

BELLSOUTH TELECOMMUNICATIONS, INC.  
COMPARABLY EFFICIENT INTERCONNECTION PLAN  
FOR INTERNET ACCESS SERVICES

I. Introduction

BellSouth Telecommunications, Inc. (“BellSouth”), hereby posts this Comparably Efficient Interconnection Plan for Internet Access Services pursuant to the Commission’s *CEI Plan Order*.<sup>1</sup> In that *Order*, the Commission eliminated the requirement that Bell Operating Companies (“BOCs”) file and obtain pre-approval of CEI plans prior to offering enhanced services. Instead, the Commission now permits BOCs to provide enhanced services upon the posting of a CEI plan on the BOC’s publicly accessible website.

To date, BellSouth has offered internet access and related services pursuant to existing, previously approved CEI plans and amendments.<sup>2</sup> In the *CEI Plan Order*, however, the Commission noted the importance to ISPs of the availability of information related to a BOC’s particular enhanced service activities in a single document. Accordingly, consistent with the spirit of that observation, the purpose of this posting is to consolidate under one CEI Plan the internet access and related services that BellSouth has offered pursuant to existing CEI plans or that BellSouth may offer in the future. Similarly, this plan consolidates in one document all the

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<sup>1</sup> *Computer III Further Remand Proceedings: Bell Operating Company Provision of Enhanced Services, 1998 Biennial Review – Review of Computer III and ONA Safeguards and Requirements*, CC Docket Nos. 95-20, 98-10, *Report and Order*, rel. March 10, 1999 (“*CEI Plan Order*”).

<sup>2</sup> BellSouth’s internet access and related services presently are provided pursuant to BellSouth’s previously approved CEI plans for Gateway Services and Synchronous Protocol Processing Services and their respective amendments. Collectively, these plans and amendments address the same enhanced service functions that comprise enhanced internet access service functions. Similarly, these plans and amendments identify all of the underlying basic services used in the provision of BellSouth’s internet access services.

underlying basic services that may be used by BellSouth's internet access services and that will be provided to other ISPs in accordance with the Commission's nine CEI parameters.<sup>3</sup>

## II. Service Description

The Commission required all CEI plans to contain a short general description of the enhanced service activity covered by the plan. This section satisfies that requirement.

The internet access and related services covered by this plan<sup>4</sup> present a robust set of features that provide customers the ability to access and use the worldwide network of networks known as the Internet from many types of terminal devices (CPE), through a wide variety of dial and dedicated access methodologies, for a virtually unlimited number of purposes. BellSouth's internet access and related services include, but are not limited to, the following features, functions and capabilities (which may be offered individually and/or in various packages and combinations of features and functionalities depending upon availability of facilities, market conditions and customer needs):

Browser and other software - Software applications (e.g., Netscape Communicator, Microsoft Internet Explorer) and other tools which provide a way for users to look at and interact with information on the Internet, including "surfing" the World Wide Web (the "Web"), reading and posting to Usenet or other newsgroups, downloading and transferring data files, monitoring network usage, sending e-mails or other messages, etc.

E-mail and other messaging - the storage, retrieval and exchange of various forms of electronic mail and other messaging capabilities, including webmail, newsgroup postings, online chat, instant messaging, and various forms of integrated or unified messaging which utilize the Internet to enable users to organize, integrate and convert between

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<sup>3</sup> See, *Amendment of Section 64.702 of the Commission's Rules and Regulations (Third Computer Inquiry)*, 104 F.C.C.2d 958 (1986) ("*Phase I Order*"), recon., 2 FCC Rcd 3035 (1987) ("*Phase I Recon. Order*") (subsequent history omitted).

<sup>4</sup> For simplicity herein, BellSouth will use the term "internet access services" to refer broadly to the range of internet access and related services described in this section.

various messaging formats and capabilities such as voicemail, fax and e-mail for pickup and delivery through multiple access methods and terminal devices.

