



PUBLIC NOTICE

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DA 98-393

**PLEADING CYCLE ESTABLISHED FOR COMMENTS ON
ARMSTRONG COMMUNICATIONS, INC. PETITION FOR RECONSIDERATION**

CCBPol 97-6

Released: February 27, 1998

On February 23, 1998, Armstrong Communications, Inc. (Armstrong) filed a petition requesting that the Common Carrier Bureau reconsider its decision in *Armstrong Communications, Inc.*, Memorandum Opinion and Order, CCBPol 97-6, DA 98-85, (rel. January 22, 1998). In that order, the Bureau denied Armstrong's request for preemption of the jurisdiction of the Pennsylvania Public Utility Commission (PaPUC) pursuant to section 252(e)(5) of the Communications Act with respect to arbitration of interconnection negotiations.

Armstrong notes that the Bureau declined to preempt the PaPUC's jurisdiction on the basis of its factual finding that Armstrong's request for arbitration filed with the PaPUC was not filed within the statutory period provided for the filing of arbitration requests with the relevant state commission. It argues that the Bureau's conclusion that Armstrong's arbitration request was filed on an untimely basis is factually incorrect and thus seeks reconsideration of that conclusion.

Interested parties should file comments on Armstrong's petition for reconsideration by **March 30, 1998**, and reply comments by **April 14, 1998**, with the Secretary, FCC, 1919 M Street, N.W., Washington, D.C. 20554. A copy should also be sent to Janice Myles, Common Carrier Bureau, FCC, Room 544, 1919 M Street, N.W., Washington, D.C. 20554, and to the Commission's contractor for public service records duplication, ITS, Inc., 2100 M Street, N.W., Suite 140, Washington, D.C. 20037. Parties filing comments in this non-docketed proceeding should include the Policy Division internal reference number, **CCBPol 97-6**, on their pleadings. The petition for reconsideration is available for inspection and copying in the Common Carrier Bureau's Public Reference Room, Room 575, 2000 M Street, N.W., Washington, D.C. 20554. Copies can also be obtained from ITS by calling (202) 857-3800.

We will treat this proceeding as permit, but disclose for purposes of the Commission's *ex parte* rules. See generally 47 C.F.R. §§ 1.1200-1.1216. Parties making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must contain a summary of the substance of the presentation 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)(2), as revised. Other rules pertaining to oral and written presentations are set forth in section 1.1206(b) as well. Interested parties are to file with the Commission Secretary, and serve Janice Myles and ITS, with copies of any written *ex parte* presentations or summaries of oral *ex parte* presentations in these proceedings in the manner specified above. We also require all written *ex parte* presentations or summaries of oral *ex parte* presentations in this proceeding to be served on all parties to the proceeding.

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