



NEWS

News Media Information 202 / 418-0500
TTY 202 / 418-2555
Fax-On-Demand 202 / 418-2830
Internet: <http://www.fcc.gov>
<ftp.fcc.gov>

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

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).

October 10, 2000

OPEN PROCEEDINGS

The following is a listing of current FCC Notices of Proposed Rulemaking and Notices of Inquiry open for public comment, except routine petitions to amend the Table of Allotments. This listing also includes pertinent Public Notices announcing comment subjects and dates. For additional information, contact Marilyn Abraham, Consumer Information Bureau at (202) 418-2374. Please note: as comment and reply comment periods expire, they are deleted from this listing. *Asterisk indicates comment period deadline is past, but reply comment period still is open.

CABLE SERVICES BUREAU

CS-97-80; FNPRM 9/18/00 (adopted 9/14/00); FCC 00-341

Implementation of Section 304 of the Telecommunications Act of 1996, Commercial Availability of Navigation Devices.

The Commission adopted Further Notice of Proposed Rulemaking and Declaratory Ruling in this proceeding. Comments due: November 15; replies due: December 18.

GEN 00-185; NOI 9/28/00 (adopted 9/28/00); FCC 00-355

In the Matter of Inquiry Concerning High-Speed Access to the Internet Over Cable and Other Facilities.

The Commission seeks to determine what regulatory treatment, if any, should be accorded to cable modem service and the cable modem platform used in providing this service.

COMMON CARRIER BUREAU

CC 98-147; CC 96-98; Order 8/10/00 (adopted 8/9/00); FCC 00-297

Deployment of Wireline Services Offering Advanced Telecommunications Capability and Implementation of the Local Competition Provision of the Telecommunications Act of 1996.

In the advanced Services First Report and Order, the Commission adopted measures to facilitate the development of competition in the advanced services market. Comments due September 18*; replies due October 10.

CC 80-286; PN 8/15/00; DA 00-1865

Comment Sought on Recommended Decision Issued by Federal-State Joint Board on Jurisdictional Separations.

The Commission seeks comment on the impact of the increased intrastate usage since 1995 on jurisdictional allocations and consumers. Comments due September 25*; replies due October 10. Contact: William Cox at (202) 418-7400.

PN 8/29/00; DA 00-1982

Common Carrier Bureau Seeks Comment on the Massachusetts Department of Telecommunications and Energy Petition for Delegation of Additional Authority to Implement Number Conservation Measures in Massachusetts.

The Commission is seeking comment on Petitioner's request for additional delegated authority to implement the number conservation measures to the extent that they are not superseded by the national number resource optimization measures addressed in the numbering resource optimization order. Comments due September 27*; replies due October 11. Contact: Aaron Goldberger at (202) 418-2320.

CC 96-45; Order and FNPRM 8/31/00 (adopted 8/30/00); FCC 00-332

Federal-State Joint Board on Universal Service Promoting Deployment and Subscribership in Unserved and Underserved Areas, Including Tribal and Insular Areas.

The Commission stayed, on its own motion, the implementation of recently adopted federal Lifeline and link Up assistance rule amendments only to the extent that they apply to qualifying low-income consumers living near reservations. Comments due October 12; replies due October 27.

CC 00-157; PN 9/1/00; DA 00-2024

FCC Seeks Comment on Joint Application for Consent to Transfer Control Filed by Northpoint Communications, Inc. and Verizon Communications.

On August 25, 2000, NorthPoint Communications, Inc. and Verizon Communications filed a joint application under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. section 214, requesting Commission approval of the transfer of control of NorthPoint's section 214 authorization to provide domestic interstate telecommunications services as a non-dominant

carrier in connection with the proposed merger of NorthPoint and Verizon digital subscriber line business into a new non-dominant carrier. Comments due October 2*; replies due October 17. Contact: Jessica Rosenworcel at (202) 418-2764.

CC 98-147; CC 96-98; PN 9/6/00; DA 00-2036

Common Carrier Bureau Extends Pleading Cycle for Second Further Notice of Proposed Rulemaking in CC Docket No. 98-147 and Fifth Notice of Proposed Rulemaking in CC Docket No. 96-98.

