



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
1919 M STREET, N.W.  
WASHINGTON, D.C. 20554

DA 97-1003

News media information 202/418-0500 Fax-On-Demand 202/418-2830 Internet: <http://www.fcc.gov> <ftp.fcc.gov>

Released: May 9, 1997

## PLEADING CYCLE ESTABLISHED FOR COMMENTS ON MCI PETITION FOR DECLARATORY RULING REGARDING THE JOINT MARKETING RESTRICTION IN SECTION 271(E)(1) OF THE ACT (CC DOCKET NO. 96-149)

On May 1, 1997, MCI Telecommunications Corporation (MCI) filed a petition for declaratory ruling regarding the joint marketing restriction in section 271(e)(1) of the Communications Act of 1934, as amended.

Section 271(e)(1) prohibits certain interexchange carriers, including MCI, from marketing jointly interLATA services with telephone exchange service purchased for resale from a Bell Operating Company (BOC) in an in-region state until the earlier of February 8, 1999, or the date on which the BOC is authorized to provide interLATA services in such state. On December 24, 1996, the Commission released a report and order in which the Commission discussed, among other things, the joint marketing restriction in section 271(e)(1), and the marketing practices that it interpreted section 271(e)(1) to proscribe and to permit. See *Implementation of the Non-Accounting Safeguards of Sections 271 and 272 of the Communications Act of 1934, as amended*, First Report and Order and Further Notice of Proposed Rulemaking, CC Docket No. 96-149, FCC 96-489 (rel. December 24, 1996) (*Non-Accounting Safeguards Order*), petitions for recon. pending.

MCI seeks a declaratory ruling regarding how the rules the Commission adopted in the *Non-Accounting Safeguards Order* concerning the joint marketing restriction in section 271(e)(1) would apply to certain MCI marketing materials. MCI states that a declaratory ruling would terminate a significant controversy and remove substantial uncertainty in the marketplace.

Comments and reply comments in response to this Public Notice must comply with Sections 1.415 and 1.419 of the Commission's rules. Comments must be filed on or before **June 9, 1997**, and reply comments must be filed on or before **June 24, 1997**. Comments and reply comments must be filed with the Secretary, FCC, 1919 M Street, N.W., Washington, D.C. 20554. Two copies of comments and reply comments should be sent to Janice Myles, Common Carrier Bureau, FCC, Room 544, 1919 M Street, N.W., Washington, D.C. 20554. One copy should also be sent to the Commission's contractor for public service records duplication, International Transcription Service, Inc. (ITS), 2100 M Street, N.W., Suite 140, Washington, D.C. 20037. Parties filing comments in this proceeding should include the docket number, **CC Docket No. 96-149**, on their pleadings. The MCI petition for declaratory ruling, comments and reply comments will be available for public inspection during regular

business hours in the FCC Reference Center, Room 239, 1919 M Street, N.W., Washington, D.C. 20554. Copies can also be obtained from ITS at 2100 M Street, N.W., Suite 140, Washington, D.C. 20037, or by calling (202) 857-3800.

For further information relating to MCI's petition for declaratory ruling contact Christopher Heimann, Policy and Program Planning Division, Common Carrier Bureau, at (202) 418-1580.

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