



PUBLIC NOTICE

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

News media information 202 / 418-0500
Fax-On-Demand 202 / 418-2830
TTY 202 / 418-2555
Internet: <http://www.fcc.gov>
<ftp.fcc.gov>

DA 01-1609

COMMENTS REQUESTED IN CONNECTION WITH VERIZON'S SECTION 271 APPLICATION FOR CONNECTICUT

CC Docket No. 01-100

Released: July 6, 2001

Comments: July 13, 2001
Reply Comments: Waived

Today, the Commission received the attached *ex parte* filing from Verizon in the above-referenced docket. The *ex parte* concerns Verizon's modification of the resale policy for digital subscriber line (DSL) service provided by Verizon Advanced Data, Inc. (VADI). 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 start the 90-day review process anew, or to accord such evidence no weight."³

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 Services 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); *Updated Filing Requirements for Bell Operating Company Applications Under Section 271 of the Communications Act*, Public Notice, DA 01-734 (CCB rel. Mar. 23, 2001) (collectively "271 Procedural Public Notices").

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

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).

Interested parties may file comments regarding the attached *ex parte* filing no later than **July 13, 2001**. We waive section 1.45 of the Commission's rules insofar as it permits reply comments. **All filings regarding the attached *ex parte* filing should reference the Common Carrier Bureau docket number assigned to this proceeding, CC Docket No. 01-100.**

Comments may be filed using the Commission's Electronic Comments Filing System (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>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, postal mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by the Internet e-mail to ecfs@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. 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 & 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 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 Bureau contact: Claudia Pabo -- (202) 418-1595
or Alex Johns -- (202) 418-1167

- FCC -