

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Petition of USTelecom For Forbearance Under 47	)	WC Docket No. 12-61
U.S.C. § 160(c) From Enforcement Of Certain	)	
Legacy Telecommunications Regulations	)	

**ORDER**

**Adopted: February 7, 2013**

**Released: February 7, 2013**

By the Chief, Wireline Competition Bureau:

1. In this order, pursuant to section 10(c) of the Communications Act of 1934, as amended (the Act),<sup>1</sup> we extend by 90 days the date by which the petition requesting forbearance filed by the United States Telecom Association (USTelecom) shall be deemed granted in the absence of a Commission decision that the petition fails to meet the standards for forbearance under section 10(a) of the Act.<sup>2</sup>

2. On February 16, 2012, USTelecom filed a petition pursuant to section 10 of the Act requesting that the Commission forbear from enforcing certain “legacy telecommunications regulations.”<sup>3</sup> Specifically, USTelecom seeks forbearance from a variety of statutory provisions and regulations that USTelecom characterizes as falling into one of seventeen categories.<sup>4</sup> Section 10(c) of the Act states that a petition for forbearance shall be deemed granted if the Commission does not deny the petition for failure to meet the requirements for forbearance under section 10(a) within one year after the Commission receives it, unless the Commission extends the one-year period.<sup>5</sup> The Commission may extend the initial one-year period by an additional 90 days if the Commission finds that an extension is necessary to meet the requirements of section 10(a).<sup>6</sup>

3. The USTelecom Petition raises significant questions about whether forbearance from the application of numerous statutory and regulatory requirements in the provision of telecommunications services meets the statutory requirements set forth in section 10(a). We conclude that additional time is required to fully examine whether the forbearance requested by US Telecom meets the statutory requirements set forth in section 10(c) of the Act. For these reasons, the Bureau finds that a 90-day extension is warranted under section 10(c).

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<sup>1</sup> 47 U.S.C. § 160(c).

<sup>2</sup> 47 U.S.C. § 160(a)(c)); *Petition of United States Telecom Association for Forbearance Pursuant to 47 U.S.C. § 160(c)*, WC Docket No. 12-61 (filed Feb. 16, 2012) (USTelecom Petition).

<sup>3</sup> USTelecom Petition at 3.

<sup>4</sup> USTelecom Petition. On March 8, 2012, the Wireline Competition Bureau (Bureau) sought comment on USTelecom’s petition. *Pleading Cycle Established for Comment on United States Telecom Association Petition for Forbearance from Certain Telecommunications Regulations*, WC Docket No. 12-61, Public Notice, 27 FCC Rcd 2326 (2012).

<sup>5</sup> 47 U.S.C. § 160(c).

<sup>6</sup> *Id.*; see, e.g., *Petition of Ameritech Corporation for Forbearance from Enforcement of Section 275(a) of the Communications Act of 1934, as Amended*, CC Docket No. 98-65, Order, 14 FCC Rcd 6415 (Com. Car. Bur. 1999).

4. Accordingly, IT IS ORDERED that, pursuant to section 10 of the Communications Act of 1934, as amended, 47 U.S.C. § 160, and authority delegated under sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291,<sup>7</sup> the date on which the petition seeking forbearance filed by USTelecom shall be deemed granted, in the absence of a Commission denial of the petition for failure to meet the statutory standards for forbearance, IS EXTENDED to May 17, 2013.

5. IT IS FURTHER ORDERED that, pursuant to section 1.102(b)(1) of the Commission's rules, 47 C.F.R. § 1.102(b)(1), this order shall be effective upon release.

FEDERAL COMMUNICATIONS COMMISSION

Julie A. Veach  
Chief  
Wireline Competition Bureau

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<sup>7</sup> See 47 U.S.C. § 160(c).