



PUBLIC NOTICE

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DA 00-2377

COMMISSION SEEKS COMMENT ON PETITIONS FOR CONDITIONAL WAIVER. FILED BY SBC COMMUNICATIONS INC. AND QWEST CORPORATION

CC Docket No. 98-147

Released: October 19, 2000

Comments: October 30, 2000

Reply Comments: Waived

On October 17, 2000, SBC Communications Inc. (SBC) filed a petition for conditional waiver of certain requirements adopted in *Deployment of Wireline Services Offering Advanced Telecommunications Capability*, Order on Reconsideration, FCC 00-297 (rel. Aug 10, 2000) (*Collocation Reconsideration Order*). On October 18, 2000, Qwest Corporation (Qwest) filed a petition for conditional waiver of that *Order*.

The *Collocation Reconsideration Order* requires incumbent local exchange carriers (LECs) to provision physical collocation arrangements within 90 days of receiving an acceptable collocation application, except to the extent a state sets its own standards or a requesting carrier and an incumbent LEC agree to an alternative standard. SBC requests that, pending Commission action on its petition for reconsideration of that *Order*, SBC not be required to implement paragraphs 33, 34, and 36 of that *Order*, which set forth steps incumbent LECs must take to implement the 90-day provisioning interval. SBC proposes, as an interim standard, that the 90-day interval apply only to "standard applications" involving conditioned space within 90 days and only when five or fewer applications are received from a specific competitive LEC within a five-day period. Other physical collocation arrangements would be subject to longer intervals of up to 180 days, under SBC's proposals.

Qwest requests that the Commission waive the collocation intervals established in the *Collocation Reconsideration Order* to the extent necessary to permit Qwest to comply with collocation intervals set forth in validly filed Statements of Generally Available Terms (SGATs) that meet two conditions. First, the SGAT would have to incorporate certain specified provisioning intervals. These intervals range from 90 days to 240 days depending on, among other variables, whether the requesting carrier provided a collocation forecast to Qwest at least 60 days prior to submitting its collocation application. In addition, the state commission would have to permit the SGAT to take effect.

Interested parties may file comments regarding the petitions for conditional waiver no later than October 30, 2000. We waive section 1.45 of the Commission's rules insofar as it permits reply comments. All filings regarding the petitions for conditional waiver should

reference the Common Carrier Bureau docket assigned to this proceeding, CC Docket No. 98-147.

Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/efcs.html>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to efcs@fcc.gov, and should include the following words in the body of the message, "get form <your e-mail address.>" A sample form and directions will be sent in reply.

We will treat this proceeding as permit, but disclose for purposes of the Commission's *ex parte* rules. See generally 47 C.F.R. §§ 1.1200-1.1216. Parties making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must contain a summary of the substance of the presentation and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required. See 47 C.F.R. § 1.1206(b)(2), as revised. Other rules pertaining to oral and written presentations are set forth in section 1.1206(b) as well. Interested parties are to file with the Secretary, FCC, and serve Janice M. Myles and ITS, with copies of any written *ex parte* presentations or summaries of oral *ex parte* presentations in these proceedings in the manner specified above.

For further information, contact Janice M. Myles, Policy and Program Planning Division, Common Carrier Bureau, at (202) 418-1580, e-mail jmyles@fcc.gov.

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