

April 29, 1982

Concurring Statement of
FCC Commissioner James H. Quello

In re: AT&T and Its Bell System Operating Companies Tariff F. C. C.
No. 8 (BSOC 8), Exchange Network Facilities for Interstate Access
(ENFIA), Transmittal No. 53.

Again, we are asked to rule on the terms of extension of the ENFIA agreement without any real basis for coming to a decision. Having concurred with my colleagues that the P Factor should remain at 55 percent, I must again concur that this interim prescription of 4000 minutes of use is within some vague "zone of reasonableness" although the record appears bereft of support for that figure.

We have no choice but to suspend and investigate the BSOC 8 tariff since the actual minutes of use question is not clearly answered on the record. It is my sincere hope that we can complete the investigation within the five month suspension period and that we can begin to make some reasoned judgments in the area of access charges. That hope, however, represents a triumph over experience since we have fallen far short of our goals in this area.

The ENFIA agreement represents the roughest of "rough justice" to set charges in the face of the Commission's inability to do so in a timely fashion. Three years of rough justice have brought us to the admission that we still cannot make reasoned decisions in this important area. Now, we are going to investigate this tariff and, in five months, bring forth an understanding which has eluded us for these many years.

In the words of Publius Terentius Afer, a Roman playwright, in the second century B. C. : "You believe easily that which you hope for earnestly." In that spirit, I believe that we are taking a reasonable approach in trying to resolve this difficult matter.

Therefore, I concur in the result.