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The Southern New England Telephone Company, Transmittal No. 963, Application No. 175
The Ameritech Operating Companies, Transmittal No. 1664, Application No. 387
Southwestern Bell Telephone Company, Transmittal No. 3249, Application No. 548
Nevada Bell Telephone Company, Transmittal No. 174, Application No. 35
The BellSouth Telephone Company, Transmittal No. 1119, Application No. 156
Pacific Bell Telephone Company, Transmittal No. 383, Application No. 61

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Attention: Wireline Competition Bureau, Request for Special Permission

Dear Ms. Dortch:

Pursuant to Section 61.152 of the Commission's rules,¹ AT&T Inc., on behalf of its incumbent local exchange carrier affiliates, respectfully requests special permission to withdraw its pending but not yet effective Tariff F.C.C. No. 1 for BellSouth Telecommunications, Inc., Pacific Bell Telephone Company, and Nevada Bell Telephone Company, Tariff F.C.C. No. 2 for the Ameritech Operating Companies, Tariff F.C.C. No. 39 for the Southern New England Telephone Company, and Tariff F.C.C. No. 73 for the Southwestern Bell Telephone Company on one day's notice and to restore the material from those tariffs that was in effect on January 6, 2008.

As the Commission is aware, on January 7, 2008, AT&T filed revisions to its special access tariffs to implement the detariffing relief granted by the Commission in the *Broadband Forbearance Order* on October 11, 2007.² AT&T would like to withdraw its proposed tariffs, make certain revisions thereto, and immediately re-file those tariffs. To facilitate that process, AT&T requests that the Commission waive Sections 61.54, 61.58 and 61.59 of the Commission's rules.³ The Commission may grant a waiver of these tariffing requirements upon

¹ 47 C.F.R. sec. 61.152.

² *Petition of AT&T Inc. for Forbearance Under 47 U.S.C. § 160(c) from Title II and Computer Inquiry Rules with Respect to Its Broadband Services; Petition of BellSouth Corporation for Forbearance Under Section 47 U.S.C. § 160(c) from Title II and Computer Inquiry Rules with Respect to Its Broadband Services*, WC Docket No. 06-125, Memorandum Opinion and Order, FCC 07-180 (released Oct. 11, 2007) ("*Broadband Forbearance Order*").

³ 47 C.F.R. secs. 61.54, 61.58 and 61.59.

a showing of good cause.⁴ As AT&T demonstrates below, there is good cause to grant the requested waiver, as it will allow AT&T to withdraw its proposed tariffs immediately, in the most efficient manner possible and with minimal burdens for AT&T, the Commission and third parties.

Section 61.54 of the Commission's rules would require AT&T as part of its withdrawal package to re-issue the entire tariffs in effect on January 6, 2008, which would necessitate the re-coding of over 5000 tariff pages – an extremely labor-intensive and time-consuming process. Given that AT&T intends to immediately re-file proposed revisions to its tariffs, requiring AT&T to re-issue the tariff material in effect as of January 6, 2007 would be unnecessarily burdensome without providing any offsetting benefits. Moreover, granting this request would not adversely affect third parties. If the waiver were granted, AT&T would file a withdrawal transmittal explaining that AT&T is withdrawing the January 7, 2008 proposed tariff material and that the tariff material in effect as of January 6, 2008 is restored. Third parties accordingly would be on notice that the January 7, 2008 proposed tariff revisions are withdrawn and will not take effect on January 22, 2008 and that they should continue to access the tariff in effect on January 6, 2008, which remains publicly accessible through the Commission's Electronic Tariff Filing System, to ascertain AT&T's rates, terms and conditions for its tariffed services.

Section 61.58 would require AT&T to file its proposed withdrawal on 15-days notice. A waiver of this requirement would allow AT&T to immediately withdraw its proposed tariffs, thus ensuring maintenance of the status quo. Granting a waiver would therefore obviate the need for the Commission to expend resources reviewing tariffs that AT&T does not wish to become effective and intends to withdraw in any event.

Finally, Section 61.59 would preclude AT&T from making any revisions to its currently pending proposed tariffs. A waiver of that requirement is warranted as it would permit AT&T to withdraw its proposed tariffs in a timely manner, which as discussed above, would obviate the need for the Commission to expend resources reviewing tariffs that AT&T does not wish to become effective.

Accordingly, for the foregoing reasons, the Bureau should grant AT&T special permission to withdraw its proposed tariffs on one-day's notice without re-filing the tariff material in effect as of January 6, 2008.

Respectfully submitted,

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⁴ 47 C.F.R. sec. 61.152.