

LEVEL 3 - SBC 13State – DPL – CHC

Iss. No.	Petition Issue	Issue Description	Disputed Contract Language	Level 3 Position/Support	SBC Position/Support
CHC 1 (§§ 3., 3.2)		Whether the prices for Coordinated Hot Cuts should be based on forward looking economic costs approved by the Commission?	<p>3.1 CHC is a time sensitive labor operation. Total charges are <u>TELRIC rates approved by the Commission and appended hereto. determined by a number of factors including the volume of lines, day of the week, and the time of day requested for the cut over.</u></p> <p>3.2 When CLEC orders CHC service, SBC-13STATE shall charge and <u>LEVEL 3</u> agrees to pay for CHC service <u>the TELRIC rates established by the relevant Commission. at the "additional labor" or "Time and Material" rates set forth in the following applicable Tariffs or Appendix Pricing, Schedule of Prices.</u></p> <p>3.2.1 <u>SBC MIDWEST REGION 5-STATE - FCC No. 2 Access Services Tariff, Section 13.2.6 (c) FN 1 [See below.]</u></p> <p>3.2.2 <u>SBC NEVADA – PUCN, Section C13A, 13.2.6(c)</u></p> <p>3.2.3 <u>SBC CALIFORNIA – Access Tariff 175-T, Section 13.2.6(c)</u></p> <p>3.2.4 <u>SBC SOUTHWEST REGION 5-STATE – Appendix Pricing, Schedule of Prices, "Time and Materials Charges"</u></p> <p>3.2.5 <u>SBC CONNECTICUT – Connecticut Access Service Tariff, Section 18.1(3))</u></p> <p><i>FN 1: <u>SBC-13STATE</u> will not charge the additional labor rate in a particular state in the <u>SBC MIDWEST 5-STATE</u> region until the effective non-recurring dockets: IL - 98-0396, IN - Cause 40611-S1, MI - U-11831, OH - 96-922-TP-UNC, and WI - 6720-TI-120, are superceded by that state's commission order approving new non-recurring UNE rates.</i></p>	<p>Level 3 believes that Coordinated Hot Cut services should be rated at the TELRIC rate of the associated service. SBC's proposal would have the Commission adopt some nebulous quasi-formula that would result in inconsistent charges varying by day, carrier and lines.</p> <p>These TELRIC rates should be based on the forward looking economic costs approved and adopted by the state commission.</p>	<p>The cost associated with the provisioning of unbundled loops – included the cost of performing a hot cut – are covered by TELRIC-based rates as required for the provision of UNE elements. In addition to the work activities required to actually provision the loop (including the performance of a hot cut), SBC also allows CLECs to request that SBC provide <i>optional</i> coordination of the hot cut activity. This coordination is not necessary for the provision of the loop, but is offered to CLECs upon request. The time-sensitive charge that SBC proposes apply only to the time associated with the actual coordination. (The time sensitive CHC charge does not apply to any of the time associated with the actual provisioning of the UNE.) SBC's proposed language should be adopted, because the coordination to which the charges apply is an optional offering, and the charges are for the time-sensitive labor that the coordination entails.</p>