



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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DA 15-590

Released: May 15, 2015

PETITION FILED BY GRANITE TELECOMMUNICATIONS, LLC FOR DECLARATORY RULING

PLEADING CYCLE ESTABLISHED

WC Docket No. 15-114

Comments/Petitions Due: June 15, 2015

Replies/Oppositions Due: June 30, 2015

On May 4, 2015, Granite Telecommunications, LLC (Granite) filed a petition for declaratory ruling¹ pursuant to section 1.2(a) of the Commission's rules,² seeking a declaratory ruling "clarifying the manner in which the prohibition on unreasonable discrimination in section 202(a) of the Act and the prohibition on unjust and unreasonable practices in section 201(b) apply to the separation, combination, and commingling of" unbundled network elements (UNEs) by Bell Operating Companies (BOCs).³ Specifically, Granite requests that the Commission issue a ruling that BOCs have the following obligations: (1) not to separate UNEs provisioned pursuant to section 271(c)(2)(B)(iv)-(vi) of the Telecommunications Act of 1996, as amended (the Act); (2) to combine such UNEs; and (3) to commingle such UNEs with other wholesale services.

GENERAL INFORMATION

Interested parties may file comments **on or before June 15, 2015**, and reply comments **on or before June 30, 2015**. All pleadings should reference **WC Docket No. 15-114**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs/>.
- 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.

¹ See Petition of Granite Telecommunications, LLC, for Declaratory Ruling Regarding the Separation, Combination, and Commingling of Section 271 Unbundled Network Elements, WC Docket No. 15-114 (filed May 4, 2015), <http://apps.fcc.gov/ecfs/document/view?id=60001046346> (Petition).

² 47 C.F.R. § 1.2(a).

³ Petition at 2.

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 & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

In addition, provide one copy of each pleading to each of the following:

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., fcc@bcpiweb.com; phone: (202) 488-5300; facsimile: (202) 488-5563;
- 2) Alex Johns, Competition Policy Division, Wireline Competition Bureau, alexis.johns@fcc.gov or (202) 418-1413 (facsimile).

The proceeding in this Notice shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁴ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b), 47 C.F.R. § 1.1206(b). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

To allow the Commission to consider fully all substantive issues regarding the Petition in as timely and efficient a manner as possible, petitioners and commenters should raise all issues in their initial filings. New issues may not be raised in responses or replies.⁵ A party or interested person seeking to raise a new issue after the pleading cycle has closed must show good cause why it was not possible for it to have raised the issue previously. Submissions after the pleading cycle has closed that seek to raise new issues based on new facts or newly discovered facts should be filed within 15 days after such facts are discovered. Absent such a showing of good cause, any issues not timely raised may be disregarded by the Commission.

⁴ 47 C.F.R. §§ 1.1200 *et seq.*

⁵ *See* 47 C.F.R. § 1.45(c).

For further information, please contact Alex Johns, Wireline Competition Bureau, (202) 418-1167.

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