

**BEFORE THE TENNESSEE REGULATORY AUTHORITY AT**

**NASHVILLE, TENNESSEE**

April 27, 2000

<b>IN RE:</b>	)	
	)	
<b>PETITION OF YORKVILLE TELEPHONE</b>	)	<b>DOCKET NO. 99-00298</b>
<b>COOPERATIVE, INC. FOR APPROVAL OF AN</b>	)	
<b>INTRALATA TOLL DIALING PARITY PLAN</b>	)	

---

**ORDER APPROVING THE INTRALATA TOLL DIALING PARITY  
IMPLEMENTATION PLAN**

---

This matter came before the Tennessee Regulatory Authority (the "Authority") on March 14, 2000, at a regularly scheduled Authority Conference, to consider the Petition of Yorkville Telephone Cooperative, Inc. ("Yorkville") for approval of its IntraLATA Toll Dialing Parity Implementation Plan ("the Plan").

Section 251(b) of the Telecommunications Act of 1996 ("the Act") requires all Local Exchange Carriers to provide dialing parity.<sup>1</sup> Specifically, section 251 (b)(3) of the Act states, "Dialing Parity - The duty to provide dialing parity to competing providers of telephone exchange service and telephone toll service, and the duty to permit all such providers to have nondiscriminatory access to telephone numbers, operator services, directory assistance, and directory listing, with no unreasonable dialing delays." The Act further states in sections 251(f)(1) and 251(f)(2) that a rural telephone company may file with the state commission for exemption, suspension or modification of the dialing parity requirements.

---

<sup>1</sup> Telecommunications Act of 1996, Pub. L. No. 104-104, (February 8, 1996), codified at 47 U.S.C. §§151 *et seq.*

The Federal Communications Commission ("FCC") initiated a rulemaking on dialing parity on April 19, 1996 and issued its findings in FCC 96-333 Order (Docket 96-98) adopted on August 8, 1996. This Order sets forth the criteria and guidelines for filing of a plan by all carriers. Subsequent to this Order, the United States Court of Appeals for the Eighth Circuit vacated the FCC's rules, as they were applicable to intrastate services.<sup>2</sup> On January 25, 1999, the United States Supreme Court reversed certain portions of the Eighth Circuit's decision including that part of the decision which had stricken the FCC's rules pertaining to dialing parity.<sup>3</sup>

The FCC's original date for implementation, February 8, 1999, was reinstated by the Supreme Court's decision of January 25, 1999. As a result of this reinstatement, the FCC released FCC 99-54 Order (Docket 96-98) on March 23, 1999, which set forth revised implementation dates for dialing parity. This Order establishes April 22, 1999 as the new date by which all Local Exchange Carriers must file an IntraLATA Toll Dialing Parity Plan with State Commissions for approval. The Plan must be implemented within thirty (30) days after approval from the State Commission. Additionally, the Order states that the Plan must be filed with the Common Carrier Bureau of the FCC if the State Commission has not acted on the Plan by June 22, 1999.

Yorkville is a telecommunications company operating under Title 65, Chapter 29 of Tenn. Code Ann. as a cooperative local exchange carrier that provides telecommunications services in Tennessee. Pursuant to 47 C.F.R. § 51.213, Yorkville is required to file a plan with the Authority that provides for implementing intraLATA toll dialing parity in all exchanges served.<sup>4</sup> This plan

---

<sup>2</sup> FCC v. Iowa Utils. Bd., United States Court of Appeals for the Eighth Circuit, July 18, 1997.

<sup>3</sup> AT&T v. Iowa Utils. Bd., 119 S.Ct. 721 (1999).

<sup>4</sup> Under 47 C.F.R. § 51.213, the Federal Communication Commission requires that an IntraLATA toll dialing parity plan contain: (1) a proposal that explains how the local exchange carrier will offer intraLATA toll dialing parity for each exchange that such carrier operates in the state, in accordance with the provisions of this section, and a proposed time schedule for implementation; and (2) a proposal for timely notification to its subscribers and the methods it proposes to use to enable each subscriber to affirmatively select an intraLATA toll service provider. The state commission must approve any such plan prior to implementation.

must allow customers to pre-subscribe to different carriers for local service, intraLATA toll service and interLATA toll service.<sup>5</sup>

Yorkville filed its IntraLATA Toll Dialing Parity Implementation Plan on April 22, 1999. The Plan included a request for modification of the effective date until March 31, 2000. Yorkville's request to delay the implementation of IntraLATA Toll Dialing Parity was due to the additional time required to reconfigure its network. The Directors considered Yorkville's Plan at the June 8, 1999 Authority Conference. The Directors unanimously voted to approve the request for a delay in the implementation of intraLATA toll dialing parity until March 31, 2000. Accordingly, Yorkville Telephone Cooperative, Inc. was ordered to re-file its intraLATA toll dialing parity plan sixty (60) days prior to the approved implementation date of March 31, 2000 and that the Plan shall comply with all applicable sections of FCC Order 96-333.

