



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
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WASHINGTON, D.C. 20554

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**DA 04-962**  
**Released: April 7, 2004**

## **THE CONSUMER & GOVERNMENTAL AFFAIRS BUREAU SEEKS COMMENT ON THE PETITION FOR DECLARATORY RULING OF WORLDCOM, INC. REGARDING A WEST VIRGINIA CARRIER CHANGE VERIFICATION REQUIREMENT**

**CC Docket No. 94-129**

**COMMENT DATE: 45 Days after publication in the Federal Register**  
**REPLY COMMENT DATE: 60 Days after publication in the Federal Register**

On March 12, 2004, WorldCom, Inc. filed a Petition with the Commission requesting that the Commission preempt a West Virginia carrier change verification requirement.<sup>1</sup> Specifically, WorldCom states that West Virginia Rule 15 CSR § 6, 2.8(b) provides that only a "customer of record" may verify intrastate carrier changes. WorldCom contends that this rule conflicts with Commission rule 47 C.F.R. § 64.1120(a)(1)(c) regarding verifications of carrier changes.

We seek comment on the issues outlined in WorldCom's Petition. Pursuant to Sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments concerning this request on or before **45 Days after publication in the Federal Register**, and reply comments on or before **60 Days after publication in the Federal Register**. All filings must reference **CC Docket No. 94-129**. 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>>. Only one copy of an electronic submission must be filed. 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 e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the subject line "get form <your e-mail address>." A sample form and directions will be sent in reply.

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<sup>1</sup> In the Matter of Petition of WorldCom, Inc. Petition for Declaratory Ruling that West Virginia's Definition of Customer of Record Is Inconsistent with the FCC's Rules, CC Docket No. 94-129, filed March 12, 2004.

Parties who choose to file by paper must send an original and four (4) copies of the comments to the Marlene H. Dortch, Secretary, Federal Communications Commission, 445 12<sup>th</sup> Street, S.W., Room TW-A325, Washington, D.C. 20554. Two (2) copies of the comments should also be sent to the Policy Division, Consumer & Governmental Affairs Bureau, Federal Communications Commission, 445 12<sup>th</sup> Street, S.W., Room 6-A461, Washington, D.C. 20554, Attention: Calvin Osborne. In addition, comments should be served upon the Petitioner at the address on the Petition.

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). The Commission's contractor, Natek, 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. 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. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12<sup>th</sup> Street, SW, Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The petition will be available for review and copying during regular business hours at the FCC Reference Center, Portals II, 445 12<sup>th</sup> Street, SW, Room CY-A257, Washington, DC 20554, (202) 418-0270. A copy of the petition may also be purchased from the Commission's copy contractor, Qualex International, Portals II, 445 12<sup>th</sup> Street, SW, Room CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail at [qualexint@aol.com](mailto:qualexint@aol.com). Copies of this document in other alternative formats (computer diskette, large print and Braille) are available to persons with disabilities by contacting Brian Millin of the Consumer & Governmental Affairs Bureau at (202) 418-7426 (voice) and (202) 418-7365 (TTY) or e-mail at [bmillin@fcc.gov](mailto:bmillin@fcc.gov). In addition, the petition is available via the Commission's ECFS accessible through the World Wide Web at [http://gullfoss2.fcc.gov/prod/ecfs/comsrch\\_v2.cgi](http://gullfoss2.fcc.gov/prod/ecfs/comsrch_v2.cgi) under proceeding **CC Docket No. 94-129**.

For further information, contact Calvin Osborne, (202) 418-2512 (voice), [Calvin.Osborne@fcc.gov](mailto:Calvin.Osborne@fcc.gov), of the Policy Division, Consumer & Governmental Affairs Bureau. The TTY number is (202) 418-0484.

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