



# PUBLIC NOTICE

Federal Communications Commission  
445 12<sup>th</sup> St., S.W.  
Washington, D.C. 20554

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DA 13-21

Release Date: January 9, 2013

**WIRELINE COMPETITION BUREAU SEEKS COMMENT ON  
UNITED STATES TELECOM ASSOCIATION PETITION FOR DECLARATORY RULING  
THAT INCUMBENT LOCAL EXCHANGE CARRIERS ARE NON-DOMINANT IN THE  
PROVISION OF SWITCHED ACCESS SERVICES**

**WC Docket No. 13-3**

**Comment Date: February 25, 2013**

**Reply Comment Date: March 12, 2013**

The Wireline Competition Bureau (Bureau) seeks comment on a petition that urges the Commission to alter policies in response to the ongoing technological transition of voice networks.

On December 19, 2012, the United States Telecom Association filed a petition<sup>1</sup> requesting that the Commission declare that incumbent local exchange carriers (ILECs) “are no longer presumptively dominant when providing interstate mass market and enterprise switched access services.”<sup>2</sup>

Pursuant to sections 1.415 and 1.419 of the Commission’s rules, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document.<sup>3</sup> All pleadings are to reference **WC Docket No. 13-3**. Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS).<sup>4</sup>

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.

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<sup>1</sup> Petition of USTelecom for Declaratory Ruling that Incumbent Local Exchange Carriers Are Non-Dominant in the Provision of Switched Access Services, WC Docket No. 13-3 (filed Dec. 19, 2012) (Petition).

<sup>2</sup> *Id.* at 9.

<sup>3</sup> 47 C.F.R. §§ 1.415, 1.419.

<sup>4</sup> See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322 (1998).

- All hand-delivered or messenger-delivered paper filings for the Commission’s Secretary must be delivered to FCC Headquarters at 445 12th Street, SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington D.C. 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice) or (202) 418-0432 (tty).

In addition, one copy of each pleading must be sent to Christopher S. Koves, Federal Communications Commission, Wireline Competition Bureau, Pricing Policy Division, 445 12th Street, SW, Room 6-A236, Washington, D.C. 20554, or *via* email at [Christopher.Koves@fcc.gov](mailto:Christopher.Koves@fcc.gov).

The proceeding this Notice initiates shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.<sup>5</sup> Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

For further information, please contact Christopher S. Koves, Wireline Competition Bureau, Pricing Policy Division, at (202) 418-1520 or *via* email at [Christopher.Koves@fcc.gov](mailto:Christopher.Koves@fcc.gov).

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<sup>5</sup> 47 C.F.R. §§ 1.1200 *et seq.*