On January 28, 2000, Yorkville re-filed its IntraLATA Toll Dialing Parity Implementation Plan in this docket. The Plan was amended on March 2, 2000. The amended Plan containing Yorkville's Petition for Approval, is attached hereto as Collective Exhibit A and is fully incorporated herein by this reference.

The Directors considered Yorkville's Plan at the March 14, 2000 Authority Conference and determined that the Plan, as amended, satisfies the requirements set forth by the FCC in Docket 96-98, FCC Order 96-333 and FCC Order 99-54.<sup>6</sup> The Plan provides for a method that enables customers to select alternate providers of telephone toll service; a method which allows customers to choose different carriers for interLATA and intraLATA service; customer notification/education procedures; and includes a cost recovery method based on the incremental cost of implementing the

---

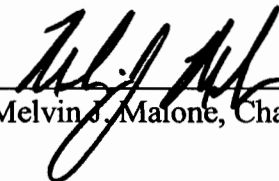
<sup>5</sup> Pre-subscription allows the customer to place a call without dialing an access code.

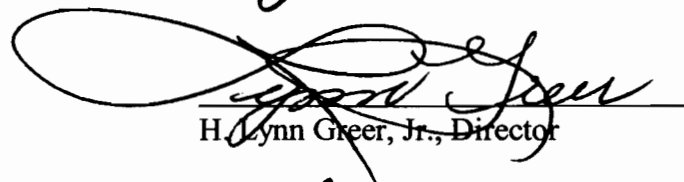
<sup>6</sup> FCC Order 96-333 released August 8, 1996, sets forth the requirements for implementation of IntraLATA Toll Dialing Parity. FCC Order 99-54 released March 23, 1999, extends to June 22, 1999 the deadline for state commissions to act on a LEC's IntraLATA Toll Dialing Parity Plan.

Plan. The Directors voted unanimously to approve Yorkville's Toll Dialing Parity Plan as amended, provided that Yorkville invalidate all previous ballots, as the previous ballots were not competitively neutral. The Directors further required that Yorkville comply with all applicable sections of FCC Order 96-333 upon implementation of intraLATA toll dialing parity.

**IT IS THEREFORE ORDERED THAT:**

1. The amended Plan of Yorkville Telephone Cooperative, Inc., for IntraLATA Toll Dialing Parity Implementation, a copy of which is attached as Collective Exhibit A, is hereby approved and is incorporated in this Order as if fully rewritten herein;
2. Yorkville Telephone Cooperative, Inc. shall invalidate all previous ballots;
3. Yorkville Telephone Cooperative, Inc. shall comply with all applicable sections of FCC Order 96-333 upon implementing intraLATA toll dialing parity; and
4. Any party aggrieved by the Authority's decision in this matter may file a Petition for Reconsideration with the Authority within fifteen (15) days from and after the date of this Order.

  
Melvin J. Malone, Chairman

  
H. Lynn Greer, Jr., Director

  
Sara Kyle, Director

ATTEST:

  
K. David Waddell, Executive Secretary

**BASS, BERRY & SIMS PLC**A PROFESSIONAL LIMITED LIABILITY COMPANY  
ATTORNEYS AT LAWT. G. PAPPAS  
TEL: (615) 742-6242  
FAX: (615) 742-2742  
EMAIL: [tgappas@bassberry.com](mailto:tgappas@bassberry.com)2700 FIRST AMERICAN CENTER  
NASHVILLE, TENNESSEE 37238-2700  
(615) 742-6200KNOXVILLE OFFICE:  
1700 RIVERVIEW TOWER  
KNOXVILLE, TN 37901-1509  
(423) 521-6200MEMPHIS OFFICE:  
119 S. MAIN STREET, SUITE 500  
MEMPHIS, TN 38103  
(901) 312-9100

January 28, 2000

Mr. K. David Waddell  
Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505**RE: Petition of Yorkville Telephone Cooperative, Inc.  
For Approval of An IntraLATA Toll Dialing  
Parity Plan, Docket No. 99-00298**

Dear Mr. Waddell:

As per the Tennessee Regulatory Authority's (the "TRA"), Order of August 24, 1999, we are refileing an original and thirteen (13) copies of the IntraLATA Toll Dialing Parity Implementation Plan (the "Plan") of Yorkville Telephone Cooperative, Inc. As directed, the Plan is being filed sixty (60) days prior to its implementation date of March 31, 2000.

In order to be in compliance with the FCC's rules and regulations and to comply with the TRA's Order of August 24, 1999, the Company:

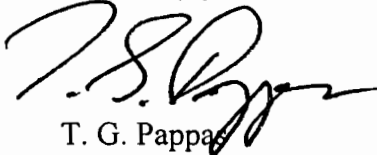
- (a) On September 22, 1999, notified all carriers operating in West Tennessee of the Company's intent to convert to equal access on March 31, 2000. A copy of the Notice, and the persons to whom mailed, is attached hereto marked "A". Also, the carriers were notified that in order to be on the ballot they had to respond by December 2, 1999.

