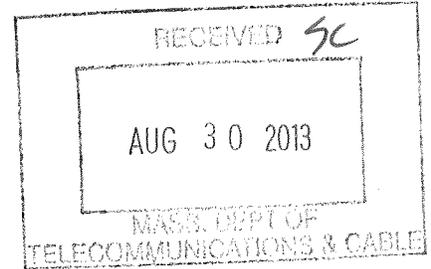




Nancy J. Hertel  
General Attorney

**Legal Department**  
225 West Randolph Street  
Floor 25D  
Chicago, Illinois 60606  
Phone: (312) 727-4517  
Fax: (312) 727-1225  
[nancy.j.hertel@att.com](mailto:nancy.j.hertel@att.com)

**VIA OVERNIGHT AND ELECTRONIC MAIL**



August 30, 2013

Ms. Catrice Williams  
Secretary  
Massachusetts Department of Telecommunications and Cable  
1000 Washington Street  
8<sup>th</sup> Floor  
Suite 820  
Boston, Massachusetts 02118-6500

Re: ICC Reform Inquiry—D.T.C. 13-7

Dear Ms. Williams:

Enclosed are an original and four copies of the Reply Comments of AT&T Corp. on the Department of Telecommunications and Cable's Request for Comment and Notice of Technical Workshop.

Please acknowledge receipt of these Comments by date stamping a copy and returning it in the enclosed self-addressed stamped envelope.

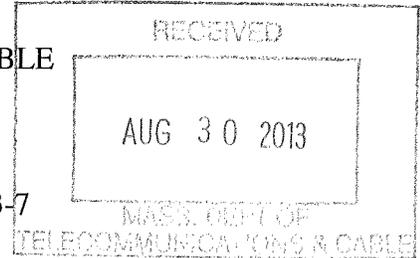
If you have any questions regarding the filing, please call me.

Sincerely yours,

Nancy J. Hertel

Enclosures

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE



Inquiry by the Department on its Own Motion into )  
the Intrastate Intercarrier Compensation Rate Reductions )  
Mandated by the Federal Communications Commission )

D.T.C. 13-7

REPLY COMMENTS OF AT&T CORP. ON THE DEPARTMENT OF  
TELECOMMUNICATIONS AND CABLE'S REQUEST FOR  
COMMENT AND NOTICE OF TECHNICAL WORKSHOP

AT&T Corp. ("AT&T") submits these reply comments in response to the schedule set forth in the Request for Comment and Notice of Technical Workshop issued by the Department of Telecommunications and Cable ("Department") on June 24, 2013. AT&T submitted earlier comments on July 30, 2013 and also attended the Technical Conference on August 15, 2013.

One of the issues addressed at the Technical Conference was the Department's current practice of not permitting references to outside documents, including interstate tariffs, in carriers' intrastate tariffs. As indicated in its July 30 Comments, AT&T's position is that the Department should modify its current practice and instead permit carriers to reference their interstate tariffs.

AT&T is unaware of any legal reason why permitting references to interstate tariffs in Massachusetts intrastate tariffs would be impermissible under Massachusetts law, including M.G.L. c.159, § 19. In fact, many states with tariffing requirements permit carriers to reference their interstate tariffs in their intrastate tariffs. It is also consistent with the public interest to permit references to the interstate tariffs, because the intrastate tariff references the interstate tariff, which is readily available to any interested party.

Permitting references to interstate tariffs would alleviate the necessity of making additional intrastate filings each time a carrier makes a change to its interstate tariff and is thus less burdensome for carriers.

In addition, the references to interstate tariffs would provide the best assurance of compliance and intrastate/interstate synchronization of effective dates of the implementation of the *ICC Transformation Order*. For example, the effective dates required for terminating access rate reductions for Step 1 and Step 2 of the FCC's original *ICC Transformation Order* changed in subsequent FCC orders, from July 1, 2012 and July 1, 2013 in the original order to July 3, 2012 and July 2, 2013, respectively.<sup>1</sup> These date changes for the past two filing steps highlight the importance of efficiently synchronizing effective dates for interstate/intrastate access tariff changes to ensure compliance. If the intrastate tariff references the interstate tariff, these date changes and resulting lack of synchronicity between the two tariffs will not become problematic.

AT&T suggested in its July 30 comments that even if the Department does not want to change its general practice that outside documents may not be referenced in the Massachusetts tariffs, it could make an exception for intrastate access tariff filings that, beginning in Step 2 are required to maintain parity in rate levels and rate structure with the interstate terminating access tariff under the

---

<sup>1</sup> See 47CFR § 51.909(b) and § 51.905(b). See also *July 3, 2012 Annual Access Charge Tariff Filings*, WCB/Pricing No. 12-07, Order, 27 FCC Rcd 2981, 2982, para. 3 (Pric. Pol. Div. 2012) (*2012 Annual Access Tariff Procedures Order*) and FCC Order released on March 26, 2013, *In the Matter of July 2, 2013 Annual Access Charge Tariff Filings*, WC Docket No. 13-76, DA 13-553 page 2.

*ICC Transformation Order*<sup>2</sup>. Under this approach, there would be no need for multiple Massachusetts rate filings. Rather, the new rates would go into effect on the dates specified in the interstate tariff as required by the implementation of the *ICC Transformation Order's* terminating access reductions.

Respectfully submitted,

  
Nancy J. Hertel

Dated: August 30, 2013

Nancy J. Hertel  
AT&T Legal Department  
225 West Randolph Street  
25C  
Chicago, Illinois 60606  
312/727-4517  
[nancy.j.hertel@att.com](mailto:nancy.j.hertel@att.com)

---

<sup>2</sup> See 47 CFR § 51.907(c)(1) and § 51.909(c)(1), which states in part that: “Transitional Intrastate Access Service rates shall be no higher than the Price Cap Carrier’s interstate access rates. Once the Price Cap Carrier’s Transitional Intrastate Access Service rates are equal to its functionally equivalent interstate access rates, **they shall be subject to the same rate structure and all subsequent rate and rate structure modifications.** [emphasis added].”