

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

GTE North Incorporated and GTE South Incorporated :
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Joint application for designation as eligible telecommunications carriers under 47 U.S.C. §214(e)(2) for their certificated service areas. : **97-0446**
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ORDER

By the Commission:

On September 15, 1997, GTE North Incorporated and GTE South Incorporated ("Joint Applicants" or "GTE") filed a joint application under Section 214(e)(2) of the Telecommunications Act of 1996, Public Law 104-104, 110 Stats. 56 (eff. February 8, 1996), codified at 47 U.S.C. §153, et seq. ("Act"); ¶132 of the First Report And Order, CC Docket No. 96-45 (FCC 97-157), *In the Matter of Federal-State Joint Board on Universal Service*, released May 8, 1997 ("FCC First Report and Order"); and 47 C.F.R. 54.201 ("FCC's Rules") requesting that the Illinois Commerce Commission ("Commission") designate Joint Applicants as eligible telecommunications carriers ("ELTEs") for their respective service areas within the State of Illinois. The verified statement of Larry J. Smith, State Director—External Affairs for GTE North, was submitted in support of the joint application.

On October 9, 1997, the Staff of the Commission submitted the verified statements of Rasha Topozada-Yow, Interim Section Chief, and S. Rick Gasparin, Economic Analyst, both of the Telecommunications Division; and Cindy Jackson, Program Assistant in the Consumer Services Division.

Pursuant to proper notice, this matter was called for hearing by a duly authorized Hearing Examiner of the Commission at its offices in Springfield, Illinois on October 15, 1997. Appearances were entered by counsel for Applicant and for the Commission Staff. The parties waived cross-examination and the verified statements of Joint Applicants and Staff were received in evidence. Counsel for Joint Applicants stated that GTE supported the conclusions and recommendations set forth by Staff in its verified statements admitted into evidence. The record was marked "Heard and Taken" on October 15, 1997.

Joint Applicants' Position

Joint Applicants are incumbent local exchange, facilities-based, telecommunications carriers within the meaning of Section 13-202 of the Universal Telephone Protection Act of 1985, 220 ILCS 5/13-100, et seq., and 47 U.S.C. §§ 153(26) and (44) and are authorized to provide, and are currently providing, intraMSA exchange and interexchange telecommunications service to customers within certain certificated areas within the State of Illinois. Joint Applicants' Certificates of Service Authority and exchange maps setting forth which areas Joint Applicants hold themselves out to serve are on file with this Commission in accordance with 83 Ill. Adm. Code § 730.700, et seq. The exchanges are listed on the attached Appendix A. Each Joint Applicant is a common carrier and telecommunications carrier as those terms are defined by the federal Telecommunications Act of 1996 (see 47 U.S.C. §§ 153(10) & (44)) and used in 47 U.S.C. § 214(e).

In compliance with 47 U.S.C. 254(c) and 47 C.F.R. § 54.101(a), the FCC designated the following services to be supported by Universal Service:

- A. Voice grade access to the public switched network;
- B. Local usage;
- C. Dual tone multi-frequency (touch tone) or its functional equivalent;
- D. Single-party service or its functional equivalent;
- E. Access to emergency services;
- F. Access to operator services;
- G. Access to interexchange services;
- H. Access to directory assistance; and
- I. Toll blocking and toll limitation for qualifying low-income consumers.

Joint Applicants certified that in their certificated service territories, they meet the following requirements for designation as an "eligible telecommunications carrier" as described herein and that Joint Applicants offer the services that are supported by federal universal service support mechanisms under 47 U.S.C. § 254(c) throughout their certificated service areas, using their own facilities as defined in 47 C.F.R. § 51.201(e) and (f), which telecommunication services include:

- A. Voice grade access to the public switched network, with the ability to place and receive calls.