Mr. K. David Waddell  
Page 2  
January 28, 2000

- (b) Notified all of its customers in writing of a Carrier Selection Procedure ("Equal Access Balloting" as outlined in Item IV on Page 2 of the Plan), will be accepted and processed "beginning January 24, 2000, to be effective on the implementation date." A copy of the Notice that was mailed to the customers is attached hereto marked "B".

If you have any questions, do not hesitate to contact me or Mr. W. T. Sims, Manager of the Yorkville Telephone Cooperative, Telephone No. (901)643-6121.

Very truly yours,



T. G. Pappas

TGP/br#2085418

Enclosures

cc: Richard Collier, Esq.  
Mr. Joe Werner  
Mr. Carsie Mundy  
Mr. W. T. Sims  
Thomas J. Moorman, Esq.

March x, 2000

Dear Yorkville Telephone Cooperative Members,

In our effort to comply with recent telecommunications legislation, which requires allowing all telephone subscribers to select their long distance company, we recently sent you a "ballot". You may have noticed that your current long distance company was not listed on the ballot. Since the ballots were mailed it, has been brought to our attention that, without the existing companies on the ballot, you may not have been given a fully competitive option. Therefore, we found it necessary to invalidate any ballot you may have returned. We submitted a revised Toll Dialing Parity Plan to the Tennessee Regulatory Authority (TRA), which has jurisdiction in these matters. The Plan has been approved and will be implemented on March 31, 2000. The details of the plan as they affect you are described below.

### **Yorkville Telephone Cooperative – Approved Toll Dialing Parity Plan**

Beginning on March 31, 2000 all subscribers will have the option to select an IntraLata and InterLata long distance company from a list of companies who have chosen to provide service in the Yorkville Telephone Cooperative exchange areas. IntraLata calls are those calls made within the boundaries of Tennessee, west of the Tennessee River. InterLata calls are those calls made outside the boundaries of Tennessee, and within the State, east of the Tennessee River. You may select different companies for your IntraLata and InterLata calls or may use the same one, assuming the company you select provides both services. The "provider list" of long distance companies will be maintained in the Yorkville Cooperative office.

If you wish to remain with your existing long distance company, no action is required on your part. You will continue to receive long distance services as you do today. However, if you wish to select one of the companies on the provider list you may call us at 643-6121, come by our new business office at 4 Newbern Highway in Yorkville or respond to competitive advertising material from the long distance companies and they will notify us of your choice. You will not be charged for changing your long distance company, if you respond prior to July 1, 2000.

We sincerely apologize for any inconvenience this may have caused you. It is our desire to make this change as easy as possible for our members. If you have any questions or comments, please come by or call the business office at 643-6121.

R. DALE GRIMES  
 TEL: (615) 742-6244  
 FAX: (615) 742-2744  
 EMAIL: dgrimes@bassberry.com  
 www.bassberry.com

# BASS, BERRY & SIMS PLC

A PROFESSIONAL LIMITED LIABILITY COMPANY  
 ATTORNEYS AT LAW

2700 FIRST AMERICAN CENTER  
 NASHVILLE, TENNESSEE 37238-2700  
 (615) 742-6200

KNOXVILLE OFFICE:  
 1700 RIVERVIEW TOWER  
 KNOXVILLE, TN 37901-1509  
 (423) 521-6200

MEMPHIS OFFICE:  
 100 PEABODY PLACE, SUITE 950  
 MEMPHIS, TN 38103  
 (901) 312-9100

00111 2 11 3 19

March 2, 2000

EXECUTIVE SECRETARY

Mr. K. David Waddell  
 Executive Secretary  
 Tennessee Regulatory Authority  
 460 James Robertson Parkway  
 Nashville, TN 37243-0505

**In Re: Yorkville Telephone Cooperative, Inc.**  
**IntraLATA Dialing Parity Implementation Plan**  
**Docket No. 99-00298**

Dear Mr. Waddell:

In response to the request of the Tennessee Regulatory Authority, I am enclosing for filing an original and thirteen (13) copies of replacement pages 2, 5, and 6 of the Yorkville Telephone Cooperative IntraLATA Toll Dialing Parity Implementation Plan.

Replacement page 2 deletes the phrase "as long as technically feasible" which was previously found at the end of the third paragraph under "II. IntraLATA Environment." Replacement page 5, which is Exhibit A to the Plan, rewrites the language of the direct mailing to the Company's members. Replacement page 6, which is Exhibit B to the Plan, corrects the amount in Step 1 of incremental costs from \$42,000.00 to \$42,500.00, and includes in footnote 1 an explanation of what this amount consists of. Replacement page 6 also includes a re-calculation of the cost recovery rate in Step 3 to correct a mathematical error contained in original page 6.

