

BELLSOUTH TELECOMMUNICATIONS, INC.
DESCRIPTION AND JUSTIFICATION
REVISIONS TO SERVICE ASSURANCE WARRANTY
TRANSMITTAL NO. 763

With this filing, BellSouth Telecommunications, Inc. (hereinafter "BellSouth") is revising the F.C.C. Tariff No. 1, Section 2.4.4, General Regulations, for Credit Allowance for Service Interruptions [hereinafter "Service Assurance Warranty" (SAW)]. This filing clarifies the application of the SAW credit allowances. In making these clarifications, BellSouth is not changing the way it has applied the credit allowance in the past. These clarifications are intended to resolve questions that have recently arisen regarding the scope of SAW.

This clarifies the application of SAW credit allowances in the event of a BellSouth network equipment failure for higher level transport services that are channelized to allow operation of lower level services¹. To avoid any possible misunderstandings in the future, this filing clarifies the SAW regulations in Section 2.4.4 to specify that credits only apply on the higher level channelized transport services and not on the lower level services riding them when service interruptions occur due to Company equipment failure.

This filing also clarifies that the total monthly credits given under SAW regulations and any other monthly credit the customer receives from the Company shall not exceed the monthly rate for the service.

¹ Example: LightGate Service (a.k.a. BellSouth SPA Point-to-Point Network 1 DS3 capacity) channelized for 28 DS1 circuits.

Another clarification being made to SAW regulations is related to when a credit allowance does not apply. The existing regulations do not allow SAW credits when service interruptions are due to the customer's negligence. This filing clarifies that the definition of "customer" includes the customer's end user and the customer or end user's authorized agent.

Finally, this filing adds SAW regulations to specify that a credit allowance does not apply when unbundled network elements (UNEs) or combinations of UNEs are commingled with Access Services purchased under this Tariff.