



PUBLIC NOTICE

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COMMISSION SEEKS COMMENT ON CENTURYLINK'S PROPOSAL FOR SERVICE-BASED TECHNOLOGY TRANSITIONS EXPERIMENTS AND REQUEST FOR DECLARATORY RULING

GN Docket Nos. 12-353 and 13-5

Comment Date: December 22, 2014

Reply Comment Date: January 7, 2015

In the *Technology Transitions Order*, the Commission initiated a proceeding for a diverse set of experiments and data collection initiatives that will allow the Commission and the public to evaluate how customers are affected by the historic technology transitions that are transforming our nation's communications networks.¹ Among other things, the Commission established a framework within which providers can conduct "service-based" experiments.² The *Technology Transitions Order* invited providers to submit voluntary proposals to test real-world applications of planned changes in technology that are likely to have tangible effects on consumers.³ Proposals will be evaluated according to the value-based conditions, presumptions and relevant factors set forth in the *Technology Transitions Order* and described more fully in its Appendix B.

Expressing a desire to begin the experiments as soon as possible, the *Technology Transitions Order* established a deadline of February 20, 2014 for submission of an initial round of service-based experiment proposals, and encouraged additional proposals that are submitted after the initial deadline, for up to one year after Commission action on any proposals submitted by the initial deadline.⁴ On February 27, 2014, the Wireline Competition Bureau released two protective orders to govern the

¹ See *Technology Transitions, et al.*, GN Docket No. 13-5, et al., Order, Report and Order and Further Notice of Proposed Rulemaking, Report and Order, Order and Further Notice of Proposed Rulemaking, Proposal for Ongoing Data Initiative, 29 FCC Rcd 1433 (2014) (*Technology Transitions Order*).

² A "service-based" experiment is one in which providers seek to substitute new communications technologies for the TDM-based services over copper lines that they currently are providing to customers, with an eye toward discontinuing those legacy services and in which others may propose new and innovative services that bring benefits to consumers while preserving the enduring values of our nation's communications networks. *Id.* at 1441, para. 22.

³ *Id.* at 1443, para. 30.

⁴ *Id.* at 1462, para. 81.

submission of certain proprietary or confidential, or highly confidential information.⁵ On November 12, 2014, CenturyLink, Inc. (CenturyLink) submitted a Proposal for IP Service Trial and Request for Declaratory Ruling (the CenturyLink Proposal and Request) proposing to conduct trials of IP business services and IP exchange of business voice traffic in 12 wire centers in Las Vegas, Nevada and requesting a declaratory ruling that CenturyLink's participation in the trials will not in any way affect its preexisting regulatory obligations related to the exchange of voice traffic with other providers or create any new obligations.⁶

We seek comment on the CenturyLink Proposal and Request for Declaratory Ruling. Comments are due by December 22, 2014. Reply comments are due by January 7, 2015.

Filing Instructions. Pursuant to section 1.419 of the Commission's rules, 47 C.F.R. § 1.419, interested parties may file comments and reply comments on or before the dates indicated above. Comments may be filed by paper copies or by using the Commission's Electronic Comment Filing System (ECFS).⁷

- 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. Because more than one docket number appears in the caption of this proceeding, filers must submit two additional copies for the additional docket 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.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., 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.

⁵ See *Technology Transitions; AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition*, GN Docket Nos. 13-5, 12-353, Protective Order, 29 FCC Rcd 2014 (Wireline Comp. Bur. 2014), available at http://transition.fcc.gov/Daily_Releases/Daily_Business/2014/db0227/DA-14-272A1.pdf; *Technology Transitions; AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition*, GN Docket Nos. 13-5, 12-353, Second Protective Order, 29 FCC Rcd 2022 (Wireline Comp. Bur. 2014), available at http://transition.fcc.gov/Daily_Releases/Daily_Business/2014/db0227/DA-14-273A1.pdf.

⁶ See Letter from Timothy M. Boucher, Associate General Counsel, CenturyLink, to Marlene H. Dortch, Secretary, FCC, GN Docket Nos. 13-5 and 12-353, at Attachs. (filed Nov. 12, 2014), <http://apps.fcc.gov/ecfs/document/view?id=60000982599> (cover letter), <http://apps.fcc.gov/ecfs/document/view?id=60000982600> (narrative proposal), <http://apps.fcc.gov/ecfs/document/view?id=60000982601> (IP Trial Operating Plan).

⁷ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

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Ex Parte Presentations. As provided by the *Technology Transitions Order*,⁸ this proceeding shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.⁹ 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, contact Michele Levy Berlove, Attorney Advisor, Competition Policy Division, Wireline Competition Bureau at (202) 418-1477 or Michele.Berlove@fcc.gov.

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⁸ *Technology Transitions Order*, 29 FCC Rcd at 1506, para. 231.

⁹ 47 C.F.R. §§ 1.1200 *et seq.*