



PUBLIC NOTICE

Federal Communications Commission
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DA 06-902

Released: April 19, 2006

**PLEADING CYCLE ESTABLISHED FOR COMMENTS ON
PETITION OF QWEST COMMUNICATIONS INTERNATIONAL INC. FOR SPECIAL
TEMPORARY AUTHORITY AND WAIVER TO SUPPORT DISASTER PLANNING AND
RESPONSE**

WC DOCKET NO. 06-63

Comments Due: May 4, 2006
Reply Comments Due: May 15, 2006

On April 13, 2006, Qwest Communications International Inc. and its affiliates (collectively referred to as Qwest) filed a petition requesting Special Temporary Authority (STA) and a waiver of Commission rules to engage in integrated disaster planning and response.¹ Qwest seeks the same relief requested in petitions for STA and waiver recently filed by AT&T, BellSouth, and Verizon.² Specifically, Qwest requests that the Commission provide Qwest with the authority to share non-public, Bell Operating Company network information with any affiliate that operates under the section 272 structural safeguards as necessary to engage in integrated disaster planning.³ Qwest also requests that the Commission make clear that, in the event of a disaster, the Commission will grant Qwest the flexibility to respond efficiently and effectively without regard to section 272, and the Commission's rules governing compliance with section 272, as well as the Commission's network disclosure rules.⁴ Moreover, Qwest seeks relief from

¹ Petition of Qwest Communications International Inc. for Special Temporary Authority and Waiver to Support Disaster Planning and Response, WC Docket 06-63 (Apr. 13, 2006).

² The Bureau issued public notices requesting comment on these petitions. *See Pleading Cycle Established for Comments on Petition of AT&T Inc. for Special Temporary Authority and Waiver to Support Disaster Planning and Response*, Public Notice, DA 06-590 (WCB Mar. 17, 2006); *Pleading Cycle Established for Comments on Petition of BellSouth for Special Temporary Authority and Waiver to Support Disaster Planning and Response*, Public Notice, DA 06-812 (WCB Apr. 11, 2006); *Pleading Cycle Established for Comments on Petition of Verizon for Special Temporary Authority and Waiver to Support Disaster Planning and Response*, Public Notice, DA 06-811 (WCB Apr. 11, 2006).

³ 47 U.S.C. § 272.

⁴ 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).

additional statutory and Commission requirements that could inhibit integrated disaster planning and response consistent with the Verizon petition.⁵

This Public Notice establishes certain procedural requirements relating to consideration of Qwest'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 **May 4, 2006** and reply comments on or before **May 15, 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.

⁵ In addition to the structural separation requirements of section 272 and the network disclosure requirements in Part 51 of the Commission's rules, Qwest seeks a waiver of the following Commission requirements: (1) dominant carrier tariffing and price cap requirements in Part 61 of the Commission's rules; (2) accounting requirements in Part 32 of the Commission's rules; (3) acquisition, discontinuance, and transfer of control requirements in Part 63 of the Commission's rules; (4) affiliate requirements for independent incumbent telephone companies in Part 64 of the Commission's rules; and (5) the Commission's *Computer III* requirements. See Petition of Verizon for Special Temporary Authority and Waiver to Support Disaster Planning and Response, WC Docket 06-63 (Apr. 3, 2006).

- 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. 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. **Accessible Formats** - 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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