



# PUBLIC NOTICE

Federal Communications Commission  
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DA 06-2490  
December 12, 2006

**COMMENTS SOUGHT ON VERIZON PETITION FOR WAIVER  
TO ALLOW RECOVERY OF REMAINING LOCAL NUMBER PORTABILITY COSTS AS  
EXOGENOUS COSTS UNDER SECTION 61.45(d) OR, IN THE ALTERNATIVE, FOR  
WAIVER OF END-USER COMMON LINE CHARGE CAPS IN SECTION 69.152**

**CC Docket No. 95-116**

**COMMENTS DUE: January 9, 2007**

**REPLY COMMENTS DUE: January 23, 2007**

On November 16, 2006, Verizon filed a petition requesting that the Commission “waive certain rules in order to permit Verizon to recover fully its approved carrier-specific costs for implementing local number portability” (LNP).<sup>1</sup> Verizon asserts that an Order granted by the Wireline Competition Bureau on September 14, 2006 will provide it with substantial cost recovery but “will still leave Verizon unable to recover approximately \$28 million of its unrecovered LNP costs.”<sup>2</sup> Through its petition, Verizon requests that the Commission grant it “the additional waivers needed in order to complete the recovery process.”<sup>3</sup> Specifically, Verizon seeks an additional waiver of section 61.45(d) that would extend relief provided in the *Verizon LNP Exogenous Cost Waiver Order* and allow Verizon “to treat as exogenous costs those LNP costs that remain unrecovered at the end of the 2006-07 access period.”<sup>4</sup> In the alternative, Verizon requests a waiver of section 69.152, which establishes limits or caps on end-user common line (EUCL) charges, in order to allow Verizon to recover its remaining LNP costs through “a small increase to the EUCL charges in those jurisdictions” where end users were not previously assessed

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<sup>1</sup> Verizon’s Petition to Treat Unrecovered Local Number Portability Costs as Exogenous Costs under Section 61.45(d) or, in the Alternative, for Limited Waiver of the End-User Common Line Caps in Section 69.152, CC Docket No. 95-116, at 1 (filed Nov. 16, 2006) (Petition).

<sup>2</sup> Petition at 1-2 (citing *Verizon’s Petition for Waiver of the Commission’s Rules to Treat Unrecovered Local Number Portability Costs as Exogenous Costs under Section 61.45(d)*, CC Docket No. 95-116, Order, 21 FCC Rcd 10140, 10144-45, para. 10 & n.38 (Wireline Comp. Bur. Sept. 14, 2006), *application for review pending*) (*Verizon LNP Exogenous Cost Waiver Order*); see also Petition at 3-4.

<sup>3</sup> Petition at 2.

<sup>4</sup> Petition at 2, 7; 47 C.F.R. § 61.45(d).

under the *Verizon LNP Exogenous Cost Waiver Order* because it would cause the EUCL charge to exceed the cap.<sup>5</sup>

Interested parties may file comments on or before **January 9, 2007**, and reply comments on or before **January 23, 2007**. 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.<sup>6</sup>

- 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 websites 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 subject line or body of the message: get form <your email address>. 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 12<sup>th</sup> Street, SW, Washington DC 20554.

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<sup>5</sup> Petition at 2, 4, 11-12 (listing the areas where the EUCL cap would be exceeded); 47 C.F.R. § 69.152.

<sup>6</sup> See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322 (1998).

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).

All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12<sup>th</sup> Street, SW, Room TW-A325, 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](mailto:deena.shetler@fcc.gov) and [mavin.sacks@fcc.gov](mailto:mavin.sacks@fcc.gov)) of the Pricing Policy Division, Wireline Competition Bureau at the Commission. 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 CC Docket No. 95-116 are available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12<sup>th</sup> Street, 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). Documents in CC Docket No. 95-116 also may be viewed on the Commission's website at <http://www.fcc.gov/cgb/ecfs>.

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.<sup>7</sup> Persons making oral *ex parte* presentations are reminded that memoranda summarizing presentations must contain summaries of the substance of the presentation 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.<sup>8</sup> 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.<sup>9</sup>

For further information, contact Marvin Sacks of the Pricing Policy Division, Wireline Competition Bureau at (202) 418-1520.

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<sup>7</sup> 47 C.F.R. §§ 1.1200 *et seq.*

<sup>8</sup> *See* 47 C.F.R. § 1.1206(b)(2).

<sup>9</sup> 47 C.F.R. § 1.1206(b).