



FRN: 0005-0491-27

June 29, 2004

Application No. 15
Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
Washington, D.C. 20554

Attention: Wireline Competition Bureau

Application is hereby made by Nevada Bell Telephone Company (NBTC) for Special Permission to waive Sections 61.58, 61.59, 61.15(d) and 69.3(h) of the Commission's Rules.

On June 16, 2004, in Transmittal No. 67, NBTC submitted its 2004 Annual Access Tariff Filing in Tariff F.C.C. No. 1, in accordance with the Bureau's Order, In the Matter of July 1, 2004 Annual Access Charge Tariff Filings, DA 04-1049, released April 19, 2004, and the Commission's Tariff Review Plans, In the Matter of Material to be Filed in Support of 2004 Annual Access Tariff Filings, DA 04-1048, released April 19, 2004. Transmittal No. 67 is scheduled to become effective on July 1, 2004.

NBTC's Transmittal No. 67 contained a clerical error that assigned the incorrect amount of Average Traffic Sensitive (ATS) rate reductions to the Local Switching Sub-Band. With this Application, NBTC requests permission to waive Sections 61.58 and 61.59 of the Commission's Rules. NBTC wishes to remove the required ATS reduction revenues from the Local Switching Trunk Port category and apply them to the Local Switching category in compliance with 61.45 of the Commission's Rules. Making this correction will revise specified rates on the attached illustrative Tariff Page 6-150.

In addition, since Transmittal No. 67 is NBTC's 2004 Annual Access Tariff Filing, only changes to rate levels are permitted. NBTC made language changes in order to bring the NBTC FUSF tariff in line with the other SBC Companies' regional tariffs. NBTC requests permission to waive Sections 61.15(d) and 69.3(h) of the Commission's Rules in order to retain the conforming language changes listed below:

- Tariff Page 4-8.1 - Revises the language to permit bundling of the BRI ISDN end-user FUSF port charge into the BRI ISDN FUSF charge.
- Tariff Page 4-11 - These deletions are necessary to remove the explicit BRI ISDN FUSF Port charges as they are now included in the BRI ISDN Basic FUSF recovery charge set forth in Section 4.7 (I) (3).

Lastly, NBTC made tariff page language changes to the ISDN BRI as cited below on illustrative tariff page 4-9 for the reasons above. With this Application, NBTC requests permission to waive Sections 61.58, 61.59 and 69.3(h) of the Commission's Rules in order to remove material that is now extraneous. Illustrative tariff page 4-9 is attached.

The language modifications on illustrative tariff page 4-9 is an effort to reflect in the tariff how BRI ISDN and BRI ISDN Port customers are now billed USF charges. When a customer is assessed a BRI ISDN Port Charge, as discussed in Section 4.6.1(F)(1), a BRI ISDN FUSF recovery charge, as now discussed in Section 4.6.1(G)(3), will now be assessed to recover the USF obligation associated with each interstate end user charge as set forth in Section 4.7. (I) (3).

Revisions to the Tariff Review Plan (TRP), Rate Detail and Exhibits 6 and 15 are required with the ATS revenue correction and will be submitted with the Transmittal Letter filing. Illustrative tariff pages 4-9, 6-150 and the revised TRP are attached.


A waiver of Section 61.58 is requested to permit the revision of tariff material to become effective on not less than one day's notice to permit material to become effective on the originally scheduled effective date of July 1, 2004. A waiver of Section 61.59 is requested to permit revisions to tariff material that is not yet in effect. A waiver of 61.15(d) is requested to grant permission after the original Transmittal Letter was filed and lastly, a waiver 69.3(h) is requested to permit the needed tariff page language changes to go into effect with NBTC's 2004 Annual Access Tariff Filing.

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).

Payment in the amount of \$695.00 has been electronically transmitted to the Mellon Bank in Pittsburgh, Pennsylvania, in accordance with the fee program procedures. The Form 159 is being transmitted electronically via ETFS as a proprietary document. These actions have been committed on the date established as the issued (filed) date as reflected above.

All correspondence and inquiries concerning this application should be addressed to Debra L. Clemens, Associate Director-Federal Regulatory, (202) 326-8882, 1401 I Street, N.W., Suite 1100, Washington, D.C. 20005.

Sincerely,

A handwritten signature in black ink that reads "Patrick R. Doherty". The signature is written in a cursive style with a large, stylized initial "P" and a long, sweeping underline.

Attachments:

- Letter
- Illustrative Tariff Pages
- Tariff Review Plan (TRP)