



# PUBLIC NOTICE

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

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DA 05-3354  
Released: December 29, 2005

**PLEADING CYCLE ESTABLISHED FOR New Valor PETITION FOR Waiver of Section 61.41 of  
the Commission's Rules**

WCB/Pricing 05-37

**COMMENTS: January 17, 2006**

**REPLY COMMENTS: January 27, 2006**

On December 22, 2005, New Valor filed a petition for waiver pursuant to section 1.3 of the Commission's rules, 47 C.F.R. 1.3, requesting that the Commission waive relevant portions of the Commission's "all-or-nothing" rule codified in section 61.41 of its rules, 47 C.F.R. 61.41. New Valor will be formed as a result of the merger of Valor Communications Group, Inc. ("Valor"), and the wireline properties of ALLTEL Holding Corp., a wholly-owned subsidiary of ALLTEL Corporation ("ALLTEL"). New Valor requests the waiver to permit it to continue to operate the ALLTEL and Valor properties under the existing regulatory regime applicable to each of the local exchange companies. Under existing waivers, ALLTEL and Valor each hold incumbent local exchange companies – some of which operate under price cap regulation and others that operate under rate-of-return regulation. This request would allow New Valor to maintain the regulatory status quo.

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 on or before January 17, 2006. Reply comments may be filed on or before January 27, 2006. All such filings shall refer to the internal file number: **WCB/Pricing 05-37**. Comments in this proceeding may not be filed using the Commission's Electronic Comment Filing System (ECFS).

Interested parties should file an original and four copies of each filing. If more than one docket or rulemaking number appears 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).

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.

Three (3) copies of the comments and reply comments should also be sent to the Pricing Policy Division, Wireline Competition Bureau, 445 12<sup>th</sup> Street, SW, Room 5-A361, Washington, D.C. 20554, Attn: Douglas Slotten. Parties shall e-mail one copy to [Douglas.slotten@fcc.gov](mailto:Douglas.slotten@fcc.gov). Parties shall also serve one copy with Best Copy and Printing, Inc., Portals II, 445 12<sup>th</sup> Street, SW, Room CY-B402, Washington, D.C. 20554, (202) 488-5300, or via e-mail to [fcc@bcpweb.com](mailto:fcc@bcpweb.com).

Documents in this proceeding are available for public inspection and copying during business hours in the FCC Reference Information Center, Portals II, 445 12<sup>th</sup> Street SW, Room CY-A257, Washington, D.C. 20554. The documents may also be purchased from Best Copy and Printing, Inc., telephone (202) 488-5300, facsimile (202) 488-5563, TTY (202) 488-5562, [fcc@bcpweb.com](mailto:fcc@bcpweb.com).

Accessible formats (computer diskettes, large print, audio recording and Braille) are available to persons with disabilities by contacting the Consumer & Governmental Affairs Bureau, at (202) 418-0531, TTY (202) 418-7365, or at <[fcc504@fcc.gov](mailto:fcc504@fcc.gov)>.

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.<sup>1</sup> 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.<sup>2</sup> 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.<sup>3</sup>

For further information, contact Douglas Slotten, Pricing Policy Division, Wireline Competition Bureau, (202) 418-1572.

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<sup>1</sup> See 47 C.F.R. §§ 1.1200, 1.1206.

<sup>2</sup> See 47 C.F.R. § 1.1206(b).

<sup>3</sup> 47 C.F.R. § 1.1206(b).