On August 10, 2000, the Commission released the *Order on Reconsideration and Second Further Notice of Proposed Rulemaking in CC Docket No. 98-147 and Fifth Further Notice of Proposed Rulemaking in CC Docket No. 96-98*. The *Order on Reconsideration* clarified certain aspects of the Commission's collocation rules. Additionally, the Commission adopted a *Second Further Notice of Proposed Rulemaking in CC Docket No. 98-147* that invites comment on the issues that were remanded by the U.S. Court of Appeals in *GTE Service Corp. v. FCC* and on other collocation-related issues important to local competition. The Commission also adopted a *Fifth Further Notice of Proposed Rulemaking in CC Docket No. 96-98*, inviting comment on whether the Commission's local competition rules should be modified or clarified, particularly those applying to the transport, loop, and subloop elements, in light of the deployment of new network architectures by incumbent. Comments due October 12; replies due November 14. Contact: William Kehoe at (202) 418-1580.

PN 9/7/00; DA 00-2040

Wisconsin Local Exchange Carriers File Intrastate Pay Telephone Services Tariff Submissions and Cost Support.

On March 2, 2000, the Common Carrier Bureau released an order directing the four largest incumbent local exchange carriers in Wisconsin to submit to the Federal Communications Commission copies of their currently effective tariffs for intrastate payphone service offerings, along with cost support justification for these tariffs, which have not been determined by the Wisconsin Public Service Commission to comply with section 276 of the Communications Act of 1934, as amended, and the Commission's rules. Comments due: October 2*; replies due October 23. Contact: John Stover at (202) 418-1520.

PN 9/12/00; DA 00-2086

Progress Telecommunications Corporation Seeks Commission Determination of "Exempt Telecommunications Company" Status under the Public Utility Holding Company Act.

On August 18, 2000, Progress Telecommunications Corporation pursuant to § 34(a)(1) of the Public Utility Holding Company Act of 1935, as added by § 103 of the Telecommunications Act of 1996, Pub. L. No. 104-104, filed an application requesting a Commission determination that it is an exempt telecommunications company. Comments due October 3*; replies due October 10. Contact: Al McCloud at (202) 418-2499.

PN 9/12/00; DA 00-2087

Caronet, Inc. Seeks Commission Determination of "Exempt Telecommunications Company" Status Under The Public Utility Holding Company Act.

On August 18, 2000, Coronet, Inc. pursuant to § 34(a)(1) of the Public Utility Holding Company Act of 1935, as added by §103 of the telecommunications Act of 1996, Pub. L. No. 104-104, filed an application requesting a Commission determination that it is an exempt telecommunications company. Comments due October 3*; replies due October 10. Contact: Al McCloud at (202) 418-2499.

CC 96-98; PN 9/18/00; DA 00-2131

Comments Requested on WorldCom Petition for Waiver of the Supplemental Order Clarification Regarding UNE Combinations.

On September 12, 2000, WorldCom, Inc. filed a petition for waiver of the Supplemental Order Clarification in CC Docket No. 96-98 Implementation of the Local Competition Provisions of the Telecommunications Act of 1996. The Order sets out the requirements regarding the ability of requesting carriers to use combinations of unbundled network elements (UNEs) to provide local exchange and exchange access service prior to the Commission's resolution of the Fourth Further Notice of Proposed Rulemaking in this docket. Comments due October 2*; replies due October 10. Contact: Jodie Donovan-May at (202) 418-1580.

PN 9/22/00; DA 00-2152

Comments Invited on Qwest Corporation's Application to Discontinue Operation of Telecommunications Facilities within 17 Colorado Exchanges. Contact.

On August 24, 2000, Qwest Corporation filed an application requesting authority under § 214(a) of the Communications Act of 1934, 47 U.S.C. § 214(a), and § 63.71 of the Federal Communications Commission's rules, 47 C.F.R. § 63.71, to discontinue operation of its telecommunications facilities within 17 Colorado exchanges. Comments objecting to this application must be filed with the Commission by October 23, 2000. Contact: Al McCloud at (202) 418-2499 or Marty Schwimmer at (202) 418-2320.

PN 9/22/00; DA 00-2153

Comments invited on QWEST Corporation's Application to Discontinue Operation of Telecommunications Facilities Within 5 Wyoming Exchanges.

On September 7, 2000, Qwest Corporation filed an application requesting authority under § 214(a) of the Communications Act of 1934, 47 U.S.C. § 214(a), and § 63.71 of the Federal Communications Commission's rules, 47 C.F.R. § 63.71, to discontinue operation of its

telecommunications facilities within five Wyoming exchanges. Comments objecting to this application must be filed with the Commission by October 23, 2000. Contact: Al McCloud at (202) 418-2499 or Marty Schwimmer at (202) 418-2320.

