



NEWS

Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

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See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

FOR IMMEDIATE RELEASE:
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NEWS MEDIA CONTACT:
Mark Wigfield, 202-418-0253
Email: mark.wigfield@fcc.gov

FCC GRANTS QWEST FORBEARANCE RELIEF IN OMAHA MSA

Commission Relies on Substantial Evidence of Intermodal Competition

Washington, D.C. – The Federal Communications Commission (Commission) today grants in part a petition for forbearance filed by Qwest Corporation (Qwest) seeking relief from statutory and regulatory obligations that apply to it as the incumbent telephone company in the Omaha-Council Bluffs, NE-IA Metropolitan Statistical Area (Omaha MSA). Because of the particular market characteristics of the Omaha MSA, including the substantial infrastructure investment made by Cox Communications, Inc. in its competitive network, the Commission has determined to relieve Qwest of certain legacy monopoly regulations.

With regard to section 251(c)(3) unbundling obligations for transmission facilities, the Commission grants Qwest relief in targeted areas where intermodal deployment is extensive. Specifically, the Commission relieves Qwest of the obligation to provide unbundled network elements (UNEs) to competitors in 9 of Qwest's 24 wire center service areas in the Omaha MSA. The Commission leaves in place other section 251(c) requirements such as interconnection and interconnection-related collocation obligations as well as section 271 obligations to provide wholesale access to local loops, local transport, and local switching at just and reasonable prices.

For mass market telephone services, the Commission grants Qwest relief from dominant carrier regulations that apply to it in the entire Omaha MSA. Specifically, the Commission grants Qwest's request to forbear from applying price cap, rate of return, 15-day tariffing, and 60-day discontinuance regulations to Qwest for its provision of interstate mass market exchange access services and broadband Internet access services.

The Commission adopts a six-month transition period to permit competing carriers that currently use UNEs in the 9 wire centers receiving relief to migrate existing customers to alternative facilities or arrangements, including self-provided facilities, alternative facilities offered by other competitive carriers, or services offered by Qwest.

Action by the Commission, September 16, 2005, by Memorandum Opinion and Order (FCC 05-170).

WC Docket No. 04-233

Wireline Competition Bureau Staff Contact: Tim Stelzig, tim.stelzig@fcc.gov, 202-418-0942.

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