

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

In the Matter of)	
)	
Petition of CenturyLink for Forbearance)	WC Docket No. 12-60
Pursuant to 47 U.S.C. § 160(c) from)	
Dominant Carrier and Certain Computer)	
Inquiry Requirements on Enterprise)	
Broadband Services)	

ORDER

Adopted: February 22, 2013

Released: February 22, 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),¹ we extend by 90 days the date by which the petition requesting forbearance filed by CenturyLink 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.²

2. On February 23, 2012, CenturyLink filed a petition 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 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 subsection 10(a) within one year after the Commission receives it, unless the one-year period is extended by the Commission.⁴ 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 subsection 10(a).⁵

3. The CenturyLink Petition raises significant questions regarding whether forbearance from application of certain statutory and regulatory requirements for CenturyLink’s provision of telecommunications services meets the statutory requirements set forth in section 10(a). Further, on December 7, 2012, CenturyLink filed an *ex parte* letter with the Commission providing new data regarding its revenues and competition related to its forbearance request.⁶ We conclude that additional time is required to fully examine whether the forbearance requested by CenturyLink meets the statutory

¹ See 47 U.S.C. § 160.

² 47 U.S.C. § 160(a), (c); 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).

³ CenturyLink Petition at 1, 9-10. On March 6, 2012, the Wireline Competition Bureau (Bureau) sought comment on CenturyLink’s petition. *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, Public Notice, 27 FCC Rcd 2306 (2012).

⁴ 47 U.S.C. § 160(c).

⁵ *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).

⁶ See Letter from Melissa Newman, CenturyLink, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 12-60 (filed Dec. 7, 2012).

requirements set forth in section 10(a) of the Act. A 90-day extension is therefore necessary under section 10(c) of the Act.⁷

4. ACCORDINGLY, IT IS ORDERED, 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 and 0.291, that the date on which the petition seeking forbearance filed by CenturyLink 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 24, 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

⁷ 47 U.S.C. § 160(c).