CC 00-170; PN 9/22/00; DA 00-2155

Commission Seeks Comment on Joint Application for Consent to Transfer Control Filed by OnePoint Communications Corp. and Verizon Communications.

On September 5, 2000, OnePpoint Communications Corp. and Verizon Communications filed applications pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, requesting Commission approval of the transfer of control of Verizon of domestic and international authorizations held by OnePoint and its subsidiaries to provide domestic interstate and international telecommunications services as a nondominant carrier. Comments/Petitions due October 23; Responses/Oppositions to Petitions due October 31. Contact: John Adams at (202) 418-0394, or Elizabeth Nightingale at (202) 418-2352.

CC 00-176; PN 9/22/00; DA 00-2159

Comments Requested on the Application By Verizon New England Inc. for Authorization Under Section 271 of the Communications Act to Provide In-Region, InterLata Service in the State of Massachusetts.

On September 22, 2000, Verizon New England Inc., Bell Atlantic Communications, Inc. (d/b/a Verizon Long Distance), NYNEX Long Distance Company (d/b/a Verizon Enterprise Solutions), and Verizon Global Networks Inc. filed an application for authorization to provide in-region, interLATA service in the State of Massachusetts, pursuant to § 271 of the Communications Act of 1934, as amended (the Act), 47 U.S.C. § 271. Comments in support of or in opposition to Verizon's application must be filed on or before October 16, 2000. Contact: Eric Einhorn at (202) 418-1587 or Michael Balmoris at (202) 418-0253.

CC 96-98; PN 9/25/00; DA 00-2175

Common Carrier Bureau Seeks Comment on the Louisiana Public Service Commission Petition for Delegated Authority to implement Number Conservation Measures NSD File No. L-00-170, Pleasing Cycle Established.

The Commission is seeking comment on Petitioner's request for additional delegated authority to implement the number conservation measures to the extent that they are not superseded by the national resource optimization measures addressed in the *Numbering Resource Optimization Order*. Comments due October 25; replies due November 8. Contact: Aaron Goldberger at (202) 418-2320.

PN 9/25/00; DA 00-2176

Common Carrier Bureau Seeks Comment on the Maryland Public Service Commission Petition for Delegated Authority to Implement Number Conservation Measures. NSD File No. L-00-171, Pleading Cycle Established.

The Commission is seeking comment on Petitioner's request for additional delegated authority to implement number conservation measures to the extent that they are not superseded by the national number resource optimization measures addressed in the *Numbering Resource Optimization Order*. Comments due: October 25; replies due November 8. Contact: Aaron Goldberger at (202) 418-2320.

PN 9/25/00; DA 00-2177

Teldata, Inc. Seeks Commission Determination of "Exempt Telecommunications Company" Status Under the Public Utility Holding Company Act. NSD File No. ETC 00-39, Pleading Cycle Established.

On August 22, 2000, Teldata, Inc. pursuant to § 34(a)(1) of the Public Utility Holding Company Act of 1935, as added by § 103 of the Telecommunications Act of 1996, Pub. L. No. 104-104, filed an application requesting a Commission determination that it is an exempt telecommunications company. Comments due October 10; replies due October 16. Contact: Al McCloud at (202) 418-2499 or Marty Schwimmer at (202) 418-2320.

CC 96-128; PN 9/26/00; DA 00-2189

RBOC/GTE Payphone Coalition Files Proposal for Setting Payphone Compensation for Interim Period in Pay Telephone Reclassification and Compensation Proceeding. Pleading Cycle Established.

The Commission is seeking comment on RBOC/GTE Payphone Coalition's proposal to resolve outstanding issues related to payphone compensation for the Interim Period. Comments due October 20; replies due October 31. Contact: Lynne Milne at (202) 418-1520.

CC 96-45; PN 9/28/00; DA 00-2216

Citizens Telecommunications Company of Illinois, GTE South Incorporated, and GTE North Incorporated Seek a Waiver of the Definition of "Study Area" in Part 36 of the FCC's Rules.

On September 8, 2000, Citizens Telecommunications Company of Illinois, and GTE South Incorporated and GTE North Incorporated filed a joint petition for waiver of the definition of "study area" as set forth in Part 36 of the Commission's rules. Comments due October 13; replies due October 23. Contact: Adrian Wright at (202) 418-7400.

OFFICE OF ENGINEERING AND TECHNOLOGY

ET 98-153; Order 10/4/00 (adopted 10/3/00); DA 00-2255

Revision of Part 15 of the Commission's Rules Regarding Ultra-Wideband Transmission Systems.