Information, content and e-commerce - subject information, including without limitation video, music, image or other data files and other forms of electronic publishing (e.g., news, weather, sports, horoscopes, games, magazines, advertising, directories, etc.), and forums or other mechanisms for purchasing goods and/or services from companies or other Internet users through auctions, exchanges or other e-commerce mechanisms, which content or commerce opportunities may be organized for interest, convenience and useful access into or through gateway, portal or commerce/exchange web sites, channel guides or other content aggregation, distribution and presentation methodologies, and which may be provided by BellSouth or by third parties.

Web, application and other data storage and hosting - the provision of storage space and related equipment, software systems and Internet or intranet connectivity for the purpose of hosting commercial or community Web sites, personal web pages, online backup, Web-enabled electronic commerce applications or other such functionality.

Protocol conversion and network management - Primary and secondary DNS (domain name services) to translate Internet domain names to Internet IP addresses, and multi-protocol routing and data communications procedures which permit computers and applications operating with different protocols to communicate with each other, and permits BellSouth and/or its customers to access the Internet over various forms of dial and dedicated transport, as well as to manage, monitor and operate the servers, routers, transport links, security devices (firewalls, etc.) and other components of IP (Internet protocol) and other networks, including Internets, intranets, extranets and virtual private networks (VPNs).

Although the foregoing summary of BellSouth's internet access and related services is intended to be comprehensive, it represents neither an exhaustive nor exclusive itemization of features that might be offered. Rather, BellSouth anticipates that the scope of its internet access and related services will continue to evolve as technology and market conditions develop.

### III. Comparably Efficient Interconnection

This section of this Plan demonstrates BellSouth's compliance with the nine CEI parameters established in the *Phase I Order*.<sup>5</sup>

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<sup>5</sup> *Phase I Order*, 104 F.C.C.2d at 1039-43.

A. Interface Functionality

The Commission requires BOCs to make available to competing ESPs standardized hardware and software interfaces that are able to support transmission, switching, and signaling functions identical to those utilized in the enhanced service provided by the carrier. Information and technical specifications for such interfaces must be available in accordance with the Commission's network disclosure rules.<sup>6</sup>

BellSouth's internet access services and the internet access services of competing ISPs will access the network through existing standard network interfaces for which information and technical specifications have been made available in accordance with the Commission's network disclosure requirements. If any new basic services are made available to BellSouth's internet access services, they will be made available to other ISPs at the same time, in the same jurisdictions, on the same terms and conditions, and in accordance with the network disclosure rules.

B. Unbundling of Basic Services

As part of its CEI offering, the basic services and basic service functions that underlie the BOC's enhanced service offering must be unbundled from other basic service offerings and associated with a specific rate element in the BOC's tariffs.<sup>7</sup>

All of the basic services and functions that will be used by BellSouth's internet access services are already unbundled from other service offerings and are associated with specific rate elements in BellSouth's tariffs. The following is a list of tariffed services that may be utilized by

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<sup>6</sup> *Phase I Order*, 104 F.C.C.2d at 1039.

<sup>7</sup> *Phase I Order*, 104 F.C.C.2d at 1040.

BellSouth to provide its internet access services or by its customers to access BellSouth's internet access services in the same manner as any other ISP or its customers:<sup>8</sup>

Service	Tariff References
800 Service	General Subscriber Service Tariff, Section A19 Access Service, Section E6 Access Service, FCC No. 1, Section 6
Asynchronous Transfer Mode (ATM) Service	General Subscriber Service Tariff, Section A40 Access Services, Section E21 Access Service, FCC No. 1, Section 21
Basic Local Exchange Service	General Subscriber Service Tariff, Section A3
BellSouth ADSL Service	Access Service, FCC No. 1, Section 7
BellSouth® Remote Access Service	General Subscriber Service Tariff, Section A47 Access Service – Section E6 Access Service, FCC No. 1, Section 6
Call Detail Information	General Subscriber Service Tariff, Section A13 Access Service, Section E6
Call Forwarding Busy Line	General Subscriber Service Tariff, Section A13
Call Forwarding Busy Line Multipath	General Subscriber Service Tariff, Section A13
Call Forwarding Don't Answer	General Subscriber Service Tariff, Section A13
Call Forwarding Don't Answer Multipath	General Subscriber Service Tariff, Section A13
Call Forwarding Variable	General Subscriber Service Tariff, Section A13

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<sup>8</sup> Current tariffs for all of these services may be found at BellSouth's tariff web page at <<http://cpr.bst.bellsouth.com/index2.html>>.

