



# PUBLIC NOTICE

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**DA 02-293**

**February 8, 2002**

## **ENFORCEMENT BUREAU'S FORMAL COMPLAINT PROCEDURES FOR MULTI-PARTY END USER COMMON LINE DISPUTES**

This Public Notice announces the filing procedures and formal complaint rules to be used for formal complaints filed by independent payphone providers ("IPPs") against certain local exchange carriers ("LECs") alleging the improper assessment of end user common line ("EUCL") charges. Currently, these IPPs have on file with the Commission informal complaints relating to these allegations. These informal complaints must be converted into formal complaints in order to adjudicate these claims.<sup>1</sup> To ensure that these complaints are resolved in a manner consistent with the public interest, the Enforcement Bureau ("Bureau") has met with the parties and solicited their input to establish an effective and efficient formal complaint process for these cases.<sup>2</sup>

After reviewing the parties' proposals, the Bureau concludes that adherence to the Commission's existing formal complaint filing rules is the most effective way to conduct these proceedings.<sup>3</sup> Because these rules were designed to place all key factual and legal issues before the Commission as soon as possible, adherence to them should facilitate the expeditious resolution of each complaint. To ensure that determinations are reached in an efficient and expeditious manner, we remind parties that all pleadings must be clear and concise, with fully supported legal arguments and available factual documentation.<sup>4</sup>

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<sup>1</sup> 47 C.F.R. § 1.718.

<sup>2</sup> See *Enforcement Bureau Staff to Convene Meeting to Discuss Procedures for Resolving End User Common Line Informal Complaints*, Public Notice, 16 FCC Rcd 9373 (MDRD 2001); *Summary of Enforcement Bureau's Multi-Party Initial Meeting Regarding Procedures for Resolving End User Common Line Informal Complaints*, Public Notice, 16 FCC Rcd 11,874 (MDRD 2001).

<sup>3</sup> See 47 C.F.R. §§ 1.720 - 1.736.

<sup>4</sup> 47 C.F.R. §§ 1.720 – 1.736. In this regard, complainants must attach a copy of the underlying informal complaint to the formal complaint being filed.

Although the Commission's rules typically specify a time period for the conversion of informal complaints into formal complaints, this period was previously waived for this group of complainants.<sup>5</sup> By separate order issued on February 5, 2002, the Enforcement Bureau has extended that filing period to September 9, 2002.<sup>6</sup>

Please direct all questions to Bureau staff at: [EUCLQUIK@fcc.gov](mailto:EUCLQUIK@fcc.gov). This Notice is issued pursuant to section 4(i) and 4(j) of the Act, 47 U.S.C. § 154(i) and 154(j), and rules 0.111, 0.311, 47 C.F.R. §§ 0.111, 0.311.

By Suzanne Tetreault, Associate Chief, Enforcement Bureau.

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<sup>5</sup> See 47 C.F.R. § 1.718. See also *Informal Complaints Filed By Independent Payphone Service Providers Against Various Local Exchange Carriers Seeking Refunds of End User Common Line Charges*, File No. 89-170, DA 99-1858, Common Carrier Bureau (rel. Sept. 10, 1999).

<sup>6</sup> See *Informal Complaints Filed By Independent Payphone Service Providers Against Various Local Exchange Carriers Seeking Refunds of End User Common Line Charges*, File No. IC 98-42058 et al., DA 02-259, Enforcement Bureau (rel. Feb. 5, 2002).