- B. Single-party service.
- C. Dual Tone Multifrequency ("DTMF") signaling also known as touch-tone service or the functional equivalent;
- D. Access to emergency services, including 911 and Enhanced 911 (defined as the capability of providing both ANI and ALI);
- E. Access to operator services;
- F. Access to interexchange services; and
- G. Access to directory assistance;

With regard to the services listed in the preceding paragraph, Joint Applicants certified that they advertise within their certificated service areas the availability of such services and the charges therefore, using media of general distribution as required by 47 U.S.C. § 214(e)(1)(B) and that Joint Applicants will:

- A. Advertise throughout their respective operating territories, on an ongoing basis, at least once a quarter each year, the programs associated with Universal Service.
- B. Use press releases, brochures, bill inserts, company publications, newspapers, radio, television or any other suitable means to publish such advertisements.
- C. Include an explanation of their Universal Service programs in their telephone directories.
- D. Provide written notification of the Universal Service programs to the director of all local and governmental agencies within each Joint Applicant's operating territory whose clientele could benefit from any of these programs.
- E. Include, as a minimum in the information to be so provided, descriptions of the intended recipients of these programs, the terms under which these programs are available, and directions on how and where to apply.
- F. Provide to the Commission and/or its Staff such proof of these advertising practices when required from time-to-time.

Joint Applicants do not completely comply with the following requirements for certification as an ELTEL:

- A. Toll blocking and toll limitation for qualifying low-income consumers.
- B. Making Lifeline Services available for qualifying low income consumers in accordance with ¶¶ 385, 390, 394, and 398 of the FCC First Report and Order.

Joint Applicants stated, however, that they are entitled to a waiver of such requirements and are thus entitled to designation as an ELTEL.

With respect to the toll blocking and toll limitation requirement for qualifying low-income consumers, each Joint Applicant can provide, and does provide:

- A. Toll blocking and toll limitation without blocking access to operator services when dialing 0- through the use of operator screening codes. Blocked and limited accounts are only allowed to place collect or third number billed calls through 0- access.
- B. Toll blocking and toll limitation without blocking access to 1-800 calls through the GTE Advanced Credit Management program. In both instances, customers retain access to 1+800 services when their lines are blocked or limited from other types of toll.

However, with respect to the toll blocking and toll limitation requirement for qualifying low-income consumers, Joint Applicants seek a waiver under two circumstances. First, Joint Applicants cannot provide toll blocking without blocking access to emergency services in areas where there are no 9-1-1 systems in place and contacting the emergency services requires a toll call. (See the attached Appendix B for a listing of those exchanges.) There are customers who live in outlying rural areas, specifically where the customer's home is situated near an exchange area boundary so that the customer's address is from one exchange, but the customer's telephone number is from another exchange. In such instances, and only in those areas that are not yet served by 9-1-1, this set of customers must dial toll to reach emergency services. Joint Applicants will require a waiver from both toll block and toll limitation requirements to the extent necessary to provide uninterrupted 1+ toll access to these customers at all times. This is a state-wide problem that will not be eliminated until every area of the state is being provided 9-1-1 emergency access.

Second, in a few exchanges, toll blocking and toll limitation are not available because of the technological constraints imposed by analog central office switches. A central office modernization program in Illinois was approved for Joint Applicants in Dockets 93-0301/94-0041 and is being monitored by the Commission Staff. The modernization program is on schedule and is nearing completion; however, the final

switches will not be in place until December 1998. For that reason, Joint Applicants will require a limited waiver until December 31, 1998 when all GTE exchanges in Illinois are scheduled to be converted to digital switches. The exchanges, along with their scheduled cut-over dates, are Mahomet (4/98), Mansfield (4/98), Desoto (6/98), Weldon (10/98), Shirland (8/98), Milton (9/98), Pearl (9/98), Ava (6/98), Astoria (4/98), Prairie City (4/98), Bureau (4/98), Lamoille (4/98), Wyanet (4/98), Cuba (5/98), Kirkwood (7/98), Roseville (7/98), Andover (7/98), Matherville (7/98), Preemption (7/98), Sherrard (7/98), Cobden (7/98), New Boston (8/98), North Henderson (8/98), Little York (8/98), Bunker Hill (9/98), Grand Tower (11/98), Benld (11/98), Coffeen (11/98), Donnellson (11/98), Fillmore (11/98), Sorento (11/98), Minonk (11/98), Benson (11/98), Cypress (11/98), Karnak (11/98), Ramsey (12/98), and Claremont (12/98).

