

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

FEDERAL COMMUNICATIONS COMMISSION

CC Docket No. 93-162

Geraldine A. Matisé
Chief, Tariff Division
Common Carrier Bureau

In the Matter of

Pacific Bell

Transmittal No. 1845

Revisions to Tariff F.C.C. No. 128

ORDER

Adopted: December 7, 1995; Released: December 8, 1995

By the Chief, Tariff Division, Common Carrier Bureau:

1. On October 13, 1995, Pacific Bell filed Transmittal No. 1845 to revise its Tariff F.C.C. No. 128. Transmittal No. 1845, which is scheduled to become effective on December 12, 1995, would permit certain expanded interconnection service cross connects to interconnect with Pacific Bell Broadband Fast Packet Service, as a result of a *bona fide* customer request. No petitions have been filed against this transmittal.

2. Transmittal No. 1845 raises the same issues regarding rate levels, rate structures, and terms and conditions of service as those identified in the *Physical Collocation Tariff Suspension Order*.¹ Therefore, Transmittal No. 1845 is suspended for one day, following the effective date, and will be subject to the investigation initiated in the *Physical Collocation Tariff Suspension Order*. These rates will also be subject to an accounting order to facilitate any refunds that may later prove necessary.

3. Accordingly, IT IS ORDERED that, pursuant to Section 204(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 204(a), and Section 0.291 of the Commission's Rules, 47 C.F.R. § 0.291, the revisions to Pacific Bell Tariff F.C.C. No. 128, Transmittal No. 1845, ARE SUSPENDED for one day and an investigation of the referenced tariff transmittal IS INSTITUTED.

4. IT IS FURTHER ORDERED that Pacific Bell SHALL FILE tariff revisions within five business days of the release date of this Order to reflect this suspension.

5. IT IS FURTHER ORDERED that, for these purposes, we waive Sections 61.56, 61.58, and 61.59 of the Commission's Rules, 47 C.F.R. §§ 61.56, 61.58, and 61.59. Pacific Bell should cite the "DA" number of the instant Order as the authority for this filing.

6. IT IS FURTHER ORDERED that, pursuant to Section 204(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 204(a), Pacific Bell shall keep accurate account of all amounts received by reason of the rates that are the subject of this investigation.

¹ Ameritech Operating Companies, *et al.*, CC Docket No. 93-162, Order, 8 FCC Rcd 4589 (1993) (*Physical Collocation Tariff Suspension Order*).