



December 2, 2002

SBC Advanced Solutions, Inc. Amended Application No. 13
SBC Advanced Solutions, Inc FRN: 0005-8910-72

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

Attention: Common Carrier Bureau, Request for Special Permission

Dear Ms. Dortch:

SBC Advanced Solutions, Inc. (ASI) respectfully files this amendment to its Application No. 13¹ which requested special permission to waive Sections 61.38 of the rules to file revisions to its Tariff F.C.C. No. 1 without cost support.

ASI inadvertently submitted an incorrect Description and Justification with the original Special Permission Application No. 13¹. With this filing, ASI submits the correct Description and Justification.

ASI proposes the following revisions to its Tariff F.C.C. No. 1: (1) Rate reductions for Wholesale DSL Transport and Remote LAN DSL Transport; (2) The introduction of Federal Universal Service Fund (FUSF) surcharges to explicitly recover Universal Service Fund (USF) contributions for Wholesale DSL Transport, Remote LAN DSL Transport, Frame Relay Service and Asynchronous Transfer Mode (ATM) Service; and (3) Clarify the duration of a Wholesale DSL Transport Volume Discount Plan (DSL-VDP) contract year and add language to specify that DSL-VDP termination charges will not apply if Customer terminates a DSL Transport Service Arrangement and the disconnect completion date is within 14 calendar days after the service order completion date.

All are described in detail in the attached Description and Justification.

ASI is requesting that this waiver of cost support apply to the DSL Transport rate reductions. Cost support documentation for the proposed FUSF surcharges has been included in the attached Description and Justification. ASI is requesting that this waiver of cost support apply to those new surcharges only in the event that the documentation provided is insufficient.

Granting the waiver of Section 61.38 to allow the tariff revisions to take effect without cost support will facilitate the prompt filing of ASI's tariff revisions. Requiring ASI to submit cost support materials would be extremely burdensome and result in a significant delay in the filing of the tariff. The Commission has good cause to waive the cost support requirement to accommodate the transition to tariffed operations.

There is precedent for granting a waiver of the cost support requirement. In a similar case involving wireless carriers that were required to file tariffs for the first time as a result of a court decision, the Commission granted a blanket waiver of the cost support requirement to the wireless industry. The Commission recognized that since wireless carriers had not previously filed tariffs there was a "strong likelihood that detailed tariff filing requirements would be burdensome." ASI is in the same position as the wireless carriers that were being required to file tariffs for the first time.

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¹ ASI's initial request was filed on November 27, 2002

In accordance with Section 61.153(b), the amended Application Letter, the Federal Communications Commission Form 159 and the filing fee have been submitted to a courier service for delivery to the Treasury Department lockbox located at the Mellon Bank in Pittsburgh, Pennsylvania.

In accordance with Section 61.153(a) and (c), the appropriate illustrative tariff pages are hereby delivered to the Secretary, Federal Communications Commission and the Chief, Tariff and Pricing Analysis Branch. These actions have been committed on the date established as the filed date as reflected above. Acknowledgment and date of receipt of this application are requested. A duplicate letter is attached for this purpose.

The filing fee was transmitted electronically to Mellon Bank and the electronic audit code is shown on the accompanying Form 159. Acknowledgement and date of receipt of this Application are requested. A duplicate letter is attached for this purpose. All correspondence and inquiries concerning this application should be addressed to Debbie Clemens, Associate Director – Federal Regulatory, at (202) 326-8882, 1401 I Street, NW, Suite 400, Washington, D.C. 20005.

Respectfully submitted,



SBC Advanced Solutions, Inc.

John S. Habeeb

Director – Regulatory

cc: Judy Nitsche, Chief, Tariff and Pricing Analysis Division

Enclosures