1.

The WSP's choice of tariff is dependent upon the mix of traffic to be transported over the service ordered. Services intended to transport 10% or less interstate traffic should be ordered from the state tariff. The following supports this position:

1. The FCC has established rules to ensure that wireless carriers obtain service from the proper tariffs. In MTS and WATS Market Structure Amendment of Part 36 of the Commission's Rules and Establishment of a Joint Board, 4 FCC Rcd 5660 (1989), the Commission adopted the recommended decision of the Federal-State Joint Board regarding the determination of jurisdiction and cost allocation of mixed used private line/special access service.
2. The Joint Board recommended that any mixed-use line carrying 10% or less interstate traffic would be jurisdictionally intrastate because the interstate use is de minimus.
3. The Joint Board recommended that customer certification would be the basis of determining whether the service requested was intrastate or interstate in jurisdiction.

Further, non-switched services that cross a state boundary must be ordered from the BellSouth Tariff FCC No. 1.

BellSouth maintains two automated ordering systems for wireless carriers; 1) the Wireless Ordering System (WOS), for services purchased from the GSST A and Private Line B Tariffs, and 2) the Common Access Front End (CAFÉ) system, for services ordered from the State Access tariff or the BellSouth Tariff FCC No 1. Additionally, customers can place orders for access service via Electronic Access Ordering (EAO), which offers a direct systems interface into the BellSouth ordering system.

The automated Access ordering systems require the "percent of interstate usage" to be specified on the order. If the specified percent interstate usage will be more than 10%, the order will be provisioned from the BellSouth Tariff FCC No. 1.

BellSouth® SMARTRing® service ordered pursuant to the FCC Tariff is not available through the automated ordering systems. BellSouth will process the order in the appropriate jurisdiction based on intended usage, as stated by the WSP on the term agreement provided to the BellSouth account team.

The WOS may only be used for services purchased from the GSST A and Private Line B Tariffs. Thus, an order that is submitted through WOS reflects that the usage will be 90% or greater intrastate. A Letter of Election will be required for services such as BellSouth® SMARTRing® or BellSouth® LightGate® that are ordered from the GSST A or Private Line B Tariffs. These services are currently ordered through the BellSouth account team when the WSP is not using the WOS automated ordering system. By signing the Letter of Election, the WSP is certifying that the usage will be 10% or less interstate. A copy of the Letter of Election may be obtained from and returned to the BellSouth account team.

BellSouth provides forms for ordering services from the GSST A or Private Line B Tariffs, including services that qualify for projects. The use of these forms reflects a jurisdiction choice that the usage will be 90% or greater intrastate.

Please contact your BellSouth account team representative with any questions.

Sincerely,

ORIGINAL SIGNED BY KRISTEN E. SHORE

Kristen E. Shore - Director
BellSouth Interconnection Services