



# PUBLIC NOTICE

Federal Communications Commission  
445 12<sup>th</sup> St., S.W.  
Washington, D.C. 20554

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Fax-On-Demand 202 / 418-2830  
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Internet: <http://www.fcc.gov>  
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DA 01-2974  
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## CenturyTel Files Petitions to Waive the Commission's "All-or-Nothing" Rule (Section 61.41) and Clarify the Availability of Interstate Access Universal Service Support (Section 54.801) for Exchanges to be Acquired in Missouri and Alabama

### Pleading Cycle Established

CCB/CPD No. 01-30 (Missouri)

CCB/CPD No. 01-36 (Alabama)

**COMMENTS:** January 7, 2002

**REPLY COMMENTS:** January 17, 2002

On November 28, 2001, CenturyTel, Inc. (CenturyTel) and CenturyTel of Missouri, LLC (CenturyTel of Missouri) filed a petition requesting that the Commission waive the all-or-nothing rule, specifically sections 61.41(b) and (c)(2)<sup>1</sup>, to allow CenturyTel to continue to be regulated as a rate-of-return incumbent local exchange carrier following CenturyTel of Missouri's acquisition of local exchange operations in the state of Missouri from Verizon Communications Inc. (Verizon), while the local exchange operations acquired from Verizon remain under price cap regulation. On the same day, CenturyTel and CenturyTel of Alabama, LLC (CenturyTel of Alabama) filed a similar waiver petition regarding CenturyTel of Alabama's acquisition of Verizon's local exchange operations in the state of Alabama. CenturyTel asserts that waiver of sections 61.41(b) and (c)(2) is appropriate for both states because of special circumstances in these cases that will serve the public interest, and is justified because efficiencies resulting from the waivers outweigh any potential harms that the rule is designed to guard against. Additionally, in both petitions, CenturyTel requests that the Commission clarify that, pursuant to section 54.801(d) of its rules<sup>2</sup> and the Commission's *CALLS Order*<sup>3</sup>, CenturyTel will continue to receive interstate access support for those price-cap exchanges it acquires from Verizon in Missouri and Alabama.

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<sup>1</sup> 47 C.F.R. §§ 64.41(b) and (c)(2).

<sup>2</sup> 47 C.F.R. § 54.801(d).

<sup>3</sup> *Access Charge Reform, Price Cap Performance Review for Local Exchange Carriers, Low-Volume Long-Distance Users, Federal-State Joint Board on Universal Service*, Sixth Report and Order in CC Docket Nos. 96-262 and 94-1, Report and Order in CC Docket No. 99-249, Eleventh Report and Order in CC Docket No. 96-45, 15 FCC Rcd 12962 (2000) (*CALLS Order*).

Interested parties may file comments no later than January 7, 2002. Reply comments may be filed no later than January 17, 2002. When filing comments, please reference the internal file numbers: CCB/CPD 01-30 (CenturyTel of Missouri petition) and CCB/CPD 01-36 (CenturyTel of Alabama petition). An original and four copies of all comments and reply comments must be filed with the Office of the Secretary, Federal Communications Commission, 445 12<sup>th</sup> Street SW, Room TW-B204, Washington, D.C. 20554.<sup>4</sup> In addition, one copy of each pleading must be filed with the Commission's duplicating contractor, Qualex International, at its office at the Portals II, 445 12<sup>th</sup> Street SW, Room CY-B402, Washington, DC 20554, and one copy with the Chief, Competitive Pricing Division, 445 12<sup>th</sup> Street, SW, Room 5-A223, Washington, DC 20554. Documents in CCB/CPD Nos. 01-30 and 01-36 are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12<sup>th</sup> St. SW, Room CY-A257, Washington DC 20554. The documents may also be purchased from Qualex International, telephone (202) 863-2893, facsimile (202) 863-2898.

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, 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 section 1.1206(b) of the Commission's rules, 47 C.F.R. § 1.1206(b).

For further information, contact Rhonda Lien, Competitive Pricing Division, Common Carrier Bureau, (202) 418-1530.

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<sup>4</sup> Parties are directed to the Commission's Public Notices concerning changes in the filing location and procedures for paper documents. See Public Notice, FCC Announces Changes in Filing Procedures, DA 01-2430 (rel. Oct. 17, 2001); Public Notice, FCC Announces Change in Filing Location for Paper Documents, DA 01-2436 (rel. Oct. 17, 2001); Public Notice, Clarification in FCC's Announced Changes in Filing Procedures, DA 01-2451 (rel. Oct. 18, 2001); Public Notice, FCC Announces a New Filing Location for Paper Documents and a New FAX Number for General Correspondence, DA 01-2919 (rel. Dec. 14, 2001).