

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Fones4All Corp. Petition for Expedited)	
Forbearance Under 47 U.S.C. § 160(c) and Section)	
1.53 from Application of Rule 51.319(d) to)	WC Docket No. 05-261
Competitive Local Exchange Carriers Using)	
Unbundled Local Switching to Provide Single Line)	
Residential Service to End Users Eligible for State)	
or Federal Lifeline Service)	

ORDER

Adopted: June 8, 2006

Released: June 8, 2006

By the Chief, Wireline Competition Bureau:

1. In this Order, pursuant to section 10(c) of the Communications Act of 1934, as amended (the Act),¹ we extend by 90 days the date by which the petition requesting forbearance filed by Fones4All Corporation (Fones4All or Petitioner) shall be deemed granted in the absence of a Commission decision that the petition fails to meet the standards for forbearance under section 10(a) of the Act.²

2. On July 1, 2005, Fones4All filed a petition for forbearance pursuant to section 10(c) the Act.³ Fones4All seeks forbearance from section 51.319(d) of the Commission's rules, 47 C.F.R. § 51.319(d), as it applies to competitive local exchange carriers that use unbundled local switching to provide service to residential customers eligible for federal or state Lifeline services.⁴ Fones4All's petition raises significant questions regarding whether forbearance from applying the relevant network unbundling rules meets the statutory requirements set forth in section 10(a). The Bureau thus finds that a 90-day extension is warranted under section 10(c).

3. Accordingly, IT IS ORDERED, pursuant to section 10 of the Communications Act of 1934, as amended, 47 U.S.C. § 160, and authority delegated under sections 0.91 and 0.291 of the Commission's

¹ 47 U.S.C. § 160(c).

² 47 U.S.C. § 160(a). The pending petition for forbearance filed by XO Communications, Inc., *et al.* raises complex issues similar to those raised in the instant proceeding. *See Petition for Forbearance Under 47 U.S.C. § 160(c) from Application of Unbundling Rules that Limit Competitive Alternatives*, WC Docket No. 05-170, Order, DA 06-475 (WCB rel. Feb. 27, 2006) (extending the deadline by 90 days).

³ *Fones4All Corp. Petition for Expedited Forbearance Under 47 U.S.C. § 160(c) from Application of Rule 51.319(d) to Competitive Local Exchange Carriers Using Unbundled Local Switching to Provide Single Line Residential Service to End Users Eligible for State or Federal Lifeline Services*, WC Docket No. 05-261 (filed July 1, 2005) (Petition). On August 15, 2005, the Commission released a Public Notice establishing a pleading cycle seeking comments on the Fones4All forbearance petition. *Pleading Cycle Established for Comments on Petition for Forbearance of Fones4All Corp. Pursuant to 47 U.S.C. § 160(c)*, WC Docket No. 05-261, Public Notice, DA 05-2288 (rel. Aug. 15, 2005).

⁴ Petition at 16-17.

rules, 47 C.F.R. §§ 0.91 and 0.291, that the date on which the petition seeking forbearance filed by Fones4All shall be deemed granted, in the absence of a Commission denial of the petition for failure to meet the statutory standards for forbearance, is extended to September 28, 2006.

FEDERAL COMMUNICATIONS COMMISSION

Thomas J. Navin
Chief, Wireline Competition Bureau