

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

In the Matter of	)	
	)	
Telefónica Larga Distancia de Puerto Rico, Inc.	)	
	)	WC Docket No. 06-1
Petition for Expedited Declaratory Ruling	)	
Regarding Section 253 of the Communications Act	)	
of 1934, as Amended	)	

**ORDER**

**Adopted:** June 14, 2006

**Released:** June 14, 2006

By the Deputy Chief, Wireline Competition Bureau:

1. On December 20, 2005, Telefónica Larga Distancia de Puerto Rico, Inc. (“TLD”) filed a petition requesting an expedited declaratory ruling to establish that approval of the Puerto Rico Telephone Company’s (“PRTC”) “Single Zone Plan” tariff by the Junta Reglamentadora de Telecomunicaciones de Puerto Rico (“Puerto Rico Board”) would constitute a violation of section 253(a) of the Communications Act of 1934, as amended (“Act”), subject to preemption under section 253(d) of the Act.<sup>1</sup> In the petition, TLD generally argued that, if approved, the Single Zone Plan would completely eliminate competition in Puerto Rico’s intrastate long distance telecommunications market.<sup>2</sup>

2. On January 6, 2006, the Commission released a Public Notice establishing a pleading cycle for the Petition, with comments and reply comments due respectively on January 26 and February 6, 2006.<sup>3</sup> The Puerto Rico Board, PRTC, San Juan Cable, LLC, and Sprint Nextel Corporation filed comments and reply comments in response to the Public Notice. On May 2, 2006, TLD filed a motion seeking voluntary dismissal of its Petition without prejudice, explaining that even though TLD still has concerns regarding similar future action by PRTC, the principal matter in controversy in this proceeding, PRTC’s Single Zone Plan tariff, has been withdrawn from consideration before the Puerto Rico Board.

3. Accordingly, pursuant to the authority delegated under sections 0.91 and 0.291 of the Commissions rules, 47 C.F.R. §§ 0.91, 0.291, IT IS ORDERED that Telefónica Larga Distancia de Puerto Rico, Inc.’s motion for voluntary dismissal of the above-captioned petition without prejudice IS GRANTED.

4. IT IS FURTHER ORDERED, pursuant to sections 1, 4(i) and 4(j) of the Communications Act, 47 U.S.C. §§ 151, 154(i) and (j), and authority delegated by sections 0.91 and 0.291 of the

<sup>1</sup> Petition for Expedited Declaratory Ruling, WC Docket No. 06-1 (filed Dec. 20, 2005); *see also* 47 U.S.C. § 253.

<sup>2</sup> Petition at 8.

<sup>3</sup> *Pleading Cycle Established for Comments on Petition for Expedited Declaratory Ruling Regarding Section 253 of the Communications Act Filed by Telefónica Larga Distancia De Puerto Rico, Inc.*, Public Notice, WC Docket No. 06-1, DA 06-32 (rel. Jan. 6, 2006).

Commission's rules, 47 C.F.R. §§ 0.91, 0.291, that the above-captioned petition for expedited declaratory ruling and preemption IS DISMISSED WITHOUT PREJUDICE, and the proceeding initiated by that petition, WC Docket No. 06-1, IS TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

Julie A. Veach  
Deputy Chief, Wireline Competition Bureau