It is my understanding that these replacement pages will be substituted for their original counterparts in the Yorkville Telephone Cooperative, IntraLATA Toll Dialing Parity Implementation Plan when it is presented to the Directors.

If you have any questions, do not hesitate to contact me or Mr. W. T. Sims, Manager of the Yorkville Telephone Cooperative, Telephone No. (901)643-6121.

Very truly yours,



R. Dale Grimes

RDG/jm  
 Enclosures

cc: Richard Collier, Esq.  
 Mr. W. T. Sims  
 Thomas J. Moorman, Esq.  
 Margaret Nyland, Esq.



## I. Purpose

Yorkville Telephone Cooperative (Yorkville) describes herein the process for implementing intraLATA toll Dialing parity in the Yorkville exchanges located in the state of Tennessee. The intent of this Plan is to provide a proposal that, upon implementation, would provide customers the ability to select the participating telecommunications carrier of their choice for routing their intraLATA toll calls. Yorkville will associate with the LATA 468 for the purposes of providing toll dialing parity as well as its provision for interLATA equal access.

## II. IntraLATA Environment

Yorkville customers can currently dial an access code to complete intraLATA toll calls to another carrier. After implementation of this intraLATA Toll Dialing Implementation Plan (the "Plan"), customers will be able to subscribe to the carrier of their choice for intraLATA as well as interLATA service (two PIC subscription capability). Customers will dial 1+ the area code and number to complete calls using their presubscribed carrier. If customers wish to complete a call using a carrier other than their subscribed carrier, they will need to dial the carrier's access code (i.e., 101XXXX).

Each end office switch will be equipped with the capability of allowing each end user subscriber to select "no-PIC" as a valid intraLATA subscription selection. Customers selecting "no-PIC" as their subscribed carrier will not be able to make intraLATA tolls on a 1+ or 0+ dialed basis. Such customer will need to dial an access code each time he or she makes an intraLATA call.

In 1992, toll-free intraLATA county-wide calling was initiated for all Local Exchange Carriers via an order from the Tennessee Public Service Commission. BellSouth Telecommunications Inc. ("BellSouth") currently maintains tax-code billing tables to identify "free-county-wide" intraLATA toll calls originated by Yorkville intraLATA toll customers and to ensure that billing does not occur on these calls. Yorkville will continue to process toll-free intraLATA county-wide calls in this matter for toll customers after implementation of intraLATA toll dialing.

## III. Implementation Schedule

Yorkville will provide intraLATA toll dialing parity in Tennessee on March 31, 2000 in conjunction with its proposed implementation of interLATA equal access.

## IV. Carrier Selection Procedures

Yorkville will implement the full Two-PIC (Primary Interexchange Carrier) carrier selection methodology. With the full two-PIC methodology, customers will be able to subscribe to one telecommunications carrier for interLATA toll calls and subscribe to the same or a different participating telecommunications carrier, for all intraLATA toll calls. Orders for changes will be accepted and processed beginning on the implementation date.

Yorkville employees who communicate with the public, accept customer orders, and serve in customer service capacities will be trained to explain to customers the process for making PIC changes for intraLATA toll calls. Business Office personnel and the Customer Account Records system will be prepared to make changes in customer records based upon requests from customers or carriers and direct customers to their chosen intraLATA carriers. Processes will be in place to provide new customers with an opportunity to choose their intraLATA toll carrier from a list of available carriers.

---

<sup>1</sup> Concurrently with the filing of this Plan, Yorkville is filing with The Tennessee Regulatory Authority ("TRA") a Petition for Modification ("Petition") of the time frames for implementing intraLATA toll dialing parity that were prescribed by the Federal Communications Commission ("FCC") as well as the FCC's "default" carrier rules. The March 31, 2000 date noted herein is based on the assumption that the TRA will approve Yorkville's Petition for the reasons stated therein.

## Exhibit A

### BILL MESSAGE

"Yorkville Telephone Cooperative implemented local toll 1+ subscription service on March 31, 2000. You are now able to choose a local toll provider. Your current carrier will continue to provide this service for you or you may select another carrier. You may select the same provider as your interstate long distance service provider or you may select a different provider for each service. Your first selection prior to June 30, 2000 will be free.

### DIRECT MAILING

Dear Yorkville Telephone Cooperative Members,

In our effort to comply with recent telecommunications legislation, which requires allowing all telephone subscribers to select their long distance company, we recently sent you a "ballot". You may have noticed that your current long distance company was not listed on the ballot. Since the ballots were mailed, it has been brought to our attention that without the existing companies on the ballot, you may not have been given a fully competitive option. Therefore, we found it necessary to invalidate any ballot you may have returned. We submitted a revised Toll Dialing Parity Plan to the Tennessee Regulatory Authority (TRA), which has jurisdiction in these matters. The Plan has been approved and will be implemented on March 31, 2000. The details of the plan as they affect you are described below.

