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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. Circ 1974).

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## **FCC INITIATES PROCEEDING TO EXAMINE REGULATORY TREATMENT OF INCUMBENT CARRIERS' BROADBAND SERVICES**

Washington, D.C. – Today, the Federal Communications Commission (FCC) initiated a review of the current regulatory requirements for incumbent local exchange carriers' (LECs) broadband telecommunications services. Incumbent LECs are generally treated as dominant carriers; thus they are subject to certain requirements, such as tariff filings and pricing requirements. With today's action, the Commission seeks to ensure that the proper incentives for broadband growth and investment are in place, and to ensure that the Commission's rules reflect the current competitive landscape

The *Notice of Proposed Rulemaking* (NPRM) adopted today will seek comment on changes, if any, the Commission should make in its traditional regulatory requirements of incumbent LECs' broadband service. In particular, the item asks:

- What the relevant product and geographic markets should be for broadband services.
- Whether incumbent LECs possess market power in any relevant market.
- Whether dominant carrier safeguards or other regulatory requirements should govern incumbent LECs' provision of broadband service.

Today's action is one of several proceedings the Commission is initiating to undertake a broad review of its competition policies in light of developments in the marketplace, including the National Performance Measures NPRM and the Special Access NPRM adopted last month, and the UNE Review NPRM also adopted today. Additionally, the Commission will be undertaking a more comprehensive review of its broadband policies in the coming weeks.

-FCC-

Docket No.: CC 01-337

Action by the Commission December 12, 2001, by Notice of Proposed Rulemaking (FCC 01-360). Chairman Powell and Commissioners Abernathy, Copps, and Martin; with Powell and Copps issuing separate statements.

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