

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Suspension and Investigation of AT&T Special Access Tariffs)	WC Docket No. 13-299
)	
Ameritech Operating Companies Tariff F.C.C. No. 2)	Transmittal No. 1803
)	
BellSouth Telecommunications, LLC Tariff F.C.C. No. 1)	Transmittal No. 71
)	
Nevada Bell Telephone Company Tariff F.C.C. No. 1)	Transmittal No. 254
)	
Pacific Bell Telephone Company Tariff F.C.C. No. 1)	Transmittal No. 498
)	
The Southern New England Telephone Company Tariff F.C.C. No. 39)	Transmittal No. 1061
)	
Southwestern Bell Telephone Company Tariff F.C.C. No. 73)	Transmittal No. 3383
)	

ORDER

Adopted: February 19, 2014

Released: February 19, 2014

By the Chief, Wireline Competition Bureau:

I. INTRODUCTION

1. In this order, we close the investigation regarding the tariff revisions filed by Ameritech Operating Companies (Ameritech), BellSouth Telecommunications, LLC (BellSouth), Nevada Bell Telephone Company (Nevada Bell), Pacific Bell Telephone Company (Pacific Bell), the Southern New England Telephone Company (SNET), and Southwestern Bell Telephone Company (SWBT) (collectively AT&T) in Transmittal Nos. 1803, 71, 254, 498, 1061, and 3383 respectively. On December 9, 2014, the Pricing Policy Division (Division) suspended the tariff revisions and initiated an investigation.¹ On January 15, 2014, AT&T withdrew the revisions, thereby resolving the issues in the *Suspension Order* and rendering the investigation moot.

¹ *Suspension and Investigation of AT&T Special Access Tariffs*, Ameritech Operating Companies Tariff F.C.C. No. 2, BellSouth Telecommunications LLC Tariff F.C.C. No. 1, Nevada Bell Telephone Company Tariff F.C.C. No. 1, Pacific Bell Telephone Company Tariff F.C.C. No. 1, The Southern New England Telephone Company Tariff F.C.C. No. 39, Southwestern Bell Telephone Company Tariff F.C.C. No. 73, WC Docket No. 13-299, Transmittal Nos. 1803, 71, 254, 498, 1061, and 3383, Order, DA 13-2349 (Pricing Pol. Div. Dec. 9, 2013) (*Suspension Order*).

II. DISCUSSION

2. On November 25, 2013, AT&T filed tariff revisions to grandfather term plans of 60 months or more for a variety of their special access services, including DS1 and DS3 services.² On December 2, 2013, several parties filed petitions to reject or suspend and investigate AT&T's proposed tariff revisions.³ The petitions cited numerous concerns regarding the tariff revisions, raising questions about whether they comply with the Commission's rate regulations and whether they are anticompetitive or otherwise violate the Act.⁴ On December 6, 2013, AT&T filed its response to the Petitioners' claims.⁵ On December 9, 2013, the Division concluded that substantial questions exist regarding the lawfulness of AT&T's tariff filings and released the *Suspension Order* that suspended for five months and set for investigation the AT&T tariff revisions.⁶

3. On January 15, 2014, AT&T made filings to withdraw the tariff revisions at issue, and to restore the currently effective material.⁷ By withdrawing the tariff revisions at issue in the *Suspension Order*, AT&T has obviated the need to continue this tariff investigation. Accordingly, the issues identified in the *Suspension Order* have been resolved and further investigation is not required.

III. ORDERING CLAUSES

4. Accordingly, IT IS ORDERED that, pursuant to sections 201-204 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 201-204, the tariff investigation initiated in WC Docket No. 13-299 IS CLOSED as moot and the docket IS TERMINATED.

² See Ameritech Transmittal No. 1803, Tariff F.C.C. No. 2 (filed Nov. 25, 2013); BellSouth Transmittal No. 71, Tariff F.C.C. No. 1 (filed Nov. 25, 2013); Nevada Bell Transmittal No. 254, Tariff F.C.C. No. 1 (filed Nov. 25, 2013); Pacific Bell Transmittal No. 498, Tariff F.C.C. No. 1 (filed Nov. 25, 2013); SNET Transmittal No. 1061, Tariff F.C.C. No. 39 (filed Nov. 25, 2013); SWBT Transmittal No. 3383, Tariff F.C.C. No. 73 (filed Nov. 25, 2013).

³ See Ameritech Operating Companies Tariff F.C.C. No. 2, et al., Petition of Ad Hoc Telecommunications Users Committee to Suspend and Investigate, Transmittal Nos. 1803, 71, 254, 498, 1061, and 3383 (filed Dec. 2, 2013) (Ad Hoc Petition); Ameritech Operating Companies Tariff F.C.C. No. 2, et al., Petition of Cbeyond, Integra, Level 3 and tw telecom to Suspend and Investigate, Transmittal Nos. 1803, 71, 254, 498, 1061, and 3383 (filed Dec. 2, 2013) (Cbeyond *et al.* Petition); Southwestern Bell Telephone Company Tariff F.C.C. No. 73 et al., Petition of Consolidated Communications, Inc. to Reject or Suspend and Investigate AT&T's Proposed Tariff Revisions, Transmittal Nos. 3383, and 498 (filed Dec. 2, 2013) (Consolidated Petition); Ameritech Operating Companies Tariff F.C.C. No. 2, et al., Petition of Sprint Corporation to Reject and to Suspend and Investigate, Transmittal Nos. 1803, 71, 254, 498, 1061, and 3383 (filed Dec. 2, 2013) (Sprint Petition); Ameritech Operating Companies Tariff F.C.C. No. 2, et al., Petition of XO Communications Services, LLC to Suspend and Investigate, Transmittal Nos. 1803, 71, 254, 498, 1061, and 3383 (filed Dec. 2, 2013) (XO Petition); *see, e.g.*, Ameritech Operating Companies Tariff F.C.C. No. 2, Petition of Windstream Corporation to Suspend and Investigate, Transmittal No. 1803 (filed Dec. 2, 2013) (Windstream Petition) (collectively, Petitioners).

⁴ See generally Ad Hoc Petition; Cbeyond *et al.* Petition; Consolidated Petition; Sprint Petition; XO Petition, Windstream Petition.

⁵ See Ameritech Operating Companies Tariff F.C.C. No. 2 et al., Reply of AT&T Services Inc. to Petitions to Suspend and Investigate, Transmittal Nos. 1803, 71, 254, 498, 1061, and 3383 (filed Dec. 6, 2013) (AT&T Reply).

⁶ See generally *AT&T 2013 Tariff Suspension Order*.

⁷ See Ameritech Transmittal No. 1806, Tariff F.C.C. No. 2 (filed Jan. 15, 2014); BellSouth Transmittal No. 74, Tariff F.C.C. No. 1 (filed Jan. 15, 2014); Nevada Bell Transmittal No. 257, Tariff F.C.C. No. 1 (filed Jan. 15, 2014); Pacific Bell Transmittal No. 501, Tariff F.C.C. No. 1 (filed Jan. 15, 2014); SNET Transmittal No. 1065, Tariff F.C.C. No. 39 (filed Jan. 15, 2014); SWBT Transmittal No. 3386, Tariff F.C.C. No. 73 (filed Jan. 15, 2014).

5. IT IS FURTHER ORDERED that that the accounting order applicable to AT&T IS TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

Julie A. Veach
Chief
Wireline Competition Bureau