



PUBLIC NOTICE

Federal Communications Commission
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DA 10-1783

Released: September 20, 2010

**PROTESTED TARIFF TRANSMITTAL
ACTION TAKEN
WCB/Pricing File No. 10-08**

Pursuant to authority delegated under sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, the Pricing Policy Division of the Wireline Competition Bureau has reviewed the petitions to reject or to suspend and investigate the tariff transmittals listed in this Report.

Based on this review, we conclude that the parties filing petitions against the tariff transmittals listed in this Report have not presented compelling arguments that these transmittals are so patently unlawful as to require rejection. Similarly, we conclude the parties have not presented issues regarding the transmittals that raise significant questions of lawfulness that require investigation of the tariff transmittals listed in this Report.

Accordingly, the petitions to reject or suspend and investigate the following tariff transmittals are denied, and the transmittals will, or have, become effective on the date specified below.¹ Applications for review and petitions for reconsideration of this decision may be filed within 30 days from the date of this Public Notice in accordance with sections 1.115 and 1.106 of the Commission's rules, 47 C.F.R. §§ 1.115, 1.106.

Additional information about a particular tariff transmittal may be obtained from the contact person at (202) 418-1520.

CARRIER: Bluegrass Telephone Company, Inc., D/B/A Kentucky Telephone Company

TRANSMITTAL: Transmittal No. 2, Tariff F.C.C. No. 2

SUBJECT: Access Services

PETITIONERS: Sprint Communications Company, Level 3 Communications LLC, Qwest Communications Company, LLC

EFFECTIVE DATE: September 19, 2010

¹ Notwithstanding Bluegrass Telephone Company's arguments to the contrary, the tariff was filed on sixteen (16) days' notice, and is therefore not eligible for "deemed lawful" status under section 204(a)(3) of the Act. *See, e.g.*, Long-Term Telephone Number Portability Tariff Filings, 14 FCC Rcd 3306, 3307 (Competitive Pricing Division 1999) (holding that number portability tariffs filed on 17 days' notice "do not qualify for treatment as streamlined filings pursuant to section 204(a)(3)" and "will not be deemed lawful upon filing.").

CONTACT:

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