



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET, S.W.
WASHINGTON, D.C. 20554

DA 99-2963

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Released: December 21, 1999

**Puerto Rico Telephone Company, Inc. Petitions
for Waiver of Parts 61 and 69 of the Commission's Rules**

Pleading Cycle Established

CCB/CPD NO. 99-36

COMMENTS: January 11, 2000

REPLY COMMENTS: January 21, 2000

On December 10, 1999, Puerto Rico Telephone Company, Inc. (PRTC), pursuant to section 1.3 of the Commission's rules, filed a petition for waiver of section 61.41 of the Commission's rules, and any other provisions necessary for it to remain subject to rate-of-return regulation and in the National Exchange Carrier Association (NECA) Common Line Pool. If the Commission does not grant a waiver of section 61.41, PRTC requests a limited waiver of section 54.303(a) of the Commission's rules to allow PRTC to continue to receive Long Term Support (LTS) for a transitional period upon conversion to price cap regulation. PRTC also requests an extension of the effective date of the initial price cap tariff to July 1, 2000, in the event that PRTC is required to convert to price cap regulation.

PRTC is the incumbent local exchange carrier (LEC) serving Puerto Rico. It provides local exchange, exchange access, and intra-island services, and internet access and serves more than 1.3 million access lines. On February 12, 1999, the Commission approved an application to transfer control of PRTC to GTE Holdings (Puerto Rico) LLC, a wholly owned subsidiary of GTE International Telecommunications Incorporated (GTE). The transfer was consummated on March 2, 1999.

PRTC maintains that its petition for waiver of section 61.41(c)(2) would serve the public interest and is consistent with prior Commission decisions where the Commission has granted a waiver of section 61.41. PRTC also argues that special circumstances warrant a waiver of section 54.303(a) and that grant of the waiver would also serve the public interest. Finally PRTC argues that if it is required to convert to price cap regulation, granting an extension of time to file the annual price cap tariff, to be effective July 1, 2000, will provide administrative ease and synchronization of PRTC price cap filings.

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. See 47 C.F.R. §§ 1.1200, 1.1206. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required. See 47 C.F.R. § 1.1206(b). Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission's rules, 47 C.F.R. § 1.1206(b).

Interested parties may file comments no later than January 11, 2000. Reply comments may be filed no later than January 21, 2000. When filing comments, please reference the internal file number: CCB/CPD 99-36.

An original and four copies of all comments and reply comments must be filed with the Commission's Secretary, Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 445 - 12th Street, S.W., TW-A325, Washington, D.C. 20554. In addition, one copy of each pleading must be filed with International Transcription Services (ITS), the Commission's duplicating contractor, at its office at 1231 - 20th Street, N.W., Washington, D.C. 20036, and one copy with the Chief, Competitive Pricing Division, 445 – 12th Street, S.W., T.W – A225, Washington, D.C. 20554.

For further information, contact Renee Terry, Competitive Pricing Division, Common Carrier Bureau, (202) 418-1520.

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