Call Forwarding Variable Multipath or Remote Access - Call Forwarding Variable Multipath	General Subscriber Service Tariff, Section A13
Call Transfer on DID	General Subscriber Service Tariff, Section A12
Closed User Groups - Packet	General Subscriber Service Tariff, Section A29 Access Service, FCC No. 1, Section 7
Data Transport Access Channel Service	General Subscriber Service Tariff, Section A29
Derived Data Channel Service	General Subscriber Tariff Service, Section A29 Access Service, Section E7 Access Service, FCC No. 1, Section 7
Direct Call – Packet	General Subscriber Service Tariff, Section A29 Access Service, FCC No. 1, Section 7
Direct Inward Dialing Service	General Subscriber Service Tariff, Section A12 Access Service, Section E6 Access Service, FCC No. 1, Section 6
Fast Select Acceptance – Packet	General Subscriber Service Tariff, Section A29 Access Service, FCC No. 1, Section 7
Flexible Call Forwarding	General Subscriber Service Tariff, Section A13
FlexServ® Service	General Subscriber Service Tariff, Section A32 Access Service, Section E7 Access Service, FCC No. 1, Section 7
Frame Relay Service	General Subscriber Service Tariff, Section A40 Access Service, Section E21 Access Service, FCC No. 1, Section 21
Hunt Groups – Packet	General Subscriber Service Tariff, Section A29 Access Service, FCC No. 1, Section 7
Integrated Services Digital Network (ISDN)	General Subscriber Services Tariff, Section A42

Interoffice Channels	Private Line Services Tariff, Section B3 Access Service, Section E7 Access Service, FCC No. 1, Section 7
Inter-switch Simplified Message Desk Interface (I-SMDI)	General Subscriber Service Tariff, Section A13 Access Service, FCC No. 1, Section 6
LightGate® Service	Private Line Services Tariff, Section B7 Access Service, Section E7 Access Service, FCC No. 1, Section 7
Local Channels	Private Line Services Tariff, Section B3 Access Service, Section E7 Access Service, FCC No. 1, Section 7
Megalink® Channel Service	Private Line Services Tariff, Section B7
Megalink® Service (High Capacity DS1 Service)	Private Line Services Tariff, Section B7 Access Service, Section E7 Access Service, FCC No. 1, Section 7
Message Waiting Indication	General Subscriber Service Tariff, Section A13
Multiline Hunt Group	General Subscriber Service Tariff, Section A13 Access Service, Section E6 Access Service, FCC No. 1, Section 6
Native Mode LAN Interconnection	General Subscriber Service Tariff, Section A40
Pulselink® Public Packet Switching Network Service	General Subscriber Service Tariff, Section A29 Access Service, FCC No. 1, Section 7
Remote Access - Call Forwarding Variable	General Subscriber Service Tariff, Section A13
RingMaster® Service	General Subscriber Service Tariff, Section A13
Simplified Message Desk Interface (SMDI)	General Subscriber Service Tariff, Section A13 Access Service, Section E6 Access Service, FCC No. 1, Section 6
SMARTPath® Service	Private Line Services Tariff, Section B7 Access Service, Section E7 Access Service, FCC No. 1, Section 7

SMARTRing® Service	Private Line Services Tariff, Section B7 Access Service, Section E7 Access Service, FCC No. 1, Section 7
Star 98 Access	General Subscriber Service Tariff, Section A13
Surrogate Client Number	General Subscriber Service Tariff, Section A13 Access Service, Section E6 Access Service, FCC No. 1, Section 6
Synchronet® Service (Digital Data Service)	Private Line Service Tariff, Section B7 Access Service Tariff, Section E7 Access Service, FCC No. 1, Section 7
Uniform Access Numbers for Business Lines	General Subscriber Service Tariff, Section A13
X.25 Interface to Packet Switch	General Subscriber Service Tariff, Section A29 Access Service, FCC No. 1, Section 7
X.75 Interface to Packet Switch	General Subscriber Service Tariff, Section A29 Access Service, FCC No. 1, Section 7

BellSouth may amend this plan from time to time to add additional basic services to this list in accordance with the *CEI Plan Order*.