Each Joint Applicant is technically capable of establishing credit limits and of invoking toll limitation in circumstances where an individual customer accrues toll in excess of the customer's established credit limit. Today, Joint Applicants have toll limitation in place (first approved by the Commission's September 21, 1995, Order in Docket 95-0028 and most recently approved in the Commission's August 29, 1997, Order in Docket 97-0216) on all toll for which the companies bill in Illinois. To the extent that ELTELS are required by the FCC First Report and Order to provide toll limitation for calls which are billed by other IXC's, the Joint Applicants will require a waiver.

Joint Applicants also certified that they have made Link-Up services available for qualifying low income consumers within their certificated service areas in accordance with §§ 385, 390, 394, and 398 of the FCC First Report and Order.

With respect to making Lifeline Services available for qualifying low income consumers in accordance with §§ 385, 390, 394, and 398 of the FCC First Report and Order, Joint Applicants presently do not participate in the plan. However, Joint Applicants understand that the Commission, by rule-making, plans to participate in the federal plan only. At such time as the Commission effects this selection, Joint Applicants will file their tariffs adopting the plan approved and selected by the Commission. Until such time, Joint Applicants will require, and have requested, a waiver.

Once Joint Applicants are qualified for the federal Lifeline Program, pursuant to 47 C.F.R. § 54.401(b), and have completed the central office switch modernization plan discussed above, Joint Applicants committed that they will not disconnect Lifeline service for non-payment of toll charges and, in accordance with 47 C.F.R. § 54.401(c), will not require a service deposit in order for a low-income, end-user customer to initiate Lifeline service if the low-income, end-user customer voluntarily elects toll blocking where it is available.

Staff's Position

Staff has reviewed GTE's joint application and recommends that Joint Applicants be designated as eligible telecommunications carriers under Section 214(e)(2) for their respective service areas on an exchange-by-exchange basis.

Ms. Jackson reviewed the joint application with regard to FCC requirements concerning advertising, offering Lifeline and Link Up support, disconnection for non-payment of toll charges, deposits for toll limitation service, and toll blocking in areas without 9-1-1 or E9-1-1 service. Ms. Jackson found that Joint Applicants have met most FCC requirements in these areas. She supported Joint Applicants' request for waiver from the FCC's toll blocking requirement in those areas where 9-1-1 or E9-1-1 is not available until such time as one of these services is operational. Ms. Jackson requested that the Joint Applicants be directed to follow the rules and requirements for advertising the availability of services designated for support and the charges when such rules are adopted by the Commission pursuant to 47 C.F.R. § 54.10. As previously noted, Joint Applicants have agreed to do so.

Ms. Jackson also requested that the Commission condition its approval of the joint application on the Joint Applicants' confirmation that all of their customers in a 9-1-1 system are being currently served by an existing 9-1-1 system before toll blocking is implemented. Counsel for GTE stated that GTE is currently working with Staff, and will continue to work with Staff to determine by the end of 1997 where customers have been opted in, or out, of any 9-1-1 system to ensure that those customers are either receiving 9-1-1 service from another jurisdiction or will not be toll blocked where emergency services require 1+ dialing.

Mr. Gasparin examined GTE'S joint application from a technical perspective as it relates to voice grade access and the modification of frequency ranges. He explained that the FCC has modified the transitional voice grade access frequency range in its decision in CC Docket No. 96-45 adopted November 7, 1996. He concluded that the range and effective bandwidth used for voice communications by Illinois carriers (as well as carriers throughout the country) is adequate for the provisioning of voice service and meets the new FCC requirements. Mr. Gasparin also explained that the current bandwidth supporting voice communications requirements of the public switched network is quite adequate and meets the current goals of the FCC. Mr. Gasparin cited the FCC's findings that voice grade, not higher bandwidth services and data transmission capabilities, is the appropriate goal of universal service at this time. (FCC First Report and Order, ¶ 64.)

