

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

In the Matter of)
)
Petition of AT&T for Forbearance Under 47) WC Docket No. 16-363
U.S.C. § 160(c) from Certain Rules for Switched)
Access Services and Toll Free Database Dip)
Charges)

ORDER

Adopted: August 18, 2017

Released: August 18, 2017

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 the Wireline Competition Bureau (Bureau) extends by 90 days the date by which AT&T Services, Inc.’s (AT&T’s) petition for forbearance² 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.³ Accordingly, the date on which the AT&T Petition will be deemed granted in the absence of a Commission denial is December 29, 2017.

2. On September 30, 2016, AT&T filed a petition pursuant to section 10 of the Act requesting that the Commission forbear “from the tariffing requirements of the Act and its rules as to all tandem switching and tandem-switched transport charges on all traffic to or from [local exchange carriers (LECs)] engaged in access stimulation.”⁴ The petition also asks that the Commission forbear from enforcing “all of its rules that allow LECs to tariff a charge billed to [interexchange carriers] for toll-free database queries.”⁵ Pursuant to section 10(c) of the Act, a petition for forbearance shall be deemed granted if the Commission does not deny the petition within one year after the Commission receives it, unless the Commission extends the one-year period.⁶ The Commission may extend the initial one-year

¹ 47 U.S.C. § 160(c).

² AT&T Services, Inc., Petition of AT&T Services, Inc. for Forbearance Under 47 U.S.C. § 160(c), WC Docket No. 16-363 (filed Sept. 30, 2016) (AT&T Petition).

³ 47 U.S.C. § 160(a), (c). See also, e.g., Petition of USTelecom for Forbearance Under 47 U.S.C. § 160(c) from Obsolete ILEC Regulatory Obligations that Inhibit Deployment of Next-Generation Networks, WC Docket No. 14-192, Order, 30 FCC Rcd. 10149 (WCB Sept. 25, 2015) (extension by the Bureau of the initial one year deadline for acting on forbearance petitions); Petition of CenturyLink for Forbearance Pursuant to 47 U.S.C. § 160(c) from Dominant Carrier & Certain Computer Inquiry Requirements on Enterprise Broadband Services, WC Docket No. 14-9, Order, 29 FCC Rcd. 13746 (WCB Nov. 7, 2014) (extension by the Bureau of initial one-year deadline for acting on forbearance petitions by 90 days to fully examine whether the forbearance requested meets the statutory requirements set forth in section 10(a) of the Act).

⁴ AT&T Petition at 13.

⁵ Petition at 20. Specifically, AT&T seeks forbearance from 47 U.S.C. § 203, 47 CFR §§ 51.901 et seq., 51.913, 61.1, 61.26, 61.47, 69.1 et seq., 69.108, 69.111, 69.118 et seq. and requirements from related Commission Orders, “including, but not limited to In re Provision of Access for 800 Service, 8 FCC Rcd 907 (1993).” See id. at Appx. A.

⁶ 47 U.S.C. § 160(c).

period by an additional 90 days if the Commission finds that an extension is necessary to meet the requirements of section 10(a).⁷

3. The AT&T 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.⁸ We conclude that additional time is required to fully examine whether the forbearance requested by AT&T meets those statutory requirements. We therefore find 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 CFR §§ 0.91, 0.291, the date on which the petition seeking forbearance filed by AT&T 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 December 29, 2017.

5. IT IS FURTHER ORDERED that, pursuant to section 1.102(b)(1) of the Commission's rules, 47 CFR § 1.102(b)(1), this order SHALL BE EFFECTIVE upon release.

FEDERAL COMMUNICATIONS COMMISSION

Kris Anne Monteith
Chief
Wireline Competition Bureau

⁷ *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 Rcd 6415 (Com. Car. Bur. 1999).

⁸ See 47 U.S.C. § 160(a).