



PUBLIC NOTICE

Federal Communications Commission
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DA-00-2912

COMMENTS REQUESTED IN CONNECTION WITH SOUTHWESTERN BELL'S SECTION 271 APPLICATION FOR KANSAS AND OKLAHOMA

CC Docket No. 00-217

Released: December 27, 2000

Comments: January 8, 2001

Reply Comments: January 12, 2001

Today, the Commission received the attached *ex parte* filing from Southwestern Bell in the above-referenced docket. Without deciding what reliance, if any, the Commission will place on this information, the Commission encourages interested parties to respond to this evidence. We emphasize that this public notice does not represent a decision about whether we will accord any weight to the supplemental evidence.

The Commission expects that a section 271 application, as originally filed, will include all of the factual evidence on which the applicant would have the Commission rely in making its determination.¹ If parties in a section 271 proceeding choose to submit new evidence, however, the Commission retains the discretion to waive its procedural rules and consider the evidence,² “to

¹ See Application of Ameritech Michigan Pursuant to Section 271 of the Communications Act of 1934, as amended, To Provide In-Region, InterLATA Services in Michigan, Memorandum Opinion and Order, 12 FCC Rcd 20543, 20570, para. 49 (1997), *writ of mandamus issued sub nom. Iowa Utils. Bd. V. FCC*, No. 96-3321 (8th Cir. Jan. 22, 1998) (*Ameritech Michigan Order*); *Procedures for Bell Operating Company Applications Under New Section 271 of the Communications Act*, Public Notice, 11 FCC Rcd 19708, 19711 (Dec. 6, 1996); *Revised Comment Schedule for Ameritech Michigan Application, as amended, for Authorization under Section 271 of the Communications Act to Provide In-Region, InterLATA Service in the State of Michigan*, Public Notice, DA 97-127 (Jan. 17, 1997); *Revised Procedures for Bell Operating Company Applications Under Section 271 of the Communications Act*, Public Notice, 13 FCC Rcd 17457 (Sept. 19, 1997); *Updated Filing Requirements for Bell Operating Company Applications Under Section 271 of the Communications Act*, Public Notice, DA-99-1994 (Sept. 28, 1999) (collectively “271 Procedural Public Notices”).

² See section 1.3 of the Commission’s rules, 47 C.F.R. § 1.3.

start the 90-day review process anew, or to accord such evidence no weight.”³

Pursuant to our procedures governing section 271 applications⁴ and sections 1.415 and 1.419 of the Commission’s rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments on such information. Comments must be filed by January 8, 2001 and reply comments must be filed by January 12, 2001. All such filings shall refer to the Commission docket number, **CC Docket No. 00-217**. Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS) or by filing paper copies. Comments filed through ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Parties choosing to file by paper must file an original and two copies of each pleading with the Secretary, Federal Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554. A copy should also be sent to Janice Myles, Common Carrier Bureau, Policy and Program Planning Division, Federal Communications Commission, Room 5-C327, 445 12th Street, S.W., Washington, D.C. 20554. One copy of all pleadings should also be sent to the Commission’s contractor for public service records duplication, ITS, 1231 20th Street, N.W., Washington, D.C. 20036. Comment filings will be available for public inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, S.W., Washington, D.C. 20554. Copies may also be obtained from ITS, 1231 20th Street, N.W., Washington, D.C. 20036 or by calling ITS at (202) 857-3800, or faxing ITS at (202) 857-3805.

Common Carrier Contact: John Stanley (202) 418-1496.

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³ *Ameritech Michigan Order* at 20575, para. 57; Application of Bell Atlantic New York for Authorization Under Section 271 of the Communications Act To Provide In-Region, InterLATA Service in the State of New York, Memorandum Opinion and Order, 15 FCC Rcd 3953, 3968, para. 34 (1999).

⁴ *See* 271 Procedural Public Notices.