

June 28, 1984

CONCURRING STATEMENT OF  
FCC COMMISSIONER JAMES H. QUELLO

In re: Procedures for Implementing the Detariffing of Customer  
Premises Equipment and Enhanced Services (Second  
Computer Inquiry) CC Docket No. 81-893

I believe that the action taken in this Order is correct only insofar as it deals with the immediate problem of implementing a billing system already in place. I object to the admonition gratuitously appended in which AT&T is taken to task for altering its billing system prematurely in the face of the "plain meaning of C P E Detariffing Order." (See paragraph 9.)

In fact, the "plain meaning" of the C P E Order became "plain" with the Commission's interpretation on June 15, just two weeks ago. The Common Carrier Bureau, with uncharacteristic humility, concluded that it was unqualified to make an interpretation when requested by the carrier to do so early in January. Instead, it recommended an interpretation five months later which the Commission promptly approved. Had the carrier waited for an interpretation before reconfiguring its billing system, it would have been unable to reconfigure in a timely manner even if its interpretation had been sustained.

Much has been said of removing the "heavy hand of government" from the lives of the American people. The tone of this Order appears to supplant that "heavy hand" with the heel of a hobnailed boot.