C. Resale

This parameter requires the carrier's enhanced service operation to take the basic services used in its enhanced service offerings at their unbundled tariffed rates.<sup>9</sup>

BellSouth meets this requirement because its internet access operations will take all underlying basic services from the same tariffs and subject to the same terms and conditions available to other ISPs. As noted in the *Phase I Order*, this parameter is satisfied through appropriate accounting techniques.<sup>10</sup>

D. Technical Characteristics

Pursuant to this parameter, the technical characteristics of the basic services provided by BellSouth to other ISPs must be equal to those used by BellSouth's own internet access services.<sup>11</sup>

As noted above, BellSouth will order the basic services utilized in its internet access services from the same tariffs as do other ISPs. BellSouth's previously approved nondiscriminatory circuit assignment and installation procedures will ensure that there can be no systematic discrimination in circuit assignment based upon identity of the customer or the intended use. Additionally, BellSouth files annual affidavits attesting that its procedures have been followed and, consequentially, that no discrimination has occurred. Accordingly, this parameter is satisfied.

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<sup>9</sup> *Phase I Order*, 104 F.C.C.2d at 1040.

<sup>10</sup> *Phase I Order*, 104 F.C.C.2d at n. 218.

<sup>11</sup> *Phase I Order*, 104 F.C.C.2d at 1041.

E. Installation Maintenance and Repair

The Commission further requires the time periods for installation, maintenance, and repair of the basic services underlying the carrier's enhanced service to be the same as those the carrier provides to competing ESPs.<sup>12</sup>

BellSouth's internal procedures for installing, maintaining and repairing all of its basic services are sufficiently mechanized that discrimination against any customers or type of customer in the performance of these functions is prevented. BellSouth detailed these procedures in its original ONA Plan (CC Docket No. 88-2) and the Commission approved them in the *BOC ONA Order*.<sup>13</sup> This parameter is therefore satisfied.

F. End User Access

Pursuant to this parameter, if a carrier offers end users the ability to use abbreviated dialing or signaling to activate or access the carrier's enhanced service, the carrier must provide the same capabilities to end users of competing ESPs. Similarly, end users must have equal opportunities to access basic facilities through derived channels whether they use the enhanced services of the carrier or of a competitor.<sup>14</sup>

End users will access BellSouth's internet access services via the same tariffed services that end users can use to access the services of competing ESPs. No abbreviated dialing, signaling arrangements, or derived channel capabilities are uniquely associated with BellSouth's internet access services. Thus, this parameter is also satisfied.

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<sup>12</sup> *Phase I Order*, 104 F.C.C.2d at 1041.

<sup>13</sup> *Filing and Review of Open Network Architecture Plans*, CC Docket No. 88-2 Phase I, *Memorandum Opinion and Order*, 4 FCC Rcd 1, ¶ 467-73 (1988) ("*BOC ONA Order*").

<sup>14</sup> *Phase I Order*, 104 F.C.C.2d at 1041.

G. CEI Availability

With this parameter, the Commission requires carriers to make the basic services underlying their enhanced service offerings available to competing ESPs in the same location and on the same dates for other ESPs as for themselves. BOCs also must provide other ESPs reasonable testing opportunities for new basic services used by the BOC's enhanced service.<sup>15</sup>

Because BellSouth's internet access services will obtain underlying basic services pursuant to the same tariffs as other ESPs, BellSouth will have access to those underlying services only at the same time and in the same locations as those underlying services are available to other ESPs. Further, consistent with the *CEI Plan Order*, if BellSouth introduces a new basic service that is to be used by BellSouth's internet access services, BellSouth will make testing capability for the new service available to competing ESPs no later than simultaneously with BellSouth's posting an amendment to this plan and initiating use of the new service.<sup>16</sup>

Accordingly, the conditions of this parameter are met.

