



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>
ftn fcc.gov

DA 02-1989

RELEASED: August 9, 2002

WIRELINE COMPETITION BUREAU SEEKS COMMENT ON VERIZON'S PETITION FOR FORBEARANCE FROM THE PROHIBITION OF SHARING OPERATING, INSTALLATION AND MAINTENANCE FUNCTIONS

CC DOCKET NO. 96-149

COMMENTS DUE: September 9, 2002

REPLY COMMENTS DUE: September 24, 2002

On August 5, 2002, Verizon filed a Petition for Forbearance, in which it asks the Commission to forbear from applying section 53.203(a)(2) of its rules to Verizon with regard to the sharing of operation, installation and maintenance ("OI&M") services. Specifically, Verizon argues that the OI&M restriction causes it to incur substantial additional costs by requiring the affiliate to hire additional personnel and develop its own operating support systems, when it would be more efficient to share these functions with the Bell Operating Company ("BOC"). Moreover, Verizon argues that there is no regulatory need for this restriction because the affiliate transaction rules would still apply, which would permit the Commission to monitor the allocation of costs between the BOCs and their affiliates. Verizon further argues that the OI&M restriction is becoming increasingly burdensome and anachronistic as the industry begins to deploy the next generation networks and moves into a broadband environment. For instance, Verizon notes that unlike traditional circuit-switched telephony, Internet protocol networking cannot be readily categorized into "local" and "long distance" calls. Verizon also argues that the OI&M restriction puts Verizon at a significant competitive disadvantage in competing with carriers that are able to offer an integrated service platform using their own local and long distance facilities.

The Bureau seeks comment on Verizon's Petition for Forbearance. Interested parties may file, by paper or electronically, comments concerning this matter on or before **September 9, 2002** and reply comments on or before **September 24, 2002**. All filings must reference **CC Docket No. 96-149**. If filing paper copies, send an original and seven (7) copies to the Commission Secretary, Marlene H. Dortch, Portals II, 445 12th Street, SW, Room TW-B204, Washington, DC 20554 and two copies to Janice M. Myles, Competition Policy Division, Portals II, 445 12th Street, SW, Room 5-C327, Washington, DC 20554. A courtesy copy should also be addressed to Qualex International, Portals II, 445 12th Street, SW, Room CY-B402,

Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail qualexint@aol.com.

Comments may also be filed using the Commission's Electronic Comment Filing System ("ECFS"). Comments filed through the ECFS can be sent as an electronic file via the Internet to: [<http://www.fcc.gov/e-file/ecfs.html>](http://www.fcc.gov/e-file/ecfs.html). If using this method, please reference the Docket number, **CC Docket No. 96-149**, in the Proceeding block. In completing the transmittal screen, commenters should include their full name, postal service mailing address, and the applicable docket or rulemaking number(s). Generally, only one copy of an electronic submission must be filed. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to 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 Janice M. Myles, jmyles@fcc.gov, indicating that comments have been filed.

This is a "permit-but-disclose" proceeding for purposes of the Commission's *ex parte* rules.¹ 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.² 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.³ Other rules pertaining to oral and written presentations are set forth in section 1.1206(b) as well.

A copy of the petition will be available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC, 20554. A copy of the petition may also be found by searching the ECFS at <http://www.fcc.gov/e-file/ecfs.html> (insert 96-149 into the Proceeding block).

For further information contact Janice M. Myles, jmyles@fcc.gov, Competition Policy Division, Wireline Competition Bureau, (202) 418-1580, or Pamela Arluk, parluk@fcc.gov, Competition Policy Division, Wireline Competition Bureau, (202) 418-1471.

- FCC -

¹ See generally 47 C.F.R. §§ 1.1200 - 1.1216.

² 47 C.F.R. § 1.1206.

³ 47 C.F.R. § 1.1206(b)(2).