Ms. Topozada-Yow summarized the goals and requirements of certification for eligible telecommunications carriers within particular service areas. She explained that certification was necessary for the Joint Applicants to be eligible for federal universal service funds and that, as non-rural carriers, Joint Applicants' respective service area should be defined as the minimum geographic areas that must be served in order to receive universal service support and small enough so as not to impede entry by potential competitors. Therefore, Ms. Topozada-Yow recommended that the Commission define Joint Applicants' respective service areas on an exchange-by-exchange basis. Ms.

Toppozada-Yow also recommended that the Commission clearly state in its order herein that it reserves the right to modify its definition of the service area of non-rural carriers to the extent that an interested party demonstrates that defining a service area as an "exchange" does not accurately target high cost support and/or does not encourage entry by competitors.

Ms. Toppozada-Yow evaluated the Joint Applicants' provision of the services supported by universal service. Based on her review of GTE's verified statement and her discussions with Staff witnesses Gasparin and Jackson, Ms. Toppozada-Yow concluded that the Joint Applicants complied with the requirements for providing voice grade access to the public switched network; dual tone multi-frequency signaling; single party service; access to emergency services, operator services, interexchange services and directory assistance; and low-income service requirements.

As to local usage, Ms. Toppozada-Yow concluded that GTE provides this service. However, she pointed out that the FCC has not yet specified what level of local usage universal service should support. Therefore, Ms. Toppozada-Yow recommended that the order in this case should direct Joint Applicants to meet the level of service ultimately required by the FCC and should require the Joint Applicants to provide evidence of their compliance upon the Commission's request. Joint Applicants agreed to do this.

As to toll limitation, Ms. Toppozada-Yow concluded that, with the exception of a few exchanges where toll blocking is not available because of the technological constraints imposed by analog central office switches, GTE is capable of providing adequate toll blocking in its exchanges. Ms. Toppozada-Yow stated that GTE's request for a waiver from the toll blocking requirement, until such time as the central office modernization program approved in Dockets 93-0301/94-0041 is completed in December of 1998, is consistent with the position and rationale expressed by the telecommunications industry during Staff workshops. She has no objection to the Joint Applicants' request for waiver from the toll blocking requirement until such time as their analog central office switches have been upgraded by December of 1998.

However, Ms. Toppozada-Yow understood that GTE cannot presently comply with the toll control service requirements of the FCC. Ms. Toppozada-Yow noted that Joint Applicants will not be able to provide toll control where they do not bill for toll service. Nor will Joint Applicants be able to offer toll control service in exchanges where 911 service is unavailable because customers living in those exchanges may complete emergency calls that constitute toll calls and, if such customers have reached their toll limits, those emergency calls would be blocked. Finally, Ms. Toppozada-Yow noted that Joint Applicants could not offer toll control service to customers served by exchanges with analog central office switches until those analog switches were replaced with digital switches by December 1998.

With respect to these toll control problems reported by GTE, Ms. Toppozada-Yow noted that during the Staff's Universal Service Workshops, most participants expressed

concerns regarding the FCC's toll control requirements where the carrier is not billing for toll service. Therefore, Ms. Topozada-Yow opined that this problem is an industry-wide issue and cannot be resolved until such time as the billing issue has been addressed by the industry as a whole. Ms. Topozada-Yow recommended that the Commission grant the Joint Applicants' a waiver from the requirement to offer toll control service for a period of three years (1998, 1999 and 2000). She further recommended that the Joint Applicants be directed to implement a reliable method of toll control as soon as it becomes available and, when that method of toll control does become available, to withdraw their request for waiver and to begin offering toll control service to their low income customers. Joint Applicants indicated that they did not oppose adoption of this condition.

With respect to the "facilities" requirement of Section 47 U.S.C. § 214(e), Ms. Topozada-Yow stated that, based upon the Joint Applicants' statement in their joint application and in their supporting verified affidavit that they are certificated, facilities-based, incumbent Local Exchange Carriers (LECs) and upon her understanding of the operations of the Joint Applicants, the Joint Applicants do provide the designated services identified by the FCC, using their own facilities as required by the FCC.

