

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

In the Matter of)	
)	
Petition of USTelecom for Forbearance Under 47)	WC Docket No. 14-192
U.S.C. § 160(c) from Obsolete ILEC Regulatory)	
Obligations that Inhibit Deployment of Next-)	
Generation Networks)	

ORDER

Adopted: September 25, 2015

Released: September 25, 2015

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 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.² Accordingly, the date on which the USTelecom Petition will be deemed granted in the absence of a Commission denial is January 4, 2016.

2. On October 6, 2014, USTelecom filed a petition pursuant to section 10 of the Act requesting that the Commission forbear from enforcing what it describes as “various outdated regulatory requirements applicable to incumbent local exchange carriers,” stating that the relief requested will “promote the deployment of next-generation high-speed networks . . . expanding infrastructure investment and increasing competition for services that have become central to Americans’ daily lives.”³ Specifically, USTelecom seeks forbearance from a variety of statutory provisions and regulations that USTelecom characterizes as falling into one of seven categories.⁴ 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

¹ 47 U.S.C. § 160(c).

² 47 U.S.C. § 160(a), (c); *Petition of United States Telecom Association for Forbearance Pursuant to 47 U.S.C. § 160(c) from Enforcement of Obsolete ILEC Legacy Regulations That Inhibit Deployment of Next-Generation Networks*, WC Docket No. 14-192 (filed Oct. 6, 2014) (USTelecom Petition).

³ USTelecom Petition at 1-2.

⁴ *Id.* at 6-7. USTelecom describes the categories as relating to various sections of the Act and Commission rules addressing section 271/272 and equal access obligations, rule 64.1903 structural separation requirements, the requirement to provide a 64 kbps voice channel where a copper loop has been retired, section 214(c) obligations where a price cap carrier does not receive high cost universal service support, *Computer Inquiry* rules, the requirement to provide access to newly deployed entrance conduit at regulated rates, and the prohibition against using contract tariffs for business data services in all regions. *Id.* at Appx. A. On November 5, 2014, the Wireline Competition Bureau (Bureau) sought comment on the USTelecom Petition. *Pleading Cycle Established for Comment on United States Telecom Association Petition for Forbearance from Certain Incumbent LEC Regulatory Obligations*, WC Docket No. 14-192, Public Notice, 29 FCC Rcd 13535 (Wireline Comp. Bur. 2014).

receives it, unless the Commission extends the one-year period.⁵ 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).⁶

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) of the Act.⁷ We conclude that additional time is required to fully examine whether the forbearance requested by USTelecom meets the statutory requirements set forth in section 10(a) of the Act. For these reasons, the Bureau finds that a 90-day extension is warranted under section 10(c) of the Act.

4. Accordingly, IT IS ORDERED that, 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, 0.291, 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 January 4, 2016.

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

Matthew S. DelNero
Chief
Wireline Competition Bureau

⁵ 47 U.S.C. § 160(c).

⁶ *Id.*; see also, 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 Red 6415 (Com. Car. Bur. 1999).

⁷ See 47 U.S.C. § 160(a).