

BELLSOUTH TELECOMMUNICATIONS, INC.

DESCRIPTION AND JUSTIFICATION

CONTRACT TARIFF NO. 40

TRANSMITTAL NO. 993

BellSouth Telecommunications, Inc. (hereinafter "BellSouth"), with this filing, is revising Section 25 of its Access Services Tariff, F.C.C. No. 1, to introduce Contract Tariff No. 40, which is being filed on one-day's notice pursuant to BellSouth receiving Phase I and Phase II Pricing Flexibility for Special Access and Dedicated Transport Services in qualifying Metropolitan Statistical Areas (MSAs).¹ This transmittal is being filed on August 14, 2006, and is scheduled to become effective August 15, 2006.

Customers subscribing to Contract Tariff No. 40 will receive a credit applicable to the monthly recurring rates for Non-channelized LightGate DS3 Service (a.k.a. BellSouth SPA Point to Point Network) subject to certain terms and conditions. The Contract Tariff sets forth the Full Service Relief MSAs for which the credit applies. Section 23 of F.C.C. No. 1 provides the rates and charges for the services included in the Contract Tariff.

In order to take advantage of Contract Tariff No. 40, customers must subscribe to the Contract Tariff within 15 days of the tariff's effective date. The subscription period expires August 30, 2006.

¹ In the Matter of BellSouth Petition for Pricing Flexibility for Special Access and Dedicated Transport Services, CCB/CPD No. 00-20, Memorandum Opinion and Order, DA 00-2793, released December 15, 2000, and Memorandum Opinion and Order, WCB/Pricing No. 02-24, DA 02-3228, released on November 22, 2002.