

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

In the Matter of	)	
	)	
Petition of CenturyLink for Forbearance	)	WC Docket No. 14-9
Pursuant to 47 U.S.C. § 160(c) from	)	
Dominant Carrier and Certain Computer	)	
Inquiry Requirements on Enterprise	)	
Broadband Services	)	

**ORDER**

**Adopted: November 7, 2014****Released: November 7, 2014**

By the Deputy Chief, Wireline Competition Bureau:

1. In this Order, pursuant to section 10(c) of the Communications Act of 1934, as amended (the Act), we extend by 90 days the date by which CenturyLink's petition requesting forbearance 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>1</sup>

2. On December 13, 2013, CenturyLink filed a petition requesting that the Commission forbear from "dominant carrier regulation and the *Computer Inquiry* tariffing requirement with respect to all of its packet-switched and optical transmission services" that are subject to those rules.<sup>2</sup> The Bureau sought comment on CenturyLink's petition on January 14, 2014.<sup>3</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 subsection 10(a) within one year after the Commission receives it, unless the one-year period is extended by the Commission.<sup>4</sup> The Commission may extend the

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<sup>1</sup> 47 U.S.C. § 160(a), (c).

<sup>2</sup> CenturyLink's Petition for Forbearance Pursuant to 47 U.S.C. § 160(c) from Dominant Carrier Regulation and *Computer Inquiry* Tariffing Requirements on Enterprise Broadband Services, WC Docket No. 14-9, at v (filed Dec. 13, 2013) (CenturyLink Petition). CenturyLink also submitted an alternative petition for interim waiver in this docket. CenturyLink's Alternative Petition for Interim Waiver of Dominant Carrier Regulation and *Computer Inquiry* Tariffing Requirements Imposed on Enterprise Broadband Services, WC Docket No. 14-9 (filed Dec. 13, 2013). In 2012, CenturyLink submitted a similar forbearance petition to the Commission. 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). The Wireline Competition Bureau (Bureau) subsequently granted CenturyLink's request to withdraw its petition. *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, Order, 28 FCC Rcd 3075 (Wireline Comp. Bur. 2013).

<sup>3</sup> *Pleading Cycle Established for Comments on CenturyLink Petitions for Forbearance from or Interim Waiver of Dominant Carrier and Computer Inquiry Tariffing Requirements on Enterprise Broadband Services*, WC Docket No. 14-9, Public Notice, 29 FCC Rcd 254 (Wireline Comp. Bur. 2014).

<sup>4</sup> 47 U.S.C. § 160(c).

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).<sup>5</sup>

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) of the Act. Further, on October 3 and October 14, 2014, CenturyLink filed *ex parte* letters with the Commission providing new data in response to an Information, Data, and Document Request issued by the Bureau.<sup>6</sup> We conclude that additional time is required to fully examine whether the forbearance requested by CenturyLink meets the statutory requirements set forth in section 10(a) of the Act. A 90-day extension is therefore necessary under section 10(c) of the Act.<sup>7</sup>

4. ACCORDINGLY, IT IS ORDERED, pursuant to section 10 of the Communications Act of 1934, as amended, 47 U.S.C. § 160, and 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 March 13, 2015.

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

Lisa S. Gelb  
Deputy Chief  
Wireline Competition Bureau

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<sup>5</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).

<sup>6</sup> See Letter from Julie A. Veach, Chief, Wireline Competition Bureau, FCC, to Craig J. Brown, Senior Associate General Counsel, CenturyLink, WC Docket No. 14-9, 29 FCC Rcd 10631 (Wireline Comp. Bur. 2014) (Information, Data, and Document Request); Letter from Craig J. Brown, Senior Associate General Counsel, CenturyLink, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 14-9 (filed Oct. 3 2014) (responses to Information, Data, and Document Request question numbers 1 and 14); Letter from Craig J. Brown, Senior Associate General Counsel, CenturyLink, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 14-9 (filed Oct. 14, 2014) (responses to Information, Data, and Document Request question numbers 2-13).

<sup>7</sup> 47 U.S.C. § 160(c).