



PUBLIC NOTICE

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

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DA 01-2425

Released: October 18, 2001

**Z-Tel Files Petition for Waiver of Commission Rule 61.26(d)
Pertaining to CLEC Access Services
CCB/CPD File No. 01-19
Pleading Cycle Established**

COMMENT DATE: November 2, 2001

REPLY COMMENT DATE: November 12, 2001

On August 3, 2001, Z-Tel Communications, Inc., and Z-Tel Communications of Virginia, Inc., (collectively, Z-Tel) filed a petition for waiver of Rule 61.26(d), 47 C.F.R. § 61.26(d), which prohibits competitive local exchange carriers (CLECs) from tariffing interstate access services at rates higher than those charged by the competing incumbent LEC (ILEC) in a metropolitan statistical area (MSA) where the CLEC has not previously served end users. Z-Tel requests that the rule be waived for three years to permit Z-Tel to offer exchange access services in 30 specified MSAs pursuant to its filed interstate access tariff. Z-Tel argues that the public interest would be served if it were allowed to offer this service without requiring it to implement the costly software upgrades which it asserts would be necessary to enable Z-Tel to charge different access rates for MSAs in the same state, in accordance with the rule.

Comments on Z-Tel's waiver petition must be filed on or before November 2, 2001. Reply comments must be filed on or before November 12, 2001. When filing comments and reply comments, please reference CCB/CPD File No. 01-19. Interested parties must file an original and five copies of all comments and reply comments. Pleadings must be filed with the Office of the Secretary, Federal Communications Commission, 445 12th Street S.W., TW-A325, Washington, DC 20554. In addition, one copy of each comment or reply comment must be filed with the Commission's duplicating contractor, Qualex International, Inc., located at Portals II, 445 12th St., S.W. Room CY-B402, Washington, D.C. 20554. One copy also must be filed with the Chief, Competitive Pricing Division, Common Carrier Bureau, Room 5-A225, 445 12th Street S.W., Washington, DC 20554.

The full text of Z-Tel's waiver petition is available for public inspection and copying from 9:00 a.m. to 4:30 p.m., Monday through Friday, at the FCC Reference Information Center, Room CY-A257, Portals II, 445 12th Street S.W., Washington, DC 20554. The duplicating contractor, Qualex International, will provide, for a fee, copies of this document. Qualex International may be contacted at Portals II, 445 12th St., S.W. Room CY-B402, Washington, D.C. 20554, or by calling (202) 863-2893.

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. See 47 C.F.R. §§ 1.1200 and 1.1206. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations 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). Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in 47 C.F.R. § 1.1206(b).

For further information, contact Ana J. Curtis, Competitive Pricing Division, Common Carrier Bureau, (202) 418-1520, TTY (202) 418-0484.

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