



PUBLIC NOTICE

Federal Communications Commission
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DA 12-352
March 8, 2012

PLEADING CYCLE ESTABLISHED FOR COMMENTS ON UNITED STATES TELECOM ASSOCIATION PETITION FOR FORBEARANCE FROM CERTAIN TELECOMMUNICATIONS REGULATIONS

WC Docket No. 12-61

Comments or Oppositions Due: April 9, 2012
Reply Comments Due: April 24, 2012

On February 16, 2012, the United States Telecom Association (USTelecom) filed a petition¹ pursuant to section 10 of the Communications Act of 1934, as amended,² requesting that the Commission forbear from enforcing certain “legacy telecommunications regulations.”³ The USTelecom Petition seeks forbearance from a variety of statutory provisions and regulations that USTelecom characterizes as falling into one of the following seventeen (17) categories:⁴

Category 1: Equal Access Scripting Requirement

Category 2: Open Network Architecture and Comparably Efficient Interconnection Requirements, Enhanced Services Structural Separation Rule (47 C.F.R. § 64.702), and All-Carrier *Computer Inquiry* Rules

Category 3: Cost Assignment Rules⁵

Category 4: Part 32 Uniform System of Accounts (47 U.S.C. § 220(a)(2), 47 C.F.R. §§ 32.1-2.9000)

Category 5: Property Record Rules (47 C.F.R. §§ 32.2000(e), (f))

¹ Petition of USTelecom for Forbearance Pursuant to 47 U.S.C. § 160(c) from Enforcement of Certain Legacy Telecommunications Regulations, WC Docket No. 12-61 (filed Feb. 16, 2012) (USTelecom Petition).

² See 47 U.S.C. § 160.

³ USTelecom Petition at 3.

⁴ USTelecom seeks forbearance generally on behalf of all incumbent local exchange carriers (ILECs) and, in some instances, price cap carriers at the federal level that have not been granted forbearance. The specific regulation and the associated relief that USTelecom seeks are detailed in Attachment A, appended to the USTelecom Petition.

⁵ See Attachment A-3 through A-8, appended to the USTelecom Petition, for the list of regulatory and statutory provisions from which USTelecom seeks forbearance under its designated category of “Cost Assignment Rules.”

- Category 6:** Part 42 Recordkeeping Requirements (47 C.F.R. §§ 42.4, 42.5, 42.7, 42.10(a))
- Category 7:** ARMIS Report 43-01
- Category 8:** Annual Revenue and Total Communications Plant Reporting (47 C.F.R. § 43.21(c))
- Category 9:** Rules Governing Notices of Network Changes (47 C.F.R. §§ 51.329(a)(2), 51.333(a)-(f), 52.333(b))
- Category 10:** Service Discontinuance Approval Requirements (47 U.S.C. § 214, 47 C.F.R. §§ 63.30, 63.61, 63.62, 63.63, 63.71(a)(5), 63.71(c), 63.90(a)(8))
- Category 11:** Traffic Damage Claim Rules (47 C.F.R. § 64.1)
- Category 12:** Structural Separation Requirements for Independent ILECs (47 C.F.R. § 64.1903)
- Category 13:** Rules Governing Extension of Unsecured Credit for Interstate and Foreign Communications Services to Candidates for Federal Office (47 C.F.R. §§ 64.801, 64.804)
- Category 14:** “Cash Working Capital Allowance” Requirement (47 C.F.R. § 65.820(d))
- Category 15:** Rules Governing Furnishing of Facilities to Foreign Governments for International Communications (47 C.F.R. § 64.301)
- Category 16:** Rules Governing Recording of Telephone Conversations with Telephone Companies (47 C.F.R. § 64.501)
- Category 17:** Prepaid Calling Card Reporting Requirements (47 C.F.R. § 64.5001)

Interested parties may file comments on or oppositions to the USTelecom Petition on or before **April 9, 2012** and reply comments on or before **April 24, 2012**. All pleadings should reference **WC Docket No. 12-61**. **Parties must also clearly identify, in their Table of Contents and/or opening summary of their comments and of their reply comments, which of the 17 regulatory categories, their comments are addressing.**⁶ For example, if a party files comments relating to the Equal Access Scripting Requirements, the caption should reference WC Docket No. 12-61, and the Table of Contents and/or opening summary should clearly state that they are filing comments responding to **Category 1- Equal Access Scripting Requirement**. Because of the large number of identified rules and statutory provisions, and the various divisions throughout the Wireline Competition Bureau that may need to analyze the comments and replies within the statutory deadline for acting on a forbearance petition, parties whose filings do not properly identify the topics the comments are addressing may be contacted by Commission staff and requested to provide that information.

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.

⁶ Parties filing brief comments that do not contain a Table of Contents or opening summary may identify the category their comments are addressing in their opening paragraph.

- 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

USTelecom Petition. This matter shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.⁷ 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.⁸ 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.⁹

For further information regarding this proceeding, contact Gregory Kwan, Competition Policy Division, Wireline Competition Bureau, 202-418-1191 or Alex Johns, Competition Policy Division, Wireline Competition Bureau, 202-418-1167.

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⁷ See 47 C.F.R. §§ 1.1200, 1.1206.

⁸ See 47 C.F.R. § 1.1206(b).

⁹ 47 C.F.R. § 1.1206(b).