In summary, Ms. Topozada-Yow recommended that the Commission approve the Joint Applicants' verified joint application and designate each Joint Applicant as an eligible telecommunications carrier for their respective service areas, on an exchange-by-exchange basis. Ms. Topozada-Yow recommended that the Commission grant the Joint Applicants the waivers each requested with regard to toll control, toll limitation, and access to 9-1-1 service systems. Ms. Topozada-Yow also recommended that the Commission direct each Joint Applicant to comply with the local usage definitions which the FCC is expected to publish by the end of 1997 and that the Commission direct the company to withdraw its toll control service waiver once a reliable method of toll control becomes available within the telecommunications industry.

Conclusion

Pursuant to the Act and the FCC's Rules, Joint Applicants have filed to be designated as eligible telecommunications carriers for their presently certificated service areas within the State of Illinois. Staff supports the requested designation and the granting of the limited waivers sought by Joint Applicants. The Commission concurs and finds that both GTE North Incorporated and GTE South Incorporated should be designated an eligible telecommunications carrier for their service areas on an exchange-by-exchange basis and granted the requested waivers as discussed below.

The record demonstrates that each Joint Applicant meets the requirements of Section 214(e)(1) of the Act to be designated an eligible telecommunications carrier. Each Joint Applicant is a non-rural telephone company within the meaning of the Act and the FCC's rules. It is therefore appropriate to designate each Joint Applicant as an eligible telecommunications carrier within its presently certificated service area in Illinois, on an exchange-by exchange basis. As recommended by Ms. Topozada-Yow, the Commission

does retain the right to modify its definition of the service area of non-rural carriers to the extent that an interested party demonstrates that defining a service area as an "exchange" does not accurately target high cost support and/or does not encourage entry by competitors.

The Commission, pursuant to 83 Ill. Adm. Code § 200.640, takes administrative notice that Joint Applicant GTE North's service areas includes customers located in the State of Wisconsin who are served by central office switches located in GTE North's Illinois exchanges of Apple River and Warren. These service areas are identified by Joint Applicant GTE North in the records of the Public Service Commission of Wisconsin as GTE North's Wisconsin exchanges of Apple River, Fairplay, and North Warren. Traditionally, this Commission has deferred to the Public Service Commission of Wisconsin with regards to regulation of the telecommunications services GTE North provides to these Wisconsin customers. GTE North was advised by the Public Service Commission of Wisconsin that it should seek ELTEL status for those customers located in its Wisconsin exchanges of Apple River, Fairplay and North Warren. Pursuant to this direction, GTE North petitioned the Commission for ELTEL status to include the Wisconsin customers served by these exchanges. As the FCC pointed out at ¶ 147 of its First Report and Order, there is no language within 47 U.S.C. § 214(e)(1) that requires that a telecommunications carrier seeking designation as an ELTEL be subject to the jurisdiction of the state commission. For example, the FCC notes that tribal telephone companies, CMRS providers, and other carriers that are not subject to the full panoply of state regulation may nevertheless be designated as ELTELS. Therefore, to the extent that the Public Service Commission of Wisconsin does not designate GTE North as an ELTEL for the Wisconsin exchanges of Apple River, Fairplay and North Warren and grant the waiver requested by GTE North, then the same findings of fact and law and ordering paragraphs set forth in this order are imposed upon GTE North with respect to its customers within the State of Wisconsin who are served by central office switches located within GTE North's Illinois service area.

The Commission is advised by the Hearing Examiner that the parties have been notified of the materials noticed herein and have been provided a reasonable opportunity to contest such material and have, in fact, expressed their support for the Commission's action in taking this administrative notice.

With the exception of toll limitation for qualifying low-income consumers and access to 9-1-1 systems as discussed below, the record demonstrates that Joint Applicants provide each and all of the required services as designated and defined by the FCC. While each Joint Applicant has indicated its willingness to offer local usage as required by the FCC, the FCC has yet to specify the amount of local usage to be supported by federal universal service mechanisms. While the Commission accepts the Joint Applicants' commitment that they will provide the required amount of local usage as determined by the FCC, Joint Applicants should be prepared to demonstrate their compliance with this requirement upon request.