#### Yorkville Telephone Cooperative – Approved Toll Dialing Parity Plan

Beginning on March 31, 2000 all subscribers will have the option to select an IntraLata and InterLata long distance company from a list of companies who have chosen to provide service in the Yorkville Telephone Cooperative exchange areas. IntraLata calls are those calls made within the boundaries of Tennessee, west of the Tennessee River. InterLata calls are those calls made outside the boundaries of Tennessee, and within the State, east of the Tennessee River. You may select different companies for your IntraLata and InterLata calls or may use the same one, assuming the company you select provides both services. The "provider list" of long distance companies will be maintained in the Yorkville Cooperative office.

If you wish to remain with your existing long distance company, no action is required on your part. You will continue to receive long distance services as you do today. However, if you wish to select one of the companies on the provider list you may call us at 643-6121, come by our new business office at 4 Newbern Highway in Yorkville, or respond to competitive advertising material from the long distance companies and they will notify us of your choice. You will not be charged for changing your long distance company, if you respond prior to June 30, 2000.

We sincerely apologize for any inconvenience this may have caused you. It is our desire to make this change as easy as possible for our members. If you have any questions or comments, please come by or call the business office at 643-6121.

**Exhibit B**

**TENNESSEE  
METHODOLOGY FOR RECOVERY OF COSTS  
ASSOCIATED WITH  
IMPLEMENTATION OF INTRALATA SUBSCRIPTION**

**CALCULATION OF INITIAL EQUAL ACCESS RATE ELEMENT**

**Step 1: Identify the estimated total incremental costs directly attributable to the provisioning of IntraLata Subscription.**

**\$42,500.00<sup>1</sup>**

**Step 2: Identify estimated total Intrastate/IntraLATA minutes of use for the 4 year recovery period.**

**4,378,056**

**Step 3: Calculate a cost recovery rate by dividing amount in Step 1 by the Minutes of Use in Step 2.**

**\$0.0097**

**ANNUAL TRUE-UP OF EQUAL ACCESS RATE ELEMENT**

**Repeat Steps 1 through 3 and calculate an updated access rate element by dividing amount in Step 1, adjusted by the previous year/years cost recovery.**

---

<sup>1</sup>This estimated cost figure consists of software costs associated with conversion to equal access and the multi-pick capability required for IntraLATA toll dialing parity.

REC'D TN  
REGULATORY AUTH.  
'99 APR 22 PM 2 27  
OFFICE OF THE  
EXECUTIVE SECRETARY

**YORKVILLE TELEPHONE COOPERATIVE**

**IntraLATA Toll Dialing Parity Implementation Plan**

**March 31, 2000**

**Implementation Date**

**YORKVILLE TELEPHONE COOPERATIVE**

**Yorkville Tennessee**

**April 21, 1999**

## I. Purpose

Yorkville Telephone Cooperative (Yorkville) describes herein the process for implementing intraLATA toll Dialing parity in the Yorkville exchanges located in the state of Tennessee. The intent of this Plan is to provide a proposal that, upon implementation, would provide customers the ability to select the participating telecommunications carrier of their choice for routing their intraLATA toll calls. Yorkville will associate with the LATA 468 for the purposes of providing toll dialing parity as well as its provision for interLATA equal access.

## II. IntraLATA Environment

Yorkville customers can currently dial an access code to complete intraLATA toll calls to another carrier. After implementation of this intraLATA Toll Dialing Implementation Plan (the "Plan"), customers will be able to subscribe to the carrier of their choice for intraLATA as well as interLATA service (two PIC subscription capability). Customers will dial 1+ the area code and number to complete calls using their presubscribed carrier. If customers wish to complete a call using a carrier other than their subscribed carrier, they will need to dial the carrier's access code (i.e., 101XXXX).

Each end office switch will be equipped with the capability of allowing each end user subscriber to select "no-PIC" as a valid intraLATA subscription selection. Customers selecting "no-PIC" as their subscribed carrier will not be able to make intraLATA tolls on a 1+ or 0+ dialed basis. Such customer will need to dial an access code each time he or she makes an intraLATA call.

In 1992, toll-free intraLATA county-wide calling was initiated for all Local Exchange Carrier's via an order from the Tennessee Public Service Commission. BellSouth Telecommunications Inc. ("BellSouth") currently maintains tax-code billing tables to identify "free-county-wide" intraLATA toll calls originated by Yorkville intraLATA toll customers and to ensure that billing does not occur on these calls. Yorkville will continue to process toll-free intraLATA county-wide calls in this manner for toll customers after implementation of intraLATA toll dialing as long as technically feasible.

## III. Implementation Schedule

Yorkville will provide intraLATA toll dialing parity in Tennessee on March 31, 2000 in conjunction with its proposed implementation of interLATA equal access.

