



PUBLIC NOTICE

Federal Communications Commission
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DA 06-1948
Released: September 28, 2006

PLEADING CYCLE ESTABLISHED FOR ARIZONA DIALTONE INC. PETITION FOR RECONSIDERATION AND IDT TELECOM, INC. PETITION FOR CLARIFICATION OR, IN THE ALTERNATIVE, FOR RECONSIDERATION OF THE PREPAID CALLING CARD ORDER

WC Docket No. 05-68

COMMENTS: October 12, 2006

REPLY COMMENTS: October 23, 2006

On August 31, 2006, Arizona Dialtone Inc. (Arizona Dialtone) filed a petition for reconsideration¹ of the Commission's *Prepaid Calling Card Order*.² Specifically, Arizona Dialtone is asking the Commission to: (1) clarify the party responsible to pay access charges when local access is used to place a prepaid calling card call; (2) establish reporting requirements that impose additional duties on local exchange carriers (LECs) who provide direct inward dialing numbers (DIDs) that are used for originating long distance prepaid calling card calls; (3) establish intermediate carrier reporting obligations on resellers in the DID call path if the party responsible to pay access charges for DID-routed calls is the prepaid service provider; (4) clarify that if a prepaid calling card provider's underlying transport carrier is not the party paying access charges, then this intermediate carrier has a duty to pass on the percentage interstate usage (PIU) factors to its underlying carrier so that the data ultimately reaches the LEC and; (5) require prepaid calling card service providers to provide – along with their quarterly PIU factors – quarterly lists of local DID numbers utilized in the provision of long distance calling. The Commission published notification of this petition for reconsideration on September 14, 2006.³ This notification has been published in the Federal Register⁴ and the comment cycle has been established pursuant to section 1.429 of the Commission's rules.⁵

On September 1, 2006, IDT Telecom, Inc. (IDT) filed a petition for clarification or, in the alternative, for reconsideration asking the Commission to clarify a portion of the *Prepaid Calling Card Order*.⁶ Specifically, IDT asks the Commission to clarify that footnote 101 in the *Prepaid Calling Card*

¹ Arizona Dialtone Inc. Petition for Reconsideration, WC Docket No. 05-68 (filed Aug. 31, 2006).

² See *Regulation of Prepaid Calling Card Services*, WC Docket No. 05-68, Declaratory Ruling and Report and Order, FCC 06-79 (June 30, 2006) (*Prepaid Calling Card Order*).

³ See *Petition for Reconsideration of Action in Rulemaking Proceeding*, Report No. 2792, Public Notice (rel. Sept. 14, 2006).

⁴ See 71 Fed. Reg. 56532 (Sept. 27, 2006).

⁵ See 47 C.F.R. § 1.429.

⁶ Petition for Clarification or, in the Alternative, for Reconsideration of IDT Telecom, Inc., WC Docket No. 05-68 (filed Sept. 1, 2006).

Order merely confirms that the payment of dial-around compensation to payphone service providers is required for calls in which the cardholder accesses an information service from the provider's platform. To the extent that the Commission intended to require compensation for communications that merely reach the platform, IDT asks the Commission to reconsider this requirement.

We invite comments on the Arizona Dialtone and IDT petitions. We will use the comment cycle established for the Arizona Dialtone petition for both petitions addressing the *Prepaid Calling Card Order*. Interested parties may file comments on either or both petitions on or before **October 12, 2006** and reply comments on or before **October 23, 2006**. This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁷ 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 generally is required.⁸ 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.⁹

Pursuant to sections 1.415 and 1.419 of the Commission's rules, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document.¹⁰ 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, D.C. 20554. Parties should also send a copy of their filings to Lynne Hewitt Engledow, Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission, Room 5-A361, 445 12th Street, SW, Washington, D.C. 20554 or by e-mail to lynne.engledow@fcc.gov. Parties shall also serve one copy with the Commission's copy contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW, Room CY-B402, Washington, D.C. 20554, (202) 488-5300, or via e-mail to fcc@bcpiweb.com.

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.¹¹

- 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, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

⁷ See 47 C.F.R. §§ 1.1200 *et seq.*

⁸ See 47 C.F.R. § 1.1206(b)(2).

⁹ See 47 C.F.R. § 1.1206(b).

¹⁰ See 47 CFR §§ 1.415, 1.419.

¹¹ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- 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.

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 or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

Documents in WC Docket No. 05-68 are available for public inspection and copying during business hours at the FCC Reference Information Center, 445 12th Street, SW, Room CY-A257, Washington, D.C. 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.

For further information, contact Lynne Hewitt Engledow, Pricing Policy Division, Wireline Competition Bureau, (202) 418-1520.

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