



# PUBLIC NOTICE

**Federal Communications Commission**  
**445 12th St., S.W.**  
**Washington, D.C. 20554**

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**DA 01-1494**  
**June 22, 2001**

**COMMON CARRIER BUREAU EXTENDS PRELIMINARY EXTENSION DATE FOR  
CALEA SECTION 103 COMPLIANCE FOR WIRELINE CARRIERS TO SEPTEMBER  
30, 2001**

**CC Docket No. 97-213**  
**NSD-L-00-234**

**Pleading Cycle Established**

**Comments Due: July 11, 2001 Reply Comments Due: July 23, 2001**

The wireline telecommunications carriers listed in the attached Appendices have filed petitions with the Commission seeking extensions of the deadline for complying with the capability requirements of section 103 of the Communications Assistance for Law Enforcement Act (CALEA),<sup>1</sup> as provided in section 107(c) of CALEA.<sup>2</sup> In a Public Notice dated April 25, 2000, the Federal Communications Commission (FCC) set forth procedures for staff to follow in considering such petitions.<sup>3</sup>

In Public Notices dated November 20, 2000, February 22, 2001, and May 31, 2001, respectively, the Common Carrier Bureau (Bureau) found that numerous petitioners had satisfied the requirements set forth in the April 2000 Public Notice for a preliminary determination that their circumstances warranted an extension of the compliance deadline. Accordingly, the Bureau granted these carriers preliminary extensions of the deadline for complying with CALEA requirements until June 30, 2001, subject to the conditions set forth in the April 2000 Public

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<sup>1</sup> 47 U.S.C. § 1002

<sup>2</sup> 47 U.S.C. § 1006(c)

<sup>3</sup> See CALEA Section 103 Compliance and Section 107(c) Petitions, *Public Notice*, 15 FCC Rcd 7482 (2000), available at [http://www.fcc.gov/Bureaus/Common\\_Carrier/Public\\_Notices/2000/fcc00154.doc](http://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/2000/fcc00154.doc), as modified by *Public Notice*, DA 00-1231 (rel. June 5, 2000), available at [http://www.fcc.gov/Bureaus/Common\\_Carrier/Public\\_Notices/2000/da001231.doc](http://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/2000/da001231.doc) (hereinafter the April 2000 and June 2000 Public Notices).

Notice.<sup>4</sup> The wireline carriers that previously received preliminary extensions until June 30, 2001 pursuant to the November, February, and May Public Notices are listed in Appendix A. Additional wireline carriers that received preliminary extensions until June 30, 2001 are listed in Appendix B.

Due to the large number of extension petitions filed by wireline carriers, the statutory obligation to consult with the Attorney General, and the amount of time necessary to consider fully the merits of each petition, the Common Carrier Bureau is extending the June 30, 2001 deadline for CALEA compliance for carriers listed in Appendix A until September 30, 2001. We find that the petitioners listed in Appendix B also have satisfied the requirements set out in the April 2000 Public Notice for a preliminary determination that their circumstances warrant an extension of the compliance deadline. Accordingly, the wireline petitioners listed in Appendix B are deemed to have a preliminary extension of the deadline for complying with CALEA section 103 until September 30, 2001, unless earlier revoked by the Commission or superseded by a final determination on the underlying extension request, as described in paragraph 10 of the April 2000 CALEA Public Notice.

Interested parties may file comments concerning this matter on or before July 11, 2001 and reply comments on or before July 23, 2001. Comments may be filed using the ECFS or by filing paper copies. Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. If using this method, please reference **File No. NSD-L-00-234 and CC Docket 97-213** in the Proceeding block. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, postal service mailing address, and the applicable docket or rulemaking number(s). Parties may also submit electronic comments by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), including "get form <your e-mail address>" in the body of the message. A sample form and directions will be sent in reply. After filing your comments electronically, please send an e-mail to Gayle Teicher, [gteicher@fcc.gov](mailto:gteicher@fcc.gov), indicating that comments have been filed.

If filing paper copies, send an original and two copies to the Commission Secretary, Magalie Roman Salas, Portals II, 445 12th Street, SW, Suite TW-A325, Washington, D.C. 20554 and two copies to Al McCloud, Network Services Division, Portals II, 445 12th Street, S.W., Room 6A-320, Washington, D.C. 20554. Please reference **File No. NSD-L-00-234 and CC Docket 97-213**. All comments should be served on the carrier(s) filing the underlying application(s) on which comments are being filed. As noted in the April 2000, CALEA Public Notice, the information provided by petitioners to substantiate their requests will not be made

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<sup>4</sup> See Public Notice DA 00-1231 (rel. Nov. 20, 2000) available at [http://www.fcc.gov/Bureaus/Common\\_Carrier/Public\\_Notices/2000/da002582.doc](http://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/2000/da002582.doc); Public Notice DA 01-489 (rel. February 22, 2001) available at [http://www.fcc.gov/Bureaus/Common\\_Carrier/Public\\_Notices/2001/da010489.doc](http://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/2001/da010489.doc); and Public Notice DA 01-1316 (rel. May 31, 2001) available at [http://www.fcc.gov/Bureaus/Common\\_Carrier/Public\\_Notices/2001/da011316.doc](http://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/2001/da011316.doc) and [http://www.fcc.gov/Bureaus/Common\\_Carrier/Public\\_Notices/2001/da011316a.doc](http://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/2001/da011316a.doc) (hereinafter the November 2000, February 2001, and May 2001 Public Notices, respectively).

routinely available for public inspection. Parties seeking access to such information must request such access pursuant to 47 C.F.R. § 0.461 of the Commission's rules.

Petitions filed pursuant to CALEA section 107(c) are classified as "permit but disclose" proceedings for purposes of the Commission's ex parte rules. *See generally* 47 C.F.R. §§ 1.1200-1.1216. As a "permit but disclose" proceeding, ex parte presentations will be governed by the procedures set forth in section 1.1206 of the Commission's rules applicable to non-restricted proceedings, 47 C.F.R. § 1.1206. 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). Other rules pertaining to oral and written presentations are set forth in section 1.1206(b) as well.

For further information regarding these petitions, please contact Gayle Radley Teicher of the Common Carrier Bureau, Network Services Division at 202-418-1515, [gteicher@fcc.gov](mailto:gteicher@fcc.gov).

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