## IV. Carrier Selection Procedures

Yorkville will implement the full Two-PIC (Primary Interexchange Carrier) carrier selection methodology. With the full two-PIC methodology, customers will be able to subscribe to one telecommunications carrier for interLATA toll calls and subscribe to the same or a different participating telecommunications carrier, for all intraLATA toll calls. Orders for changes will be accepted and processed beginning on the implementation date.

Yorkville employees who communicate with the public, accept customer orders, and serve in customer service capacities will be trained to explain to customers the process for making PIC changes for intraLATA toll calls. Business Office personnel and the Customer Account Records system will be prepared to make changes in customer records based upon requests from customers or carriers and direct customers to their chosen intraLATA carriers. Processes will be in place to provide new customers with an opportunity to choose their intraLATA toll carrier from a list of available carriers.

---

<sup>1</sup> Concurrently with the filing of this Plan, Yorkville is filing with The Tennessee Regulatory Authority ("TRA") a Petition for Modification ("Petition") of the time frames for implementing intraLATA toll dialing parity that were prescribed by the Federal Communications Commission ("FCC") as well as the FCC's "default" carrier rules. The March 31, 2000 date noted herein is based on the assumption that the TRA will approve Yorkville's Petition for the reasons stated therein.

### **Existing Customers**

Currently, BellSouth is the only subscribed intraLATA toll provider for existing customers in Yorkville local exchange area. On March 31, 2000 customers may subscribe to any telecommunications carrier offering intraLATA toll service in their exchange. Existing customers will remain with BellSouth until they affirmatively choose an intraLATA toll carrier. Customers may make this selection through their own initiative or as a result of the promotional marketing activities of participating intraLATA toll telecommunications carriers. Customers may communicate their selected carriers to Yorkville directly or through their selected carriers.

Subject to the proposed PIC Charge Waive Period discussed below, customers will be assessed a PIC change charge for changing their intraLATA carrier at a rate of \$5.00. When customers request a simultaneous change to the same carrier for their interstate and intrastate service, Yorkville will assess one PIC charge.

A charge will be established for unauthorized PIC changes submitted by carriers to Yorkville for end-user customers (slamming).

### **New Installation Customers**

Yorkville customer contact representatives will be provided discussion guidelines that will provide a new customer with the following information:

1. Inform the customers that a choice of intraLATA toll providers is now available to him or her.
2. Offer to read the customer a list of available carriers in randomly generated order.
3. Advise the customer that various carriers provide intraLATA toll service.

Customers who do not make a positive choice for an intraLATA toll carrier will be notified that they will not be automatically defaulted to a carrier and will be required to dial an access code to place intraLATA toll calls until they make an affirmative choice for an intraLATA toll carrier.

### **PIC Charge Waive Period**

Customers will be given a period of ninety (90) days within which to make one change of their preferred carrier at no cost to the customer. This waiver period will begin on March 31, 2000. The cost associated with this waiver will be recovered through the general cost recovery mechanism.

## **V. Customer Education/Notification**

At the time of implementation, March 31, 2000, Yorkville will issue a press release announcing the availability of intraLATA 1+subscription. This press release will announce the opportunity to choose a primary intraLATA carrier and explain the 90 day waiver period from March 31, 2000 through June 30, 2000.

Yorkville will notify all existing end users via a direct mailing and a bill message regarding intraLATA subscription implementation and explain their opportunity to select an intraLATA carrier. The wording of the customer notification includes an explanation of the PIC change charge waiver period and is shown as Exhibit A. Customer telephone directories will be updated as new editions are published to reflect the opportunity for customers to choose an intraLATA toll carrier. After implementation, all new customers will be advised of intraLATA availability and requested to make an intraLATA carrier selection.

**VI. Carrier Notification**

Current interexchange carriers will be notified of Yorkville's interLATA implementation in compliance with the applicable interstate equal access requirements. In addition, interexchange carriers will be notified of Yorkville's intraLATA Toll Dialing Parity implementation via Certified U.S. Mail sixty days prior to its implementation with a subsequent notification at the time of implementation. Carriers that currently participate in interLATA toll will be assumed to be participants in the intraLATA toll marker. Certified carriers who enter the market after implementation will be added to the list of participating carriers within 30 days of notifying Yorkville.

**VII. Operator Services and Directory Assistance**

Access to Operator Services and Directory Assistance will continue to be available through the customer's local exchange carrier or interLATA carrier. No industry standard exists for access to Operator Services and Directory Assistance unique to intraLATA services. For Operator Services, customers dial "0" to reach their local exchange operator and "00" to reach their interLATA operator. For Directory Assistance, customers dial "1-411" for accessing the local exchange Directory Assistance and dial "1-NPA-555-1212" for accessing their interLATA carrier's Directory Assistance.