H. Minimization of Transport Costs

This parameter requires carriers to work to minimize the difference in transmission costs incurred by a BOC's collocated enhanced service and a competitor's non-collocated enhanced service.<sup>17</sup> In the *BOC ONA Order*, the Commission established that this parameter can be met if the BOC charges its own collocated enhanced service an access link rate that is the same as that paid by a non-collocating ESP. For distance sensitive transmission rates, however, the BOC

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<sup>15</sup> *Phase I Order*, 104 F.C.C.2d at 1041.

<sup>16</sup> *CEI Plan Order* at ¶ 20.

<sup>17</sup> *Phase I Order*, 124 F.C.C.2d at 1042.

must charge its own collocated enhanced service no less than it would charge an ESP located two miles from that central office.<sup>18</sup>

BellSouth will comply with this parameter by charging its internet access services for access links to any collocated enhanced service equipment as if such equipment were located two miles from that central office. This parameter is thereby satisfied.

I. Availability to All Interested ESPs

The final CEI parameter requires carriers not to restrict the availability of CEI to any particular class of customer or enhanced service competitor.<sup>19</sup>

This parameter ensures that all ISPs have the same opportunity to avail themselves of the underlying basic services and, further, that a BOC does not engage in anticompetitive teaming with one competitive ISP and against others.<sup>20</sup>

BellSouth affirms that the underlying basic services used with BellSouth's internet access services will not be limited to any class of customer or enhanced service competitor. All such services are available on a tariffed basis and accessible by all users for any lawful purpose. If any new arrangements are to be made available for BellSouth's internet access service, they will be made available to all other ESPs at the same time, in the same jurisdiction, and on the same terms and conditions. Accordingly, this final parameter is also satisfied.

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<sup>18</sup> *BOC ONA Order*, 4 FCC Rcd at 78, 86-7.

<sup>19</sup> *Phase I Order*, 104 F.C.C.2d at 1042.

<sup>20</sup> *CEI Plan Order* at ¶ 13.

#### IV. Other Non-Structural Safeguards

##### A. Allocation of Joint and Common Costs

The nonstructural safeguards adopted in the *Computer III* proceeding include the Commission's Part 64 rules for the allocation of costs between regulated and nonregulated activities. These rules were first developed in the *Joint Cost Proceeding*<sup>21</sup> and later strengthened in the *Computer III Remand* proceeding.<sup>22</sup> BellSouth will comply with these rules and with BellSouth's Cost Allocation Manual as it may be amended from time to time and approved by the Commission.

##### B. Nondiscrimination Reporting

BellSouth will continue to abide by the Commission's existing nondiscrimination reporting rules which require BOCs to file quarterly installation and maintenance and nondiscrimination reports. Basic services associated with BellSouth's internet access services will be aggregated with other BellSouth services offered pursuant to CEI plans, and a single report will be filed for all such services.

##### C. Disclosure of Network Information

BellSouth confirms that interconnection between basic services used by BellSouth's own internet access services or by those of another provider will be achieved through published network interfaces. If BellSouth changes any existing network interface specifications or uses

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<sup>21</sup> *Separation of Costs of Regulated Telephone Service from Costs of Nonregulated Activities, Report and Order*, 2 FCC Rcd 1298 (1987), *modified on recon.*, 2 FCC Rcd 6283 (1987).

<sup>22</sup> *Computer III Remand Proceedings: Bell Operating Company Safeguards and Tier I Local Exchange Company Safeguards*, 6 FCC Rcd 7571 (1991), *vacated in part and remanded*, *California v. FCC*, 39 F.3d 919 (9<sup>th</sup> Cir. 1994).

new interface specifications for basic underlying services, it will comply with the Commission's network disclosure rules.<sup>23</sup>

D. Customer Proprietary Network Information

BellSouth will comply with Section 222 of the Communications Act of 1934 and any Commission rules that may be adopted.

V. Conclusion

BellSouth's CEI Plan for Internet Access Services is in compliance with the Commission's CEI requirements and is hereby posted on BellSouth's publicly accessible website.

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<sup>23</sup> See 47 C.F.R. §§ 51.325-.355.