

SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

WASHINGTON OFFICE
3000 K STREET, NW, SUITE 300
WASHINGTON, DC 20007-5116
TELEPHONE (202) 424-7500
FACSIMILE (202) 424-7647

NEW YORK OFFICE
919 THIRD AVENUE
NEW YORK, NY 10022-9998
TELEPHONE (212) 758-9500
FACSIMILE (212) 758-9526

June 9, 1999

VIA FACSIMILE AND OVERNIGHT DELIVERY

K. David Waddell, Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243

RECEIVED
EXEC. SECRETARY OFF.

JUN 10 1999

TN REGULATORY AUTHORITY


Re: **Docket No. 98-00732 (filed October 19, 1999):** Application of Hyperion Communications of Tennessee, L.P. for a Certificate of Convenience and Necessity to Provide Facilities-Based and Resold Local Exchange and Resold Interexchange Telecommunications Services Throughout the State of Tennessee - **IntraLATA Toll Dialing Parity Plan**

Dear Mr. Waddell:

Following discussions with Mr. Carsie Mundie and Mr. David Hood of the Authority's staff, please find enclosed on behalf of Hyperion Communications of Tennessee, L.P. ("HCT") an original and thirteen (13) copies of HCT's revised Toll Dialing Parity Plan.

Please date-stamp the extra copy of this filing and return it to us in the self-addressed, prepaid envelope enclosed herein. Should you have any questions on this matter, please do not hesitate to contact us or Ron Del Sesto at (202) 945-6923.

Respectfully submitted,

for

Dana Frix
Kemal Hawa

Counsel for Hyperion Communications of
Tennessee, Inc.

Enclosures

cc: Ron Del Sesto

HYPERION COMMUNICATIONS OF TENNESSEE, INC.

INTRALATA TOLL DIALING PARITY PLAN

INTRODUCTION

Hyperion Communications of Tennessee, L.P. ("HCT") has implemented the following processes which are designed to give end user customers the opportunity to designate a carrier for their intraLATA toll call traffic in those market areas where HCT is a facilities-based local exchange service provider. IntraLATA toll calls will automatically be directed to the designated carrier without the customer having to dial an access code.

HCT will comply with all pertinent Federal Communications Commission ("FCC") and Tennessee Regulatory Authority ("Authority") rules with regard to the provision of intraLATA toll dialing parity. HCT intends to implement its intraLATA toll dialing parity plan no later than thirty (30) days following the Authority's approval of HCT's dialing parity plan or July 22, 1999, whichever is earlier. HCT will provide intraLATA toll dialing parity within all the exchanges in which it provides local exchange telecommunications services in the State of Tennessee. HCT's will associate with all the LATAs in which provides local exchange telecommunications services in the State of Tennessee. Sixty (60) days prior to providing service in Tennessee, HCT will identify all the exchanges in which it will provide intraLATA toll dialing parity and HCT will identify all the LATAs it plans to associate with in Tennessee.

POLICIES

HCT will deploy two-PIC (Primary Interexchange Carrier) technology in its switches enabling customers to pre-subscribe to either the same or two different carriers for their intraLATA and interLATA service.

Appropriate tariffs will be revised and filed in accordance with this plan.

HCT will offer customers the ability to access all participating carriers by dialing the appropriate access code (10XXX/101XXX).

All eligible HCT end user telephone line numbers will be pre-subscribed and have a PIC associated with them. *See second paragraph of Pre-Subscription Information.*

In the event that HCT offers operator service and/or directory assistance, it will offer such services in a nondiscriminatory manner. HCT will provide access to telephone numbers and directory listings upon demand and in a nondiscriminatory manner.

CARRIER INFORMATION

Interexchange carriers will have the option of offering intraLATA service only or intraLATA and interLATA service.

Interexchange carriers will have the option of participating in all market areas or in a specific market area.

Interexchange carriers will be required to return a completed Non-Disclosure Agreement and Participation Agreement(s).

HCT will not participate in billing disputes for intraLATA service between an alternative competing interexchange carrier and its customers.

HCT representatives will not initiate or accept three-way calls from an alternative interexchange carrier in order to discuss pre-subscription.

Carriers wishing to participate will be requested to submit Access Service Requests/Translation Questionnaires to the Access Tandem owner and to HCT.