As discussed above in describing the positions of Joint Applicants and the Staff, GTE cannot presently provide toll control to low-income subscribers as described in the FCC's requirements. The inability to provide toll control is, in part, not unique to Joint Applicants but exists with other telecommunications carriers in Illinois. Joint Applicants have stated that they will endeavor to make themselves aware of any reliable method of toll control that becomes available within the telecommunications industry. Staff has recommended that Joint Applicants withdraw their request for the toll control waiver which is being granted when a reliable method of toll control becomes available.

The Commission finds that exceptional circumstances do exist and grants Joint Applicants a waiver of the toll control requirements for a period of three years (the calendar years 1998, 1999 and 2000). If and/or when a reliable method of toll control will become available is not presently known. At this point, there are too many unknowns concerning solutions that might allow toll control to be provided, including the ability of any company to deploy the solution and the associated costs. Since the inability to provide toll control is widespread within the industry, rather than requiring Joint Applicants to withdraw their requests for a waiver, the Commission directs Joint Applicants to expeditiously notify the Staff if any Joint Applicant becomes aware of the availability of a reliable methodology of providing toll control. The Staff, together with Joint Applicants and other members of the industry, can then investigate the methodology, whether exceptional circumstances exist, and whether it is appropriate for Joint Applicants and other telecommunications carriers in Illinois to implement and deploy the toll control methodology.

Joint Applicants have the ability to provide toll blocking as defined by the FCC. However, as discussed by Ms. Jackson and Ms. Topozada-Yow, toll blocking could result in calls to emergency services being blocked in areas where neither 9-1-1 or E9-1-1 are in service. Also, Joint Applicants cannot provide toll blocking in those few exchanges that are still served by analog central office switches until those central office switches are upgraded to digital switches upon conclusion, in December of 1998, of the central office modernization program this Commission approved for Joint Applicants in their recent rate case, Dockets 93-0503/94-0041. Joint Applicants' request for a waiver of the toll blocking requirement, in order to avoid blocking access to emergency services until such time as 9-1-1 or E9-1-1 is in service in any exchange and until the completion of its central office network modernization program in those exchanges which are presently served by analog central office switches, should be granted in the interest of public safety, continued access to emergency services, and based upon the exceptional circumstances demonstrated in this record. Joint Applicants are furthermore ordered to continue working with Staff to determine by the end of 1997 where customers have been opted in, or out, of any 9-1-1 system to ensure that those customers are either receiving 9-1-1 service from another jurisdiction or will not be toll blocked where emergency services require 1+ dialing.

The FCC's Rules require an eligible carrier to advertise the availability of services and charges using media of general distribution. The Commission will initiate a proceeding in the near future to establish advertising requirements applicable to all carriers who have or seek to be designated as eligible telecommunications carriers. Joint

Applicants have indicated that they will comply with the Commission's advertising requirements when adopted.

Until such advertising requirements are adopted by the Commission, Joint Applicants have stated that, with regard to the services that are the subject of this docket, Joint Applicants advertise within their certificated service areas the availability of the said services and the charges therefore, using media of general distribution as required by 47 U.S.C. § 214(e)(1)(B). Furthermore, Joint Applicants have committed to (a) advertise throughout their respective operating territories, on an ongoing basis, at least once a quarter each year, the programs associated with Universal Service; (b) use press releases, brochures, bill inserts, company publications, newspapers, radio, television or any other suitable means to publish such advertisements; (c) include an explanation of their Universal Service programs in their telephone directories; (d) provide written notification of the Universal Service programs to the director of all local and governmental agencies within each Joint Applicant's operating territory whose clientele could benefit from any of these programs; (e) include, as a minimum in the information to be so provided, descriptions of the intended recipients of these programs, the terms under which these programs are available, and directions on how and where to apply; and, (f) provide to the Commission and/or its Staff such proof of these advertising practices when required from time-to-time. Therefore, the Commission finds the advertising commitments for Joint Applicants to be reasonable and appropriate and consistent with the FCC's Rules.

