



PUBLIC NOTICE

Federal Communications Commission
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DA 12-346
March 6, 2012

**PLEADING CYCLE ESTABLISHED FOR COMMENTS ON CENTURYLINK
PETITION FOR FORBEARANCE FROM DOMINANT CARRIER AND CERTAIN *COMPUTER
INQUIRY* REQUIREMENTS ON ENTERPRISE BROADBAND SERVICES**

WC Docket No. 12-60

Comments or Oppositions Due: April 5, 2012
Reply Comments Due: April 20, 2012

On February 23, 2012, CenturyLink filed a petition¹ pursuant to section 10 of the Communications Act of 1934, as amended,² requesting that the Commission forbear from “dominant carrier regulation and the *Computer Inquiry* tariffing requirement with respect to its packet-switched and optical transmission services” for those services subject to the regulations.³ Specifically, CenturyLink seeks forbearance from 47 U.S.C. §§ 203, 204(a)(3); 47 C.F.R. §§ 1.54(a)(1), (e)(1), 61.31-61-59, 63.71, 63.03 and requirements from related Commission Orders. CenturyLink states that, because of recent mergers, its enterprise broadband services are subject to different regulations depending on which CenturyLink affiliate – Qwest, Embarq, or CenturyTel – previously provided (or didn’t provide) those services.⁴

¹ Petition of CenturyLink for Forbearance Pursuant to 47 U.S.C. §160(c) from Dominant Carrier and Certain *Computer Inquiry* Requirements on Enterprise Broadband Services, WC Docket No. 12-60 (filed Feb. 23, 2012) (CenturyLink Petition).

² See 47 U.S.C. § 160.

³ CenturyLink Petition at 1, 9-10.

⁴ *Id.* at 1. The Commission granted forbearance to Qwest and Embarq. *Qwest Petition for Forbearance Under 47 U.S.C. § 160(c) from Title II and Computer Inquiry Rules with Respect to Broadband Services*, Memorandum Opinion and Order, WC Docket No. 06-125, 23 FCC Rcd 12260 (2008); *Petition of the Embarq Local Operating Companies for Forbearance Under 47 U.S.C. § 160(c) from Application of Computer Inquiry & Certain Title II Common-Carriage Requirements*; *Petition of the Frontier and Citizens ILECs for Forbearance Under Section 47 U.S.C. § 160(c) from Title II and Computer Inquiry Rules with Respect to Their Broadband Services*, Memorandum Opinion and Order, WC Docket No. WC 06-147, 22 FCC Rcd 19478 (2007), *aff’d sub nom. Ad Hoc Telecom. Users Committee v. FCC*, 572 F.3d 903 (D.C. Cir. 2009).

Interested parties may file comments on or oppositions to CenturyLink's Petition on or before **April 5, 2012** and reply comments on or before **April 20, 2012**. All pleadings should reference **WC Docket No. 12-60**.

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. Parties should also send a copy of their filings to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554, or by e-mail to CPDcopies@fcc.gov. Parties shall 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.

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

- **Electronic Filers:** Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>. 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 one copy 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. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes 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 must 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 and 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 CenturyLink Petition. This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁵ 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 generally is required.⁶ 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.⁷

For further information regarding this proceeding, contact Jean Ann Collins, Competition Policy Division, Wireline Competition Bureau, 202-418-2792.

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⁵ See 47 C.F.R. §§ 1.1200, 1.1206.

⁶ See 47 C.F.R. § 1.1206(b).

⁷ 47 C.F.R. § 1.1206(b).