The Commission extended the time period for filing reply comments in this proceeding to October 27, 2000.

WIRELESS TELECOMMUNICATIONS BUREAU

WT 96-86; Fourth NPRM 8/2/00 (adopted 7/25/00); FCC 00-271

The Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Communication Requirements through the Year 2010.

In this Fourth Notice of Proposed Rule Making, the Commission is considering various technical and operational issues regarding the use of interoperability frequencies in the 764-776 MHz and 794-806 MHz frequency bands. Comments can be filed 30* days after publication in the Federal Register; reply comments can be filed 45 days after publication in the Federal Register.

CC 94-102; PN 8/16/00; DA 00-1875

Wireless Telecommunications Bureau seeks comment on Phase 1 E911 Implementation Issues.

The Commission is seeking comment on a request filed by King County, Washington E-911 Program Office for assistance in resolving a conflict related to the implementation on wireless Phase I Enhanced 911 (E911) service in the State of Washington. Comments due September 18*, replies due October 11. Contact: Wendy Austrie at (202) 418-1310.

CC 92-105; WT 00-110; NPRM 8/29/00 (adopted 8/24/00); FCC 00-327

Implementation of 911 Act, The Use of N11 Codes and Other Abbreviated Dialing Arrangements.

The Commission is seeking comment on (1) appropriate transition periods for areas in which 911 is not currently in use as an emergency number, including service area-specific circumstances and capabilities that the Commission should address before carriers can deploy 911 as the uniform emergency number; and (2) how the Commission should facilitate States' efforts to deploy comprehensive emergency communications systems, such as through guidelines, meetings, or other information-sharing measures, in a manner that does not impose obligations or costs on any person. Comments due October 16; replies due November 15.

PN 9/20/00; DA 00-2083

FCC Seeks Comment on Petition for a Declaratory Ruling Regarding Whether Certain CMRS Practices Violate the Communications Act.

The Commission is seeking comment on a petition for declaratory ruling filed on February 2, 2000 by the plaintiffs in the *White v. GTE* class action lawsuit. The White petition requests a declaratory ruling on the issues contained in count I of the Third Amended Complaint of the GTE class action. GTE filed an opposition to the White petition on February 10, 2000. On March 3, 2000, petitioners submitted a reply to GTE's opposition.

The issues presented by the White petition are focused on whether the following practices are unjust and unreasonable practices under § 201(b) of the Communications Act: (1) charging customers for dead time; (2) charging for unanswered or unconnected calls; (3) measuring the time of a call from the time the "send" button (or other similar button) is pushed; and (4) the practice of rounding up any of the foregoing types of charges to the next minute. In light of the Commission decisions in response to the Southwestern Bell Mobile Systems petition and the WCA petition. Comments due October 20; replies due November 6. Contact: Susan Kimmel or Mary Woytek at (202) 418-1310.

PN 9/25/00; DA 00-2167

Wireless Telecommunications Bureau Seeks Comment on Requests for Waiver by State of Ohio to Obtain Licenses for Twelve 800 MHz General Category Channels.

On July 14, 2000, Ohio filed a supplemental request for waiver of §§ 90.617, 90.617(d) and 90.681 of the Commission's Rules, 47 C.F.R. §§ 90.615, 90.617(d), 90.681. Ohio states that these frequencies are essential for its \$272 million state-wide interoperable public safety communications project, the Multi-Agency Radio Communications System. Comments due October 10; replies due October 17. Contact: Pam Slipakoff at (202) 418-7705.

CC 94-102; PN 9/29/00; DA 00-2231

WTB Seeks Comment on Petition for Reconsideration of Voicestream Waiver Filed by APCO.

On September 20, 2000, the Association of Public-Safety Communications Officials-International, Inc. filed a petition for reconsideration of the conditional waiver granted to Voicestream. Oppositions due October 10; replies to Oppositions due October 17. Contact: E. Wendy Austrie at (202) 418-1310.

PN 10/3/00; DA 00-2248

Wireless Telecommunications Bureau Conforms Due Dates for Filing Comments and Replies to the Fourth Further Notice of Proposed Rulemaking in WT Docket No. 97-82.

This *Public Notice* conforms the dates for filing comments and reply comments to the *Order on Reconsideration of the Third Report and Order, Fifth Report and Order, and Fourth Further*

Notice of Proposed Rule Making (GCC 00-274), which was released on August 14, 2000, with the dates published in the Federal Register on August 29, 2000. Comments due October 30; replies due November 27.