



PUBLIC NOTICE

Federal Communications Commission
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DA 06-811

Released: April 11, 2006

**PLEADING CYCLE ESTABLISHED FOR COMMENTS ON
PETITION OF VERIZON FOR SPECIAL TEMPORARY AUTHORITY AND WAIVER TO
SUPPORT DISASTER PLANNING AND RESPONSE**

WC DOCKET NO. 06-63

Comments Due: April 26, 2006
Reply Comments Due: May 8, 2006

On April 3, 2006, Verizon Communications Inc. and its affiliated telephone companies (collectively referred to as Verizon) filed a petition requesting Special Temporary Authority (STA) and a waiver of Commission rules that might impede disaster planning and response.¹ Specifically, Verizon requests an STA and waiver from the following statutory and Commission requirements: (1) structural separation requirements of section 272;² (2) network disclosure requirements in Part 51 of the Commission's rules;³ (3) dominant carrier tariffing and price cap requirements in Part 61 of the Commission's rules;⁴ (4) accounting requirements in Part 32 of the Commission's rules;⁵ (5) acquisition, discontinuance, and transfer of control requirements in Part 63 of the Commission's rules;⁶ (6) affiliate requirements for independent incumbent telephone companies in Part 64 of the Commission's rules;⁷ and (7) the Commission's *Computer III* requirements.⁸ Verizon asserts that these Commission requirements

¹ The participating Verizon telephone companies are listed in Attachment A to the Verizon Petition.

² 47 U.S.C. § 272.

³ 47 C.F.R. §§ 51.325-51.335. AT&T and BellSouth also seek STA and waiver from the Commission's structural separation safeguards and network disclosure rules to engage in disaster recovery planning and response. *See* Petition of AT&T, Inc. for Special Temporary Authority and Waiver to Support Disaster Planning and Response, WC Docket 06-63 (Mar. 10, 2006); *see also* Petition of BellSouth Corporation for Special Temporary Authority and Waiver to Support Disaster Planning and Response, WC Docket 06-63 (Apr. 4, 2006).

⁴ 47 C.F.R. §§ 61.28, 61.32, 61.33, 61.38, 61.41-61.49, 61.58 and 61.59.

⁵ *Implementation of the Telecommunications Act of 1996: Accounting Safeguards Under the Telecommunications Act of 1996*, 11 FCC Rcd 17539 (1996).

⁶ 47 C.F.R. §§ 63.12(b)(2), 63.19(b), 63.21(c), and 63.71(c) (second half of section).

⁷ 47 C.F.R. § 64.1903(a).

⁸ *Amendment of Section 64.702 of the Commission's Rules and Regulations (Third Computer Inquiry)*, Report and Order 104 FCC 2d 958, paras. 127-31 (1986); *Application of Open Network Architecture and Nondiscrimination Safeguards to GTE Corporation*, Report and Order, 9 FCC Rcd 4922 (1994).

could inhibit planning for and responding to a disaster on an integrated basis and, therefore, requests that they be waived.⁹

This Public Notice establishes certain procedural requirements relating to consideration of Verizon'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 **April 26, 2006** and reply comments on or before **May 8, 2006**. All filings should refer to **WC Docket No. 06-63**.

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, 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

⁹ Verizon also asks that the Commission, on its own motion, grant this relief to all other incumbent local telephone companies, without requiring them to file their own separate petitions.

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. 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.

Documents in **WC Docket No. 06-63** 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. 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).

For further information regarding this proceeding, contact Heather Hendrickson, Competition Policy Division, Wireline Competition Bureau, (202) 418-7295.

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