



PUBLIC NOTICE

Federal Communications Commission
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DA 01- 1127

May 2, 2001

ENFORCEMENT BUREAU STAFF TO CONVENE MEETING TO DISCUSS PROCEDURES FOR RESOLVING END USER COMMON LINE INFORMAL COMPLAINTS

This Public Notice announces an Initial Meeting related to all informal complaints alleging improper assessment of end user common line (“EUCL”) charges on independent payphone providers by certain local exchange carriers.¹ In addition, this Notice provides key contact information that all parties should use to communicate with Commission staff involved in these proceedings.

By this Public Notice, the Enforcement Bureau notifies all informal Complainants and Defendants that a multi-party Initial Meeting is scheduled for Wednesday, May 23, 2001, at 10 a.m. The Initial Meeting will be conducted in Room 4-B516 (4th Floor- South Conference Room) at Commission Headquarters, 445 Twelfth Street, S.W., Washington, D.C. 20554, and is expected to last two hours. Please arrive early to the Twelfth Street entrance in order to be processed through security. After that, you will be directed to a location in the lobby to await an escort to the conference room.

We strongly encourage in-person attendance at the Initial Meeting. Requests for telephonic attendance will be granted upon a reasonable basis. Moreover, we encourage parties to notify others who they believe may be affected by this Notice. Prior to Wednesday, May 9, 2001, all parties must email Commission staff at the following address: EUCLMTG@fcc.gov. The following information should be provided:

1. Complainant’s Or Defendant’s Corporate Name And All EUCL Informal Complaint File Numbers That Correspond To That Complainant Or Defendant;
2. Complainant’s or Defendant’s Corporate Or Legal Representative Contact Name With Email Address And Facsimile Number;
3. Number Of People Attending On Complainant’s Or Defendant’s Behalf; And,
4. Requests For Telephonic Attendance At Initial Meeting (including reason for request).

¹ The Bureau recently consolidated all outstanding formal complaints for a hearing on monetary damages before an administrative law judge. See *C.F. Communications Corp. et al. v. Century Telephone of Wisconsin, Inc., et al.*, DA 01-1044, (E.B. released April 24, 2001); see also *C.F. Communications Corp. et al. v. Century Telephone of Wisconsin, Inc., et al.*, Memorandum Opinion and Order on Remand, 15 FCC Rcd 8759 (2000) (“*Liability Order*”) (discussing the improper assessment of EUCL charges on independent payphone providers); *C.F. Communications Corp., et al. v. Century Telephone of Wisconsin, Inc., et al.*, Order on Reconsideration, 15 FCC Rcd 22906 (2000) (“*Reconsideration Order*”). The *Liability Order* is currently under appeal. See *Bell Atlantic Telephone Companies, et al. v. FCC*, No. 00-1207 (D.C. Cir. filed May 15, 2000).

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The Initial Meeting's agenda will include, among other things, a discussion regarding the most effective and efficient ways to resolve the EUCL informal complaints in the public interest. By this Notice, the Bureau invites parties to submit proposals on this subject. These must be emailed to: EUCLLIST@fcc.gov by Monday, May 14, 2001.

Proposals for agenda items that are not submitted via email will not be distributed prior to the Initial Meeting. On May 16, 2001, Commission staff will distribute via email all proposals submitted by email on or prior to May 14, 2001. Distribution will be made only to those parties who replied to the "EUCLMTG" email address listed earlier in this Notice.

Given the volume of existing informal EUCL complaints and the time remaining before the Initial Meeting, the Bureau strongly encourages parties to communicate with Commission staff using only the email addresses provided in this Notice. The Bureau will promptly provide email responses to ministerial questions regarding the Initial Meeting wherever possible. Please direct your questions to: EUCLQUIK@fcc.gov.

To determine whether existing informal complainants are eligible to file a timely formal complaint under the Commission's rules, we encourage parties to become familiar with the determinations in the Common Carrier Bureau's *Waiver Order*² and the Enforcement Bureau's *Reinstatement Order*.³

Because this Public Notice establishes a variety of dates and specific contact procedures relevant to the Initial Meeting, a list of these dates and email addresses is provided below.

1. **By Wednesday, May 9, 2001:** Parties Need To Submit The Attendance Information Described In Paragraph Three Of This Notice, Including Requests for Telephonic Attendance To: EUCLMTG@fcc.gov
2. **By Monday, May 14, 2001:** Parties Need To Submit Agenda Item Proposals (please include brief description) To: EUCLLIST@fcc.gov
3. **By Wednesday, May 16, 2001:** Commission Staff Will Email Parties' Proposals To All Those Who Submitted Their Name To The Attendance Email Address Described In Item One.
4. **Prior To Wednesday, May 23, 2001:** Commission Staff Will Address Parties' Ministerial Questions Regarding The Initial Meeting. Direct Questions To: EUCLQUIK@fcc.gov.

By the Deputy Chief, MDRD, Enforcement Bureau.

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² *Informal Complaints Filed By Independent Payphone Service Providers Against Various Local Exchange Carriers Seeking Refunds of End User Common Line Charges*, File No. 89-170, DA 99-1858, Order, Common Carrier Bureau (C.C.B. rel. Sept. 10, 1999) ("Waiver Order").

³ *Southern California Pay Phone Co. v. Pacific Bell Telephone Co. and GTE California, Inc., et al.*, Memorandum Opinion and Order, 15 FCC Rcd 7877 (E.B. 2000).