**VIII. Cost Recovery**

In accordance with 47 C. F.R. Section 51.215, adopted in the FCC's Second Report and Order and Memorandum Opinion and Order in CC Docker No. 96-98, cost recovery for incremental cost of dialing parity, specific switch software, necessary hardware, signaling system upgrades and customer education cost that are specifically to implement dialing parity, will be implemented in a competitively neutral manner across all providers of telephone exchange service a telephone toll service in the area served by Yorkville. Incremental costs will be recovered from all carriers through a rate element based upon originating intrastate switched access minutes of use (MOUs) during the 4 years cost recovery period. Attached, as Exhibit B is a detailed explanation of the cost recovery methodology. An annual true-up will be conducted and reported to the TRA.

**IX. Statement of compliance.**

Yorkville will comply with all rules of the FCC and TRA.

Executed as of the 21th Day of April, 1999



W. T. Sims  
General Manger of YTC  
2 Nebo Yorkville Rd.  
P O Box 8  
Yorkville TN 38389  
Phone: 901-643-6121

## **Exhibit A**

### **BILL MESSAGE**

**"Yorkville implemented local toll 1+subscription service on March 31, 2000. You are now able to choose a local toll provider. Your current carrier will continue to provide this service for you or you may select another carrier. You may select the same provider as your interstate long distance service provider or you may select a different provider for each service. Your first selection prior to June 30, 2000 will be free."**

### **DIRECT MAILING**

#### **IMPORTANT NOTICE ABOUT LOCAL TOLL SERVICE**

**"As of March 31, 2000, you are able to choose your provider of "1+" local toll service. This change allows you to remain with your current carrier or select a different long distance carrier for local toll calls. Please refer to the information pages in the front of your Yorkville Telephone directory under "Long Distance Service" for a description of toll calling areas.**

**If you would like to select a different carrier for your "1+" local toll service, you should contact that company. No action is necessary to keep current your provider for these local toll calls.**

**From March 31, 2000 until June 30, 2000 you will be able to change your local toll carrier one time without charge. There may be a charge for each subsequent change you make in local toll companies.**



Exhibit B

TENNESSEE  
METHODOLOGY FOR RECOVERY OF COSTS  
ASSOCIATED WITH  
IMPLEMENTATION OF INTRALATA SUBSCRIPTION

CALCULATION OF INITIAL EQUAL ACCESS RATE ELEMENT

Step 1: Identify the estimated total incremental costs directly attributable to the provisioning of IntraLata Subscription.

\$42,000.00

Step2: Identify estimated total Intrastate/IntraLATA minutes of use for the 4 year recovery period.

4,378,056

Step 3: Calculate a cost recovery rate by dividing amount in Step 1 by the Minutes of Use in Step 2.

\$0.00096

ANNUAL TRUE-UP OF EQUAL ACCESS RATE ELEMENT

Repeat Steps 1 through 3 and calculate an updated access rate element by dividing amount in Step 1, adjusted by the previous year/years cost recovery.



**IMPORTANT DEADLINE:**  
Return enclosed ballot  
promptly

Dear Yorkville Telephone Cooperative Customer,

As part of the restructuring of the telephone industry, you have an opportunity to choose the long distance company that will provide your long distance service.

Yorkville Telephone Cooperative will provide you the opportunity to choose an INTRALATA company for calls within the boundaries of an area known as a LATA (Local Access and Transport Area) or what we also refer to as a Telephone Company Zone. You are in the Memphis LATA, bounded on the east by the Tennessee River and on the west by the Mississippi River and running from the southern border of Tennessee to the northern border, generally referred to as West Tennessee. In the past, only BellSouth has handled these calls. All "1+" calls placed to locations outside of your LATA or local Telephone Company Zone have been handled in the past only by AT&T. Now, the long distance company that you choose will handle these calls. Using the enclosed ballot you can choose the same company for both the INTERLATA and INTRALATA or you may choose a different company for each.

On the ballot you will find listed (in random order) the long distance companies that wish to provide you with "1+" long distance service for both INTERLATA and INTRALATA calls. Each company has installed the appropriate equipment that will allow you to direct dial (1 + telephone number) your long distance calls.

Please select the company(ies) to provide your long distance service and return the ballot without delay. Your phone will be connected with your chosen long distance company on the effective service date shown on the ballot.

If you have any questions about the service provided by these long distance companies, simply call the appropriate customer service number listed next to each name on the ballot.

It should be noted that Yorkville Telephone Cooperative has no preference as to which long distance company you select. But we do encourage you to exercise your right to choose. We are required by law to randomly assign a long distance provider to customers who do not return a ballot.

There is no cost to you to have the long distance company of your choice connected to your telephone line.

Please return the enclosed ballot as soon as possible so that you will be able to continue the convenience of "1+" dialing. If you have any questions about this process, please call Yorkville Telephone Cooperative at (901) 643-6121.

