PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

[DA No. 18-1212]
Released: November 29, 2018

WIRELINE COMPETITION BUREAU ANNOUNCES COMMENT DEADLINES ON SECOND FURTHER NOTICE AND FURTHER NOTICE IN BUSINESS DATA SERVICES PROCEEDINGS AND REOPENING OF SECURE DATA ENCLAVE

WC Docket Nos. 17-144, 16-143, 05-25; RM-10593

Comments Due: January 14, 2019
Replies Due: February 12, 2019

By this Public Notice, the Wireline Competition Bureau (Bureau) announces that the deadline for filing comments on the Second Further Notice and Further Notice in the business data services (BDS) proceedings1 is January 14, 2019 and the deadline for filing reply comments is February 12, 2019. We also announce that the secure data enclave containing highly confidential data filed in the price cap BDS proceeding will reopen on December 5, 2018 and close on March 1, 2019 unless an interested party demonstrates the need for continuing access. Parties that were not previously authorized to access the secure data enclave and now seek access must file signed Acknowledgments pursuant to the Protective Orders governing access to the secure data enclave.2

On October 24, 2018, the Commission released the Second Further Notice proposing to eliminate ex ante pricing regulation of price cap carriers’ TDM-based transport services and seeking comment on this proposal.3 The Commission also released the Further Notice seeking comment on the appropriate regulatory framework to apply to lower capacity (at or below the capacity of a DS3) TDM-based transport services provided by rate-of-return carriers that elect incentive regulation provided for in the accompanying Report and Order.4 The Commission specified that comments would be due 45 days following Federal Register publication, and that reply comments would be due 75 days following Federal Register publication.5 On November 29, 2018, a summary of the Second Further Notice and Further Notice was published in the Federal Register specifying that comments will be due on January 14, 2019.

3 Second Further Notice and Further Notice at 52-55, paras. 148-56.
4 Id. at 55-57, paras. 157-62.
5 Id. at 1.
and reply comments due on February 12, 2019. Complete filing instructions are provided in the Second Further Notice and Further Notice and the Federal Register notice.

In the Second Further Notice, the Commission directed the Bureau to make available to interested parties highly confidential data filed in a data collection that is part of the record in the price cap BDS proceeding. Since the secure data enclave hosted by NORC at the University of Chicago is the exclusive method to access and analyze this data, on November 5, 2018, we released a Public Notice announcing that we would reopen access to the secure data enclave for purposes of commenting on the Second Further Notice. We specified that the secure data enclave would reopen after the Second Further Notice summary is published in the Federal Register, and close 14 days after reply comments are due, unless an interested party demonstrates that “continued access to the data is necessary to their meaningful participation in the proceeding.” Accordingly, access to the secure data enclave will reopen on December 5, 2018 and close on March 1, 2019, unless an interested party demonstrates the need for continuing access. Instructions on requesting access to the secure data enclave are provided in the Public Notice.

For further information, please contact Christopher Koves, Pricing Policy Division, Wireline Competition Bureau, at (202) 418-8209 or via email at Christopher.Koves@fcc.gov.

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7 Second Further Notice and Further Notice at 57-58, paras. 163-64.


9 Second Further Notice and Further Notice at 55, para. 156.


11 Id. at 1.

12 Id.