In the Matter of  

American Communications Services, Inc.  

MCI Telecommunications Corp.  

Petitions for Expedited Declaratory Ruling  
Preempting Arkansas Telecommunications  
Regulatory Reform Act of 1997  

Federal-State Joint Board on Universal Service  

Alltel Communications, Inc. Request for  
Resolution of Previously Filed Petitions for  
Expedited Declaratory Ruling Preempting  
Arkansas Telecommunications Regulatory Reform  
Act of 1997  

ORDER

Adopted: May 18, 2010  
Released: May 18, 2010

By the Acting Chief, Telecommunications Access Policy Division, Wireline Competition Bureau:

1. In this order, we dismiss as moot a petition filed by Alltel Communications, Inc. (Alltel) seeking a declaratory ruling preempting section 5(d)(1) of the Arkansas Telecommunications Regulatory Act of 1997.\(^1\) On March 29, 2007, the Arkansas General Assembly amended the Arkansas

Telecommunications Regulatory Act of 1997.\(^2\) As amended, the provisions challenged by Alltel no longer preclude competitive carriers from obtaining universal service support in the manner described by Alltel.\(^3\) Further, given that the universal service provisions challenged in the *Arkansas Preemption Order* are no longer the law in the state of Arkansas, we dismiss as moot all associated petitions filed in the above-captioned pleadings.

2. **ACCORDINGLY, IT IS ORDERED,** pursuant to the authority delegated under sections 0.91, 0.204(b), and 0.291 of the Commission’s rules, 47 C.F.R. §§ 0.91, 0.204(b), 0.291, that the petition for expedited declaratory ruling filed by Alltel Communications, Inc. IS DISMISSED AS MOOT.

3. **IT IS FURTHER ORDERED,** pursuant to the authority delegated under sections 0.91, 0.204(b), and 0.291 of the Commission’s rules, 47 C.F.R. §§ 0.91, 0.204(b), 0.291, that the petitions for declaratory ruling filed by American Communications Services, Inc. and MCI Telecommunications Corp. ARE DISMISSED AS MOOT.

4. **IT IS FURTHER ORDERED,** pursuant to sections 0.91, 0.204(b) and 0.291 of the Commission’s rules, 47 C.F.R. §§ 0.91, 0.204(b), and 0.291, that the proceedings in CC Docket No. 97-100 ARE TERMINATED and the docket is closed.

5. **IT IS FURTHER ORDERED,** pursuant to section 1.102(b)(1) of the Commission’s rules, 47 C.F.R. § 1.102, that this order SHALL BE EFFECTIVE upon release.

FEDERAL COMMUNICATIONS COMMISSION

Jennifer K. McKee
Acting Chief
Telecommunications Access Policy Division
Wireline Competition Bureau
