

ORIGINAL

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

REC'D TN
REGULATORY AUTH.

'99 APR 22 PM 12 12

OFFICE OF THE
EXECUTIVE SECRETARY
April 20, 1999

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

VIA OVERNIGHT MAIL

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

Re: US LEC of Tennessee Inc.

99-00279

Dear Mr. Waddell:

On behalf of US LEC of Tennessee Inc. ("US LEC"), please find enclosed for filing an original plus one (1) copy of US LEC's IntraLATA Toll Dialing Parity Plan.

Please date-stamp the extra copy of this filing and return it to us in the enclosed self-addressed postage prepaid envelope.

Thank you for your attention to this matter. Should you have any questions or concerns, please do not hesitate to contact us.

Very truly yours,



Russell M. Blau
Kemal M. Hawa
Counsel for US LEC of Tennessee Inc.

Enclosure

cc: Mr. David Zipkin

Spoke to Mr. Blau's
Secy. Will send
pynt.

**US LEC of Tennessee Inc. ("US LEC")
INTRALATA TOLL DIALING PARITY PLAN**

INTRODUCTION

US LEC of Tennessee Inc. ("US LEC") 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 US LEC 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.

POLICIES

US LEC will deploy multiple-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.

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

All eligible US LEC end user telephone line numbers will be pre-subscribed and have a PIC associated with them.

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.

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

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

CALL ELIGIBILITY/TOLL DIALING PLAN

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

If a US LEC Customer Dials:

The Call is Handled
By/Routed To:

911

PSAP on originating line number

411/555-1212

US LEC's Directory Assistance
Operator

0-

US LEC'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 US LEC 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 US LEC 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).

US LEC 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 CONTACT INFORMATION

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

US LEC will not ballot or allocate its customer base. At the time of conversion, all customers will be "PIC'd" to US LEC unless another carrier is chosen by the particular customer.

US LEC customer contact representatives will respond to customer inquiries about intraLATA carriers in a competitively neutral fashion.

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

US LEC 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

A \$5.00 PIC change charge will be incurred and billed to a US LEC customer for each eligible line where a PIC change is made.

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, US LEC 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, US LEC 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 US LEC 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 US LEC via a fax/paper interface.

US LEC 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. US LEC 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 US LEC and retain their incumbent LEC telephone number(s), US LEC, as part of the CARE PIC process, will provide the selected intraLATA carrier with both the retained (incumbent LEC) telephone number and the US LEC telephone number.

Dated: April 20, 1999