As set forth in the verified statements filed by Joint Applicants and Staff, Joint Applicants have committed to comply with all other requirements contained in the Act and the FCC's Rules to be designated as an eligible telecommunications carrier. The granting of the verified joint application of GTE North Incorporated and GTE South Incorporated is consistent with the Act and the FCC's Rules and is in the public interest.

The Commission, having considered the entire record herein and being fully advised in the premises, is of the opinion and finds that:

- (1) GTE North Incorporated and GTE South Incorporated are facilities-based incumbent local exchange telecommunications service providers and are common carriers;
- (2) the Commission has jurisdiction over the parties hereto and subject matter hereof;
- (3) the recitals of fact and conclusions of law set forth in the prefatory portion of this Order are supported by the evidence of record and are hereby adopted as findings of fact and conclusions of law;
- (4) the designation of GTE North Incorporated and GTE South Incorporated as eligible telecommunications carriers for their respective service areas on an

exchange-by-exchange basis is consistent with the Act, the FCC's Rules and is in the public interest;

- (5) based upon exceptional circumstances, GTE North Incorporated and GTE South Incorporated should be granted waivers of the requirement to provide toll control service as defined by the FCC to low-income customers for the calendar years 1998, 1999 and 2000;
- (6) in the interest of public safety, continued access to emergency services, and based upon the exceptional circumstances demonstrated in this record, GTE North Incorporated and GTE South Incorporated should be granted waivers, on an exchange-by-exchange basis, of the requirement to provide toll blocking service to low income customers until the end of December of 1998, the scheduled completion date for their central office modernization program approved in Dockets 93-0301/94-0041, for those exchanges set forth in the prefatory portion of this order which are presently served by analog central office switches;
- (7) in the interest of public safety, continued access to emergency services, and based upon the exceptional circumstances demonstrated in this record, GTE North Incorporated and GTE South Incorporated should be granted waivers of the requirement to provide toll blocking service to low-income customers in those exchanges where 9-1-1 service systems are not in place and operational until such time as 9-1-1 service systems are in place and in service in such exchanges; and
- (8) GTE North Incorporated and GTE South Incorporated should comply with the various requirements associated with being a designated eligible telecommunications carrier as set forth in the FCC's Rules and the additional requirements and commitments described in the prefatory portion of this Order.

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that GTE North Incorporated and GTE South Incorporated are each designated an eligible telecommunications carrier under 47 U.S.C. 214(e) of the Telecommunications Act of 1996 for their respective presently certificated service areas on an exchange-by-exchange basis.

IT IS FURTHER ORDERED that GTE North Incorporated and GTE South Incorporated are granted waivers of the requirement to provide toll control service as defined by the FCC to low-income customers for the calendar years 1998, 1999 and 2000.

IT IS FURTHER ORDERED that GTE North Incorporated and GTE South Incorporated are granted waivers of the requirement to provide toll blocking service as defined by the FCC to low-income customers in those exchanges where 9-1-1 service

systems are not in place and operational until such time as 9-1-1 service systems are in place and in service in such exchanges.

IT IS FURTHER ORDERED that GTE North Incorporated and GTE South Incorporated are granted waivers, on an exchange-by-exchange basis, of the requirement to provide toll blocking service as defined by the FCC to low income customers in those exchanges that are presently served by analog central office switches (and listed in the prefatory portion of this order) until the end of December of 1998, the scheduled completion date for their central office modernization program approved in Dockets 93-0301/94-0041.

IT IS FURTHER ORDERED that GTE North Incorporated and GTE South Incorporated should comply with the requirements of Finding (8) above.

IT IS FURTHER ORDERED that, subject to the revisions of Section 10-113 of the Public Utilities Act and 83 Ill. Adm. Code 200.880, this Order is final; it is not subject to the Administrative Review Law.

By order of the Commission this 3rd day of December, 1997.

(SIGNED) DAN MILLER

Chairman

(S E A L)