



**TXU Communications**  
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Irving, TX 75062  
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FRN #0010-1553-98

January 6, 2004

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
Washington, DC

Attention: Wireline Competition Bureau

TXU Communications Companies Application No. 1

RE: Proposed TXU Communications Companies Access Service Tariff F.C.C. No. 1 which consolidates the interstate access and special construction tariffs of the 2 affiliated companies, TXU Communications Telephone Company and Ft. Bend Telephone Company, which is an Issuing Carrier of John Staurulakis, Inc. (JSI) Tariff F.C.C. No. 1.

This application for special permission requests waiver of the requirements of Section 61.52(b), 61.54(c)(4), 61.54(i)(1), 61.54(i)(3), 61.59 and 61.74 of Part 61 of the Federal Communications Commission's Rules in connection with the proposed submission of TXU Communications Companies (FRN #0010-1553-98) Access Tariff F.C.C. No. 1 (TXUCC FCC1). The affiliates of TXU Communications Companies (TXUCC) – TXU Communications Telephone Company (TXUC) and Fort Bend Telephone Company (FBTC) – believe that a grant of this waiver is in the public interest and request that the waiver be granted for the purposes below:

1. Waiver of Section 61.52(b) is requested in order to file a consolidated tariff on behalf of TXU Communications Telephone Company (TXUC) and Fort Bend Telephone Company (FBTC), as affiliates of the TXU Communications Companies (TXUCC). In lieu of the requirements of the waived rules, the name and address of each issuing carrier will be set forth in full on the title page of TXUCC F.C.C No. 1.
2. Waiver of Sections 61.54(c)(4) and 61.54(i)(1) is requested to allow TXUCC FCC1 to be filed without the required footnotes on material relocated without change and to eliminate the associated symbolization requirements.
3. Waiver of Sections 61.54(i)(3) and 61.59 is requested to allow tariff material that may not be in effect for 30 days to be incorporated into TXUCC F.C.C.1

without the required footnotes and symbolization. The last change to the TXUC and FBTC (JSI) tariffs was filed December 16, 2003 in Transmittal No. 18 and Transmittal No. 90, respectively.

4. Waiver of Section 61.74 is requested to allow the carriers to continue to reference NECA Tariff 5 for the Federal Universal Service charge and ISDN Line Ports (Section 3, 17 and 18), End User Access Service (Section 4, 17 and 18) and the Special Access Surcharge (Sections 7, 17 and 18). All references to Carrier Common Line Charge were deleted from the NECA Tariff as of July 2003 and will be deleted from the TXUCC tariff also.

TXUCC Tariff F.C.C. No. 1 will be filed on 15 days notice in accordance with Section 204(a)(3) of the Communications Act of 1934, as amended; thus no waiver of Section 61.58 is being requested. The rates and charges contained in TXUCC F.C.C.1 will be identical to those currently found in the TXUC and FBTC Tariffs, and the regulations will be identical to those currently found in TXUC Telephone Company Tariff F.C.C. No. 1 (current TXUC Access Tariff), except that:

1. Descriptions of services tariffed only by FBTC will be added from the JSI tariff,
2. FBTC rates from Section 17 of the JSI Tariff will be included as Section 18 in the new tariff,
3. The regulations and provisions from TXUC Tariff F.C.C. No. 2 will be included as Section 19 in the new tariff,
4. Verbiage will be updated to mirror NECA Tariff F.C.C. No. 5, delete obsolete provisions, and establish correct titles for cross-reference purposes,
5. Minor textual and administrative changes necessary to reflect the revised page numbers, ensure consistent section headings and references, and ensure that the Table of Contents conforms to the body of the tariff will be made.

A side-by-side comparison for each section will be provided with the transmittal and tariff showing any changes to the original tariffs. A sample of the side-by-side comparison is attached with this Application.

Simultaneously with the effective date of the new tariff and under the same Transmittal, TXUC (FRN #0003-7319-16) TXUC will also issue revised two Title Pages and two Supplement No. 1's:

- ? Canceling TXUC Telephone Company's Tariff F.C.C. No.1 and
  - ? Canceling TXUC Telephone Company's Tariff F.C.C. No. 2,
- concurrent with the January 29, 2004, effective date of TXUCC F.C.C. No. 1.

(Note: under separate JSI Transmittal, FBTC's status as an issuing carrier of the JSI tariff will be canceled concurrently with the January 29, 2004, effective date of the new tariff.)

The TXU Communications Companies affiliates, TXUC and FBTC, believe that a grant of the requested waivers is in the public interest in that the proposed tariff, TXUCC Tariff F.C.C. No. 1, will carry forward the rates found in the existing Fort Bend Telephone Company interstate access tariff (JSI Tariff F.C.C. No. 1) and TXUC Telephone Company Tariff F.C.C. No. 1, along with regulations found in TXUC Telephone Company Tariffs F.C.C. No. 1 and No. 2, without material change. Granting this application will reduce the administrative burden of the companies' customers and of the Commission staff by eliminating unnecessary blank pages and sequentially renumbering each tariff section.

This Application letter and the appropriate illustrative tariff pages are being filed electronically today via the Federal Communications Commission's Electronic Tariff filing System (ETFS).

The original letter of application, along with F.C.C. Form 159 and filing fees in the amount of \$695, is concurrently being delivered to the wholesale Lockbox Shift supervisor – Mellon Bank, pursuant to Section 61.32(b) of the Commission's Rules. Acknowledgment and date of receipt of this application by the Mellon Bank is requested. A duplicate copy of the application is provided for this purpose.

All correspondence and inquiries in connection with this filing should be addressed to me at 300 Decker Drive, Irving, TX 75062, (214) 774-3272.

Michael J. Shultz  
Sr. Director of Regulatory and Industry Affairs

Attachments:

- Title Pages and Supplements Canceling Tariffs
  - TXU Communications Companies (TXUCC) Tariff FCC No. 1 (consolidated tariff) Original Title Page
  - TXU Communications Telecommunications Company (TXUC) Tariff FCC No. 1 Title Page and Supplement No. 1 canceling the tariff
  - TXUC Tariff FCC No. 2 Title Page and Supplement No. 1 canceling the tariff

Attachments (continued):

(Note: under separate transmittal, John Staurulakis, Inc. (JSI) will be filing to remove Ft. Bend Telephone Company (FBTC) as an issuing carrier of JSI Tariff FCC No. 1)

- Sample Tariff Pages
  - TXUCC Tariff FCC No. 1 -- Section 3
  - Section 4
  - Page 17-1
  - Page 18-1 and 18-8
  - Section 19
- Sample Side-by-Side Comparisons
  - Section 3 -- TXUCC Tariff FCC No. 1 vs TXUC Tariff FCC No. 1
  - Section 4 -- TXUCC Tariff FCC No. 1 vs TXUC Tariff FCC No. 1
  - Section 17 -- TXUCC Tariff FCC No. 1 vs TXUC Tariff FCC No. 1
  - Section 18 -- TXUCC Tariff FCC No. 1 vs JSI Tariff FCC No. 1
  - Section 19 -- TXUCC Tariff FCC No. 1 vs TXUC Tariff FCC No. 2