



PUBLIC NOTICE

Federal Communications Commission
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DA 08-2637

Released: December 3, 2008

PLEADING CYCLE ESTABLISHED FOR REQUEST FOR CLARIFICATION BY AZTEK NETWORKS OF RAO 21 REGARDING INSTALLATION OF EMERGENCY STANDALONE ROUTERS IN REMOTE TERMINALS

WC Docket No. 08-235

COMMENTS DUE: December 17, 2008

REPLY COMMENTS DUE: December 24, 2008

By this Public Notice, we seek comment on a request filed on October 10, 2008 by Aztek Networks (Aztek). Aztek asks the Wireline Competition Bureau to “clarify Responsible Accounting Officer (RAO) Letter 21, as revised on September 8, 1992, to ensure that the installation of emergency standalone routing capability in a device that is and has been a remote terminal or concentrator will not, in and of itself, require . . . a remote terminal or concentrator to be reclassified as a switch.”¹ Aztek states that its requested clarification “could ensure that carriers can install emergency standalone routing in remote terminals without fear of changing the existing accounting classifications of their network equipment.”²

Interested parties may file comments on the Aztek request on or before **December 17, 2008** and reply comments on or before **December 24, 2008**. Filings in this proceeding should be captioned “In the Matter of Request for Clarification by Aztek Networks of RAO 21 Regarding Installation of Emergency Standalone Routers in Remote Terminals” and filed in WC Docket No. 08-235.

All filings must be addressed to the Commission’s Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Suite TW-A325, Washington, DC 20554. Two courtesy copies must be delivered to Albert M. Lewis, Federal Communications Commission, Wireline Competition Bureau, Pricing Policy Division, 445 12th Street, SW, Room 5-A225, Washington, DC 20554 or via e-mail at albert.lewis@fcc.gov. One copy must also be sent to Best Copy and Printing, Inc., Portals II, 445 12th Street SW, Suite CY-B402, Washington, DC 20554, telephone 202-488-5300, facsimile 202-488-5563, or via e-mail at fcc@bcpiweb.com.

Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS) or by filing paper copies.

¹ Letter from John T. Nakahata, Counsel for Aztek Networks, Harris Wiltshire & Grannis, LLP, to Dana Shaffer, Chief, Wireline Competition Bureau, FCC at 1 (Oct. 10, 2008) (Nakahata Oct. 10 Letter). See RAO Letter 21, DA 92-1225, 7 FCC Rcd 6075 (1992) (RAO 21); *Petitions for Reconsideration and Applications for Review of RAO 21*, Order on Reconsideration, 12 FCC Rcd 10061 (1997) (RAO 21 Reconsideration Order).

² Nakahata Oct. 10 Letter at 2.

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/>. 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 <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. **Parties are strongly encouraged to file comments electronically using the Commission's ECFS.**

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, Marlene H. Dortch, 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 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, 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).

Filings and comments are also available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone 202-488-5300, facsimile 202-488-5563, or via e-mail at fcc@bcpiweb.com.

This Public Notice establishes certain procedural requirements relating to consideration of the request for clarification by Aztek Networks of RAO 21. This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.³ Persons making oral *ex parte*

³ See 47 C.F.R. §§ 1.1200, 1.1206.

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.⁴ 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.⁵

For further information regarding this proceeding, contact Albert M. Lewis, Pricing Policy Division, Wireline Competition Bureau, 202-418-1520, or via e-mail at albert.lewis@fcc.gov.

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⁴ See 47 C.F.R. § 1.1206(b).

⁵ 47 C.F.R. § 1.1206(b).