

ISSUE DATE: June 7, 1995

DOCKET NOS. P-999/CI-93-1176
P-999/CI-87-697

ORDER EXTENDING DEADLINE FOR PROVIDING EQUAL ACCESS

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

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| Don Storm | Chair |
| Tom Burton | Commissioner |
| Joel Jacobs | Commissioner |
| Marshall Johnson | Commissioner |
| Dee Knaak | Commissioner |

In the Matter of a Commission Initiated
Investigation to Establish Requirements for the
Telecommunications Infrastructure in
Minnesota

ISSUE DATE: June 7, 1995

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In the Matter of an Investigation into
IntraLATA Equal Access and Presubscription

ORDER EXTENDING DEADLINE FOR
PROVIDING EQUAL ACCESS

PROCEDURAL HISTORY

On May 19, 1994, the Commission issued an Order in Docket No. P-999/CI-93-1176 requiring all local exchange companies (LECs) to provide *interLATA* equal access no later than January 1, 1997.

On July 21, 1994, the Commission issued an Order in Docket No. P-999/CI-87-697 requiring all LECs to provide *intraLATA* 1+ equal access by January 1, 1997 or within 18 months of receipt of a bona fide request (BFR) for the service from an interexchange carrier (IXC).

On September 26, 1994, Century Telephone Company (Century) of Chester filed a request for a waiver of the January 1, 1997 date for providing *interLATA* and *intraLATA* equal access.

On November 17, 1994, the Department of Public Service (the Department) filed its comments in response to Century's request for a waiver of the requirement regarding *interLATA* equal access.

On December 14, 1994, MCI and AT&T filed their comments in response to Century's request for waiver of the deadline for providing *intraLATA* 1+ equal access.

On January 17, 1995 Century filed comments in response to the Department's recommendations.

On May 25, 1995, the Commission met to consider this matter.

FINDINGS AND CONCLUSIONS

A. Arguments of the Parties

In support of its request for waiver of the January 1, 1997 deadline for providing equal access to IXCs for its customers in its Chester exchange, Century argued that the costs involved, which would have to be absorbed by only 223 customers, would far outweigh any savings due to the benefit of equal access. The Company explained that it serves only 45 Minnesota and 178 Iowa customers through its Chester, Iowa exchange. The switch serving the exchange is a Northern Telecom DMS-10M with a release of 2.08, which is incapable of providing interLATA and intraLATA equal access without an upgrade of software and hardware. Century Telephone of Chester has estimated it would cost \$179,000 to upgrade the software to provide equal access, or \$219,000 to replace the existing switch plus a reserve deficiency of \$89,491.

In lieu of meeting the January 1, 1997 deadline, the Company proposed that it monitor the equal access requirements for the State of Iowa and, if feasible, comply with those requirements.

Neither of the IXCs who filed comments (MCI and AT&T) objected to Century Telephone of Chester's request.

The Department did object, however. The Department argued that the Commission's desire to provide 1+ choice to all Minnesota customers should not be thwarted simply because the central office serving some customers is located in another state. The Department recommended that Century Telephone of Chester be required to supply autodialers or free speed-dialing service to each of its Minnesota customers so that the Minnesota customers can reach any IXC by dialing only one or two digits.

In response to the Department's recommendation that the company provide autodialers to its Minnesota customers, Century Telephone of Chester indicated that autodialers are not flexible in dialing and may not be reliable compared to equal access.

B. Commission Analysis and Action

The Commission finds that Century's arguments have merit. The costs to the Company, and in turn its customers, would be prohibitive to provide equal access today. In addition, autodialers and speed-dialing service are at best poor substitutes for real equal access. These half-way measures will not be required at this time.

Equal access opportunities for all Minnesota customers remains a goal for the Commission, however. Therefore, the Commission will not totally waive the Company's obligation to its Chester customers in that regard. Instead, the Commission will simply grant a time extension with respect to interLATA and intraLATA equal access for those customers and require that the Company provide these services at the time the switch serving the Chester exchange is replaced

or when required by the Iowa Utilities Board, whichever is earlier.

In the meantime, the Company will be required to report annually on the status of equal access for the Minnesota customers served out of the Chester exchange, beginning one year from the issue date of the Commission's Order granting the extension.

ORDER

1. Century Telephone Company (Century or the Company) is hereby granted a time extension, beyond the January 1, 1997 deadline, with respect to the provision of interLATA and intraLATA equal access service to its customers in the Chester exchange.
2. Century shall provide these services at the time the switch serving the Chester exchange is replaced or when required by the Iowa Utilities Board, whichever is earlier.
3. Century shall report annually on the status of equal access for the Minnesota customers served out of the Chester exchange, beginning one year from the issue date of this Order.
4. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar
Executive Secretary

(S E A L)