CALL ELIGIBILITY/TOLL DIALING PLAN

All local service customers of HCT will have calls routed according to the following plan:

If a HCT Customer Dials:	The Call is Handled By/Routed To:
911	PSAP on originating line number
411/555-1212	HCT's Directory Assistance Operator
0-	HCT's Operator
0 + intraexchange number	IntraLATA Toll Provider
1 + 7 or 10 digits	IntraLATA Toll Provider
0 + 7 or 10 digits interexchange number	InterLATA Toll Provider
10XXX or 101XXXX + 0-	XXX/XXXX Carrier
10XXX or 101XXXX + 0 + 7 or 10 digits	XXX/XXXX Carrier
10XXX or 101XXXX + 7 or 10 digits	XXX/XXXX Carrier

If a HCT customer originates a call to an alternative interexchange carrier's Operator by dialing 00-, the call will be routed to the PIC on that customer's line. If the customer originates a call to an alternative interexchange carrier's Operator by dialing an access code (e.g., 10XXX/101XXXX + 0-), the call will be routed to the XXX/XXXX carrier. In both cases, the carrier's switch is responsible for routing this call to the alternative interexchange carrier's Operator or to an announcement.

NETWORK INFORMATION

All originating intraLATA traffic will initially be routed via the incumbent Local Exchange Carrier (LEC) Access Tandem(s). Following conversion, direct trunks between the HCT switch and the interexchange carrier location(s) may be provided when warranted by traffic volume.

Interexchange carriers must have Feature Group D trunks in place (or ordered) between their point of presence and the incumbent LEC Access Tandem(s).

HCT will route all originating intraLATA traffic to the designated carrier and will only block traffic at the request of the end user customer and/or in compliance with regulatory requirements. Requests from carriers to block traffic or to remove customers from their network will not be honored. Calls that cannot be completed to a carrier will be routed to an announcement.

CUSTOMER NOTIFICATION/EDUCATION PROCEDURES

Consistent with the IntraLATA toll dialing parity implementation date, HCT will include an insert in customer bills explaining to Tennessee consumers that they now have a choice of intraLATA toll providers. The insert will also detail procedures for choosing IntraLATA toll providers.

CUSTOMER CONTACT INFORMATION

HCT customer contact representatives will process customer initiated PIC selections to HCT or to an alternative intraLATA carrier. Carriers will have the option of allowing the HCT representative to process PIC requests on their behalf.

HCT will not ballot or allocate its customer base. At the time of conversion, all customers will remain with their existing carrier unless another carrier is chosen by the particular customer.

HCT customer contact representatives will respond to customer inquiries about intraLATA carriers in a competitively neutral fashion. If a customer requests information on alternative carriers other than HCT, a list of participating carriers will be read to that customer in random order by HCT representatives.

If the intraLATA toll carrier selected by the customer permits HCT to process orders on its behalf, HCT will accept the PIC change request. If the customer selects an intraLATA toll carrier that does not allow HCT to process PIC changes on its behalf, HCT will provide the customer with the carrier's toll-free number (if provided by the carrier).

HCT representatives will not discuss alternative carrier rates or services and will not provide customers with Carrier Identification Codes or access code dialing instructions.

PRE-SUBSCRIPTION INFORMATION

In order to recover the costs associated with the implementation of intraLATA toll dialing parity, HCT will impose a PIC change charge on its customers for each eligible line where a PIC change is made. HCT will offer its customers a 90-day grace period following the implementation of this plan during which the customers may change intraLATA carriers without incurring a PIC change charge. Customers can make multiple PIC changes during these 90 days at no charge. After the 90-day period, HCT will assess the \$5.00 PIC change charge for each PIC change made. HCT will offer interexchange carriers the option of having the PIC charge billed to the carrier or directly to the customer.

New line customers, including customers adding lines, will have the opportunity to select a participating carrier, or they will be assigned a NO PIC designation. If a customer cannot decide upon an intraLATA carrier at the time of order, HCT may extend a 30-day period following placement of the customer's service order for the customer to select an intraLATA carrier without charge. Such a customer will be assigned a NO PIC designation in the interim. After this 30-day period, HCT will assess the \$5.00 PIC change charge as described above. Customers assigned a NO PIC designation as set forth in this paragraph will be required to dial an access code to reach an intraLATA carrier's network.

If a HCT customer denies requesting a change in intraLATA toll providers as submitted by an intraLATA carrier, and the intraLATA carrier is unable to produce a Letter of Agency signed by the customer or some other form of verification that is permitted by law, the intraLATA carrier will be assessed a \$30.00 charge for the unauthorized PIC change and the PIC will be changed as per the customer's request. This penalty is in addition to any other penalties authorized by law.

Alternative interexchange carriers may submit PIC changes to HCT via a fax/paper interface.

HCT will process intraLATA PIC selections in the same manner and under the same intervals of time as interLATA PIC changes.

Carriers will be required to submit PIC changes using the Customer Account Record Exchange (CARE) format via paper medium. HCT will provide carriers with PIC order confirmation and reject information using the CARE format. Specific details regarding CARE will be provided to participating carriers.

For customers who change their local service provider from the incumbent LEC to HCT and retain their incumbent LEC telephone number(s), HCT, as part of the CARE PIC process, will provide the selected intraLATA carrier with both the retained (incumbent LEC) telephone number and the HCT telephone number.

Dated: June 9, 1999