

PUBLIC NOTICE

**Federal Communications Commission
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**DA 03-2778
September 2, 2003**

**COMMENT AND REPLY COMMENT DATES
ESTABLISHED FOR THE *TRIENNIAL REVIEW ORDER***

CC DOCKET NO: 01-338

**Comments Due: October 2, 2003
Reply Comments Due: November 3, 2003¹**

On August 21, 2003, the Commission released a *Report and Order on Remand and Further Notice of Proposed Rulemaking* in CC Docket Nos. 96-98, 98-147 and 01-338 (*Triennial Review Order and FNPRM*), in which the Commission adopted new network unbundling requirements pursuant to section 251 of the Communications Act of 1934, as amended, and initiating an inquiry regarding proposed modifications to the Commission's existing rules implementing section 252(i) which requires local exchange carriers (LECs) to make available to other telecommunications carriers interconnection agreements approved under section 252. A summary of the Commission's *Triennial Review Order and FNPRM* was published in the Federal Register on September 2, 2003, triggering the cycle for comments and reply comments on the Further Notice.²

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

¹ Although the September 2, 2003 Federal Register summary indicates a 21-day reply comment cycle, the Triennial Review Order and FNPRM establishes a 30-day reply comment cycle. The correct reply timeframe is 30 days. The Wireline Competition Bureau (Bureau) will correct the September 2, 2003 Federal Register summary to show a 30-day reply comment period.

² 68 FR 52307 (September 2, 2003). As discussed in the Triennial Review Order, the effective date is contingent upon Office of Management and Budget (OMB) approval, which the Commission has requested on an expedited basis pursuant to an emergency request. The Bureau shortly will release an additional Public Notice announcing OMB's disposition of the Commission's emergency request.

generally is 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).

Pursuant to Section 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments on the on or before **October 2, 2003** and reply comments on or before **November 3, 2003**. All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Suite TW-A325, Washington, DC 20554. Two (2) courtesy copies must be delivered to Janice M. Myles, jmyles@fcc.gov, Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, 445 12th Street, SW, Suite 5-C327, Washington, DC 20554 and one (1) copy must be sent 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 be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed. Reg. 24121 (1998). 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. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. 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, 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 who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appear in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail).

(1) The Commission's contractor, Vistrionix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.

(2) Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

(3) U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554.

Filings and comments are also 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. They may also be purchased from the Commission's duplicating contractor, 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**.

For further information regarding this proceeding contact Thomas Navin or Jeremy Miller, Competition Policy Division, Wireline Competition Bureau, (202) 418-1580.

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