



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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SPRINT COMMUNICATIONS CO. L.P. (SPRINT) FILES PETITION FOR A DECLARATORY RULING THAT 47 C.F.R §§ 51.211 (c)-(d) DO NOT REQUIRE COMPETITIVE LOCAL EXCHANGE CARRIERS (CLECS) THAT OFFER LOCAL EXCHANGE SERVICES EITHER AS RESELLERS OR THROUGH THE PURCHASE OF UNBUNDLED ELEMENTS TO OFFER INTRALATA DIALING PARITY IF THE INCUMBENT LOCAL EXCHANGE CARRIER (ILEC) WHOSE SERVICES THE CLEC IS RESELLING OR NETWORK ELEMENTS THE CLEC IS PURCHASING DOES NOT ITSELF OFFER INTRALATA DIALING PARITY

Pleading Cycle Established

COMMENTS: June 16, 1997

REPLY COMMENTS: June 23, 1997

On May 8, 1997, Sprint Communications Co. L.P. ("Sprint" or "Petitioner") filed a Petition for a Declaratory Ruling ("Petition") pursuant to Section 1.2 of the rules of the Federal Communications Commission ("Commission"), *see* 47 C.F.R. § 1.2, asking the Commission to clarify that Sections 51.211 (c)-(d) of the Commission's rules, *see* 47 C.F.R. §§ 51.211 (c)-(d) do not require a competitive local exchange carriers ("CLEC") that offers local exchange services either as a reseller or through the purchase of unbundled elements of an incumbent local exchange carrier ("ILEC") to offer intraLATA dialing parity if the ILEC whose services the CLEC is reselling or network elements the CLEC is purchasing does not itself offer intraLATA dialing parity.

Petitioners state that Sections 51.211 (c)-(d) of the Commission's rules set forth an implementation schedule for the provision of intraLATA dialing parity by non-Bell operating company ("BOC") LECs that provide in-region interLATA or in-region interstate toll service. Section 51.211 (c) requires any non-BOC LEC that begins to provide interLATA or interstate toll services service prior to August 8, 1997 to "implement intraLATA and interLATA toll dialing parity throughout that state by August 8, 1997." Section 51.211 (d) requires non-BOC LECs that begin to provide in-region interLATA or interstate toll services after August 8, 1997, (but before

February 8, 1999) to "implement intraLATA and interLATA toll dialing parity throughout that state no later than the date on which it begins providing in-region interLATA or interstate toll services."

Sprint notes that these rules were adopted by the Commission in the Second Report and Order and by their terms apply to all non-BOC LECs. *See generally*, Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, *Second Report and Order*, CC Docket No. 96-98, FCC 96-333 (rel. August 8, 1996) ("Second Report and Order"). Sprint contends, however, that the literal provisions of the rule may not have been intended to apply to CLECs that offer local exchange services either by reselling the services of an ILEC that does not offer dialing parity or by utilizing the unbundled local switching element in circumstances where the ILEC does not itself offer dialing parity. Sprint further contends that, under these circumstances, there is no practicable way for the CLEC to offer such dialing parity, and that a literal application of these rules to CLECs in such circumstance would cause anticompetitive results adverse to the public interest and inconsistent with the intent of the Second Report and Order.

Interested parties may file comments regarding the Petition no later than June 16, 1997. Reply comments may be filed no later than June 23, 1997. An original and four copies of all comments and replies must be filed in accordance with Section 1.51(c) of the Commission's rules, 47 C.F.R. § 1.51(c). In addition, one copy of each pleading must be filed with International Transcription Service, Inc. (ITS, Inc.), the Commission's duplicating contractor, at its office at 2100 M Street, N.W., Suite 140, Washington, D.C. 20037, and two copies with the Chief, Network Services Division, Room 235, 2000 M Street, N.W., Washington D.C. 20554

For further information, contact Gregory M. Cooke, (202) 418-2351, or Renee Alexander, (202) 418-2397, Network Services Division, Common Carrier Bureau.

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