

47 CFR 1.429, that the petition for reconsideration, filed by SBC, *is granted in part and denied in part*, to the extent indicated herein.

55. Pursuant to sections 1, 4(i), 4(j), of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 154(j), and §§ 1.429 of the Commission's rules, 47 CFR 1.429, that the petition for reconsideration, filed by AT&T on April 2, 2001, *is granted in part and denied in part*, to the extent indicated herein, and that the petition for reconsideration, filed by AT&T on March 18, 1999, *is denied*.

56. Pursuant to sections 1, 4(i), 4(j), of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 154(j), and §§ 1.429 of the Commission's rules, 47 CFR 1.429, that the petitions for reconsideration, filed by WorldCom on April 2, 2001 and September 5, 2000, *are granted in part and denied in part*, to the extent indicated herein.

57. Pursuant to sections 1, 4(i), 4(j), of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 154(j), and §§ 1.429 of the Commission's rules, 47 CFR 1.429, that the petitions for reconsideration, filed by Sprint on April 2, 2001, and September 5, 2000, *are granted in part and denied in part*, to the extent indicated herein, and the petition for reconsideration, filed by Sprint on March 18, 1999, *is denied*.

58. The Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, Shall Send a copy of this *Third Report and Order and Second Further Notice of Proposed Rulemaking* in CC Docket No. 94-129, including the Initial Regulatory Flexibility Analysis and the Supplemental Final Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

List of Subjects in 47 CFR Part 64

Telephone.

Federal Communications Commission.

William F. Caton,
Deputy Secretary.

Rule Changes

■ For the reasons discussed in the pre-amble, part 64 of the Commission's Rules and Regulations, Chapter 1 of Title 47 of the Code of Federal Regulations, is amended as follows:

PART 64—MISCELLANEOUS RULES RELATING TO COMMON CARRIERS

■ 1. The authority citation for part 64 continues to read as follows:

Authority: 47 U.S.C. 154, 254(k); secs. 403(b)(2)(B), (c), Public Law 104-104, 110 Stat. 56. Interpret or apply 47 U.S.C. 201, 218, 225, 226, 228, and 254(k) unless otherwise noted.

■ 2. The heading of Subpart K is revised to read as follows:

Subpart K—Changes in Preferred Telecommunications Service Providers

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■ 3. Section 64.1120 is amended by revising the paragraph (c)(3)(iii) to read as follows:

§ 64.1120 Verification of orders for telecommunications service.

* * * * *

(c) * * *

(3) * * *

(iii) *Requirements for content and format of third party verification.* All third party verification methods shall elicit, at a minimum, the identity of the subscriber; confirmation that the person on the call is authorized to make the carrier change; confirmation that the person on the call wants to make the carrier change; the names of the carriers affected by the change (not including the name of the displaced carrier); the telephone numbers to be switched; and the types of service involved. Third party verifiers may not market the carrier's services by providing additional information, including information regarding preferred carrier freeze procedures.

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■ 4. Section 64.1130 is amended by revising paragraph (j) to read as follows:

§ 64.1130 Letter of agency form and content.

* * * * *

(j) A telecommunications carrier shall submit a preferred carrier change order on behalf of a subscriber within no more than 60 days of obtaining a written or electronically signed letter of agency. However, letters of agency for multi-line and/or multi-location business customers that have entered into negotiated agreements with carriers to add presubscribed lines to their business locations during the course of a term agreement shall be valid for the period specified in the term agreement.

■ 5. Section 64.1150 is amended by revising paragraph (b) to read as follows:

§ 64.1150 Procedures for the resolution of unauthorized changes in preferred carriers.

* * * * *

(b) *Referral of Complaint.* Any carrier, executing, authorized, or allegedly

unauthorized, that is informed by a subscriber or an executing carrier of an unauthorized carrier change shall direct that subscriber either to the state commission or, where the state commission has not opted to administer these rules, to the Federal Communications Commission's Consumer & Governmental Affairs Bureau, for resolution of the complaint. Carriers shall also inform the subscriber that he or she may contact and seek resolution from the alleged unauthorized carrier and, in addition, may contact the authorized carrier.

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■ 6. Section 64.1160 is amended by adding paragraph (g) to read as follows:

§ 64.1160 Absolution procedures where the subscriber has not paid charges.

* * * * *

(g) When a LEC has assigned a subscriber to a carrier without authorization, and where the subscriber has not paid the unauthorized charges, the LEC shall switch the subscriber to the desired carrier at no cost to the subscriber, and shall also secure the removal of the unauthorized charges from the subscriber's bill in accordance with the procedures specified in paragraphs (a) through (f) of this section.

■ 7. Section 64.1170 is amended by adding paragraph (g) to read as follows:

§ 64.1170 Reimbursement procedures where the subscriber has paid charges.

* * * * *

(g) When a LEC has assigned a subscriber to a non-affiliated carrier without authorization, and when a subscriber has paid the non-affiliated carrier the charges for the billed service, the LEC shall reimburse the subscriber for all charges paid by the subscriber to the unauthorized carrier and shall switch the subscriber to the desired carrier at no cost to the subscriber. When a LEC makes an unauthorized carrier change to an affiliated carrier, and when the customer has paid the charges, the LEC must pay to the authorized carrier 150% of the amounts collected from the subscriber in accordance with paragraphs (a) through (f) of this section.

§ 64.1180 [Removed]

■ 8. Section 64.1180 is removed.

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