



# PUBLIC NOTICE

Federal Communications Commission  
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DA 06-1394

Released: July 5, 2006

**PLEADING CYCLE ESTABLISHED FOR COMMENTS ON  
PETITION OF AT&T INC. FOR EXPEDITED INTERIM WAIVER OF CERTAIN  
STRUCTURAL SEPARATION RULES FOR ADVANCED SERVICES**

**WC DOCKET NO. 06-130**

**Comments Due: July 12, 2006**  
**Reply Comments Due: July 19, 2006**

On June 30, 2006, AT&T Inc. (AT&T) filed a petition requesting an interim, limited waiver of the Commission's sharing restrictions of information, employees and facilities between AT&T's advanced services affiliates and AT&T's incumbent local exchange carrier (incumbent LEC) affiliates.<sup>1</sup> Specifically, AT&T seeks a waiver of the following sections of the *SBC/Ameritech Merger Order* conditions as applied in the Commission's *SBC Advanced Services Detariffing Order*,<sup>2</sup> to the extent they prevent any AT&T advanced service affiliates from sharing information, employees or facilities with other AT&T affiliates on an exclusive basis: (1) section I.3, to the extent it incorporates section 272(c)(1) of the Communications Act of 1934, as amended; (2) sections I.4.a through I.4.e; (3) section I.4.f, as it relates to interfaces, processes and procedures; and (4) sections I.4.g through I.4.k.<sup>3</sup> AT&T also requests that the Commission clarify that, to the extent certain other conditions can be applied on a service-by-service basis, they would not apply to AT&T's provision of advanced services used in the provision of broadband Internet access service. AT&T further requests that this limited, interim waiver be granted on an expedited basis.

<sup>1</sup> AT&T presently maintains six regional advanced services affiliates. These affiliates conduct business as AT&T Advanced Solutions (ASI).

<sup>2</sup> See *Review of Regulatory Requirements for Incumbent LEC Broadband Telecommunications Services*, CC Docket No. 01-337, Memorandum Opinion and Order, 17 FCC Rcd 27000 (2002) (*SBC Advanced Services Detariffing Order*). AT&T specifies that its waiver applies to any AT&T affiliates other than the traditional incumbent LECs that provides advanced services, including AT&T Corp. post-272 sunset. See 47 U.S.C. § 272. AT&T seeks this waiver until the Commission addresses regulatory treatment of advanced services in the *Incumbent LEC Broadband NPRM* or otherwise grants AT&T full and permanent relief from Title II common carrier regulations of advanced services. See *Review of Regulatory Requirements for Incumbent LEC Broadband Telecommunications Services*, CC Docket No. 01-337, Notice of Proposed Rulemaking, 16 FCC Rcd 22745 (2001).

<sup>3</sup> See *Applications of Ameritech Corp., Transferor, and SBC Communications Inc., Transferee, for Consent to Transfer Control of Corporations Holding Commission Licenses and Lines Pursuant to Sections 214 and 310(d) of the Communications Act and Parts 5, 22, 24, 25, 63, 90, 95 and 101 of the Commission's Rules*, CC Docket No. 98-141, Memorandum Opinion and Order, 14 FCC Rcd 14712, 14859, para. 363 & App. C, Condition I (1999).

This Public Notice establishes certain procedural requirements relating to consideration of AT&T's petition. 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 is generally required. See 47 C.F.R. § 1.1206(b). Other requirements 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 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 **July 12, 2006** and reply comments on or before **July 19, 2006**. All filings should refer to **WC Docket No. 06-130**.

Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies. See Electronic Filing of Documents in Rulemaking Proceedings, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
  - For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers 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, filers should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.
- Paper Filers: 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 appears in the caption of this proceeding, filers 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). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE, Suite 110, Washington, DC 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, Express, and Priority mail should be addressed to 445 12th Street, SW, Washington DC 20554.

All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554. Parties should also send a copy of their filings to Janice Myles, Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, Room 5-C140, 445 12th Street, SW, Washington, DC 20554, or by e-mail to [janice.myles@fcc.gov](mailto:janice.myles@fcc.gov). Parties must also serve one copy with the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC 20554, (202) 488-5300, or via e-mail to [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com).

Documents in **WC Docket No. 06-130** are available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th St. SW, Room CY-A257, Washington, DC 20554. The documents may also be purchased from BCPI, telephone (202) 488-5300, facsimile (202) 488-5563, TTY (202) 488-5562, e-mail [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com). People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

For further information regarding this proceeding, contact William Kehoe, Competition Policy Division, Wireline Competition Bureau, (202) 418-7122.

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