



PUBLIC NOTICE

Federal Communications Commission
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DA 06-2005
October 6, 2006

COMMENTS SOUGHT ON QWEST PETITION FOR WAIVER TO ALLOW IT TO EXERCISE PRICING FLEXIBILITY FOR CERTAIN ADVANCED COMMUNICATIONS NETWORKS SERVICES

WC Docket No. 06-187

COMMENTS DUE: October 23, 2006

REPLY COMMENTS DUE: October 30, 2006

On September 22, 2006, Qwest filed a petition requesting that the Commission waive certain rules in order to permit Qwest to exercise pricing flexibility for certain Advanced Communications Networks Services that use packet-switched technology, including Frame Relay, Asynchronous Transfer Mode, LAN Switching, and Metro Optical Ethernet, in those areas where Qwest has already qualified for pricing flexibility for other special access services.¹ Qwest asserts that it seeks the same pricing flexibility for advanced services that Verizon previously was granted by the Commission.²

Interested parties may file comments on or before **October 23, 2006**, and reply comments on or before **October 30, 2006**. Filings in this proceeding should be captioned "In the Matter of Qwest Petition for Waiver of Pricing Flexibility Rules for Advanced Communications Networks Services" and filed in WC Docket No. 06-187. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.³ Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Generally, only one copy of an electronic submission must be filed.⁴ In completing the transmittal screen, commenters should include their full

¹ Petition for Waiver of Pricing Flexibility Rules for Advanced Communications Networks Services, WC Docket No. 06-187, Qwest Petition for Waiver to Allow It to Exercise Pricing Flexibility for Advanced Communications Networks Services Where the Commission Has Granted Relief for Other Special Access Services, at 1-2 (filed Sept. 22, 2006) (Petition).

² Petition at 1, 6 (citing *Verizon Petition for Waiver of Pricing Flexibility Rules for Fast Packet Services*, WC Docket No. 04-246, Memorandum Opinion and Order, 20 FCC Rcd 16840 (2005)).

³ See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322 (1998).

⁴ If multiple docket or rulemaking numbers appear in the caption of a proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. Similarly, commenters filing paper copies must submit two additional copies for each additional docket or rulemaking number.

name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number, in this case **WC Docket No. 06-187**. Parties may also submit electronic comments by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, “get form <your e-mail address>.” A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing.

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). **Parties are strongly encouraged to file comments electronically using the Commission’s ECFS.**

The Commission's contractor, Natek, Inc., 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 a.m. to 7 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 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, Room TW-A325, 445 12th Street, SW, Washington, DC 20554. Parties should also send a copy of their filings by e-mail to Deena Shetler and Marvin Sacks (deena.shetler@fcc.gov and mavin.sacks@fcc.gov). Parties shall 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.

Documents in WC Docket No. 06-187, including Qwest’s petition, 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, or by e-mail at fcc@bcpiweb.com. These documents may also be viewed on the Commission's Home Page at <http://www.fcc.gov/cgb/ecfs>. 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 and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

This matter shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.⁵ 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

⁵ See 47 C.F.R. §§ 1.1200, 1.1206.

arguments presented generally is required.⁶ Other requirements pertaining to oral and written *ex parte* presentations are set forth in section 1.1206(b) of the Commission's rules.⁷

For further information, contact Marvin Sacks of the Pricing Policy Division, Wireline Competition Bureau at (202) 418-1520, or marvin.sacks@fcc.gov.

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⁶ 47 C.F.R. § 1.1206(b)(2).

⁷ 47 C.F.R. § 1.1206(b).