

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

In the Matter of)	
)	
Lambda Communications, Inc. Emergency)	RM No. 8708
Petition for Rulemaking to Apply Expanded)	
Interconnection Obligation to)	
Puerto Rico Telephone Company)	

ORDER

Adopted: October 28, 1997

Released: October 29, 1997

By the Chief, Competitive Pricing Division, Common Carrier Bureau:

1. On September 29, 1995, Lambda Communications, Inc. (Lambda) filed an emergency petition for rulemaking to amend Section 64.1401 of the Commission's rules¹ to extend the application of the expanded interconnection requirements to Puerto Rico Telephone Company (PRTC). Pursuant to Section 1.403 of the Commission's rules, the Common Carrier Bureau (Bureau) issued a Public Notice requesting comment on Lambda's emergency petition.² On November 22, 1995, PRTC filed comments responding to the emergency petition.³ Lambda filed reply comments on December 7, 1995.⁴

2. In the *Special Access Expanded Interconnection Order*, the Commission exempted members of the National Exchange Carrier Association (NECA) from the requirement that all Tier 1 local exchange carriers (LECs) offer expanded interconnection service.⁵ Although PRTC was initially exempt from the expanded interconnection requirement as the only Tier 1 LEC that was a NECA pool

¹ 47 C.F.R. § 64.1401. Section 64.1401 requires every local exchange carrier that is classified as a Class A company and that is not a participant in the National Exchange Carrier Association to offer expanded interconnection for interstate special and switched access services.

² Public Notice, Doc. No. 60313, RM-8708 (Oct. 23, 1995).

³ PRTC's Comments on Petition for Rulemaking, RM No. 8708 (filed November 22, 1995).

⁴ Reply Comments of Lambda Communications, Inc., RM No. 8708 (filed December 7, 1995).

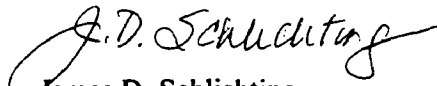
⁵ Expanded Interconnection with Local Telephone Company Facilities, CC Docket No. 91-141, Report and Order and Notice of Proposed Rulemaking, 7 FCC Rcd 7369, 7398, para. 57 (1992) ("Special Access Expanded Interconnection Order"). Tier 1 LECs are companies having annual revenues from regulated telecommunications operations of \$100 million or more. Tier 1 LECs have been defined using the criteria used to define Class A companies in 47 C.F.R. §§ 32.11(a) and 32.11(e). See Commission Requirements for Cost Support Material to be Filed with 1990 Annual Access Tariffs, DA 90-274, 5 FCC Rcd 1364 (Com. Car. Bur. 1990).

member, PRTC withdrew from the NECA pool on July 1, 1996.⁶ Upon its withdrawal, PRTC became subject to the requirement that every Tier 1 LEC not a member of NECA file an expanded interconnection tariff.⁷ On May 6, 1996, PRTC filed Transmittal No. 2 which introduced initial rates, terms, and conditions for expanded interconnection through virtual collocation for special access and switched transport services.⁸

3. The Commission's rules regarding expanded interconnection rules presently apply to PRTC as a Tier 1 LEC and PRTC presently offers expanded interconnection service under tariff. Lambda's emergency petition, therefore, is moot and is hereby DISMISSED.

4. Accordingly, it is ORDERED that, pursuant to Section 1.1 of the Commission's rules,⁹ the proceeding requesting comments on Lambda's Emergency Petition for Rulemaking is TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION



James D. Schlichting
Chief, Competitive Pricing Division
Common Carrier Bureau

⁶ See Letter from Gladys Batista Torres, PRTC to Office of the Secretary, Federal Communications Commission, (dated April 2, 1996).

⁷ *Special Access Expanded Interconnection Order*, 7 FCC Rcd at 7489-90, para. 259.

⁸ PRTC also sought and was granted a waiver of 47 C.F.R. § 69.3 and the 90 day notice requirement set forth in the *Special Access Expanded Interconnection Order*, 7 FCC Rcd at 7490, para. 259. See Letter from James D. Schlichting, Chief, Competitive Pricing Division, FCC to Joe D. Edge, Attorney, Drinker, Biddle & Reath (dated May 3, 1996).

⁹ 47 C.F.R. § 1.1.