Thank you,

"B"

**YORKVILLE TELEPHONE COOPERATIVE**  
**2 YORKVILLE - NEBO RD.**  
**YORKVILLE, TN. 38389**

## **EQUAL ACCESS BALLOT ACTION REQUIRED!**

Main Billed Telephone Number: \_\_\_\_\_

FCC Regulations now require you to select a long distance company to provide your 1+ dialed long distance service for calls outside your local telephone company calling area. Please use one of the following equal access ballot options to make your equal access long distance company selection.

**OPTION ONE** - Please mark the long distance company you want to provide your 1+ long distance telephone service. Mark only one company from the list on the back.

**OPTION TWO\*** - If you wish to use different long distance companies for each of your telephone numbers, use the list below to make your selection. Please print the four-digit code (from the list on the back of the ballot) to the right opposite each telephone number.

**PLEASE SIGN AND RETURN BALLOT BY: FEBRUARY 3, 2000**

**Effective Date of Service.** Your telephone (or telephones) will be connected with your chosen long distance company (or companies) on: MARCH 31, 2000

**\*OPTION TWO**

( ) If you have multiple telephone numbers and wish to assign each telephone number listed to different long distance companies, please indicate below.

**PLEASE TURN BALLOT OVER TO SEE LIST OF PARTICIPATING  
CARRIERS**

This company will make every effort to ensure that your telephone service is connected to the long distance company you choose. In the event your service is inadvertently connected to a different company we will assume liability only to the extent of connecting your chosen company at the earliest opportunity after you notify us.

**Return to: EQUAL ACCESS BALLOT COORDINATOR**  
**3300 HOLCOMB BRIDGE ROAD, SUITE 286**  
**NORCROSS, GA 30092-3239**

Signature \_\_\_\_\_ Date \_\_\_\_\_

**OPTION ONE**

( ) Please assign all my telephone numbers to the InterLATA company and IntraLATA company I have marked below. (Mark one company in each column.)

**Please Mark One Selection for INTERLATA**

0614 BROADWING  
( ) RESIDENCE: 1-800-735-3030  
BUSINESS: 1-800-877-8680

0071 ECLIPSE TELECOMMUNICATIONS  
( ) RESIDENCE: 1-800-422-1199  
BUSINESS: 1-800-422-1199

0297 EXCEL COMMUNICATIONS  
( ) RESIDENCE: 1-800-875-9235  
BUSINESS: 1-800-209-8133

0444 GLOBAL CROSSING TELECOMMUNICATIONS, INC.  
( ) RESIDENCE: 1-800-482-4848  
BUSINESS: 1-800-466-4600

0233 ITC DELTACOM  
( ) RESIDENCE: 1-800-239-3000  
BUSINESS: 1-800-239-3000

0222 MCI WORLDCOM  
( ) RESIDENCE: 1-800-444-3333  
BUSINESS: 1-800-444-2222

0056 QWEST COMMUNICATIONS  
( ) RESIDENCE: 1-800-860-1020  
BUSINESS: 1-800-860-2255

0333 SPRINT COMMUNICATIONS  
( ) RESIDENCE: 1-800-366-4700  
BUSINESS: 1-800-366-1900

6746 THE PHONE COMPANY  
( ) RESIDENCE: 1-800-728-3288  
BUSINESS: 1-800-728-3288

6924 YORKVILLE COMMUNICATIONS, INC.  
( ) RESIDENCE: 643-6121  
BUSINESS: 643-6121

**Please Mark One Selection for INTRALATA**

0614 BROADWING  
( ) RESIDENCE: 1-800-735-3030  
BUSINESS: 1-800-877-8680

0071 ECLIPSE TELECOMMUNICATIONS  
( ) RESIDENCE: 1-800-422-1199  
BUSINESS: 1-800-422-1199

0297 EXCEL COMMUNICATIONS  
( ) RESIDENCE: 1-800-875-9235  
BUSINESS: 1-800-209-8133

0444 GLOBAL CROSSING TELECOMMUNICATIONS, INC.  
( ) RESIDENCE: 1-800-482-4848  
BUSINESS: 1-800-466-4600

0233 ITC DELTACOM  
( ) RESIDENCE: 1-800-239-3000  
BUSINESS: 1-800-239-3000

0222 MCI WORLDCOM  
( ) RESIDENCE: 1-800-444-3333  
BUSINESS: 1-800-444-2222

0056 QWEST COMMUNICATIONS  
( ) RESIDENCE: 1-800-860-1020  
BUSINESS: 1-800-860-2255

0333 SPRINT COMMUNICATIONS  
( ) RESIDENCE: 1-800-793-1159  
BUSINESS: 1-800-877-1991

6746 THE PHONE COMPANY  
( ) RESIDENCE: 1-800-728-3288  
BUSINESS: 1-800-728-3288

6924 YORKVILLE COMMUNICATIONS, INC.  
( ) RESIDENCE: 643-6121  
BUSINESS: 643-6121