

**NEVADA BELL TELEPHONE COMPANY  
DESCRIPTION AND JUSTIFICATION  
FEBRUARY 24, 2006  
TRANSMITTAL NO. 120**

**PURPOSE**

The purpose of this filing is to clarify the circumstances under which this tariff applies.

**DESCRIPTION**

NBTC proposes to add language to Sections 2.1 and 5.1 of this tariff to clarify its scope. Specifically, NBTC proposes to clarify that this tariff will govern the rates, terms, and conditions under which NBTC provides certain special access services that were originally provisioned as UNEs, but which are no longer available as UNEs as of March 12, 2006. This change will apply only in circumstances in which the carrier that has purchased the UNE in question has not made arrangements as of March 12, 2006 with NBTC either to disconnect the facilities or convert them to alternative special access services. The converted services will be billed at the prevailing tariffed monthly rate for the applicable special access service and will carry a March 12, 2006 effective bill date. The only non-recurring charge that will apply to these services is the Access Service Order charge. Installation, Design, and Central Office non-recurring charges will not apply. Disconnect charges will not apply to the termination of the UNE.

The proposed language will apply only when the unavailability of the UNE is not subject to dispute. Hence, this language will not apply if the carrier has certified its eligibility to purchase the UNE in question, and such certification, even if disputed, has not been rejected by the relevant state authority. It also will not

apply if a state has concluded in a generic proceeding that NBTC must provide the UNE in question in the relevant wire center.

## **JUSTIFICATION**

The proposed language is consistent with the public interest. Approximately a year ago, the Commission adopted a deadline of March 11, 2006, for carriers to transition to alternative arrangements in lieu of UNEs that no longer need be provided under the FCC's impairment test. Since that time, NBTC has proactively attempted to work with its customers to facilitate this transition. Specifically, in fifteen separate Accessible Letters, sent between February 11, 2005 and February 14, 2006, NBTC advised its customers of the impending deadline and urged them to initiate discussions regarding an appropriate transition. In at least one of those letters, NBTC informed its customers that it would not provide UNEs in the absence of a legal obligation to do so after March 11, 2006. In each of the letters, NBTC informed its customers that they could elect either to disconnect or convert their UNEs to comparable special access arrangements. Several of those customers have, in fact, established a transition plan. Some customers, however, have simply ignored the March 11 deadline, and have not provided any instructions to NBTC regarding the treatment of their facilities post-March 11.

NBTC believes it would be in the public interest to minimize customer disruption that could be caused by disconnecting UNE facilities. In order to clarify that facilities for which no transition plan has been submitted will be governed by NBTC's special access tariff, NBTC submits this tariff modification.