



PUBLIC NOTICE

Federal Communications Commission
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DA 14-1808

Released: December 10, 2014

WIRELINE COMPETITION BUREAU SEEKS COMMENT ON PETITION FOR DECLARATORY RULING REGARDING APPLICABILITY OF THE INTRAMTA RULE TO LEC-IXC TRAFFIC

CC Docket No. 01-92
WC Docket Nos. 10-90, 14-228

Comment Date: February 9, 2015
Reply Comment Date: March 11, 2015

The Wireline Competition Bureau (Bureau) seeks comment on a petition for declaratory ruling filed by Bright House Networks LLC, the CenturyLink LECs, Consolidated Communications, Inc., Cox Communications, Inc., FairPoint Communications, Inc., Frontier Communications Corporation, LICT Corporation, Time Warner Cable Inc., Windstream Corporation, the Iowa RLEC Group, and the Missouri RLEC Group (collectively “Petitioners”) on November 10, 2014.¹ Petitioners request that the Commission “issue a declaratory ruling to confirm that the ‘intraMTA rule’ – under which intraMTA calls exchanged between local exchange carriers (‘LECs’) and commercial mobile radio service (‘CMRS’) carriers are subject to reciprocal compensation – does not apply to LEC charges billed to an *interexchange carrier* (‘IXC’) when the IXC terminates traffic to or receives traffic from a LEC via tariffed switched access services.”² Petitioners also ask the Commission to “declare that the attempts of certain IXCs to misapply the intraMTA rule to avoid paying access charges and to claim entitlement to substantial retroactive refunds are inconsistent with the Communications Act of 1934, as amended (the ‘Act’), and the Commission’s implementing rules and policies.”³

Pursuant to section 1.419 of the Commission’s rules, 47 C.F.R. § 1.419, interested parties may file comments and reply comments in **WC Docket No. 14-228** on or before the dates indicated above.⁴ Comments may be filed on paper or by using the Commission’s Electronic Comment Filing System (ECFS). *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

¹ Petition for Waiver of Bright House Networks LLC, the CenturyLink LECs, Consolidated Communications, Inc., Cox Communications, Inc., FairPoint Communications, Inc., Frontier Communications Corporation, LICT Corporation, Time Warner Cable Inc., Windstream Corporation, the Iowa RLEC Group, and the Missouri RLEC Group, WC Docket No. 14-228 (filed Nov. 10, 2014) (Petition). *See id.* at 1-2 nn.2-11 for a complete list of petitioners.

² *Id.* at 2 (emphasis in original).

³ *Id.*

⁴ Although the issues raised in the Petition may be related to matters at issue in CC Docket No. 01-92 and WC Docket No. 10-90, parties are requested to make filings only in WC Docket No. 14-228 for administrative and public convenience.

- 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. 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.
 - U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington, DC 20554.

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

The proceeding this Notice initiates shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.⁵ 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 Victoria Goldberg, Pricing Policy Division, Wireline Competition Bureau, at (202) 418-7353 or Victoria.Goldberg@fcc.gov.

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⁵ 47 C.F.R § 1.1200 *et seq.*