



PUBLIC NOTICE

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

**WIRELINE COMPETITION BUREAU COPPER RETIREMENT NETWORK CHANGE
NOTIFICATION & WAIVER REQUEST FILED BY ACS OF ANCHORAGE, LLC D/B/A
ALASKA COMMUNICATIONS**

WC Docket No. 16-176
Report No. NCD-2541

June 17, 2016

Re: NETWORK CHANGE NOTICE RECEIVED

ACS of Anchorage, LLC d/b/a Alaska Communications (Alaska Communications), an incumbent local exchange carrier (LEC), has filed public notice of network changes involving the retirement of copper, as required by section 51.332(b)(1) of the rules of the Federal Communications Commission (FCC).¹ Upon initial review the filing appears to be complete.² In addition, Alaska Communications has filed certification pursuant to section 51.332(d),³ and a request for waiver of section 51.332 to the extent necessary to allow approval for implementation of the proposed copper retirement upon fewer than 180 days' notice, as described below and as detailed in its request.⁴

The incumbent LEC's notice refer(s) to the change(s) identified below:

Type of Change(s)	Location of Change(s)	Originally Planned Implementation Date(s)
In response to the Alaska Department of Transportation (AK-DOT) road construction along the New Seward Highway, Alaska Communications plans to install two fiber-fed Digital Loop Carriers and retire the existing buried copper physical feed in the area.	10949 Old Seward Highway, Anchorage, Alaska 99515 & 251 E. Klatt Road, Anchorage, Alaska 99515	At the Old Seward Highway location – by July 31, 2016 (with temporary transfer of customers to replacement copper loop cables by May 20, 2016) At the E. Klatt Road location – by August 15, 2016

¹ See 47 CFR § 51.332(b)(1).

² See 47 CFR § 51.332(c)(1).

³ See 47 CFR § 51.332(d).

⁴ See Request of ACS of Anchorage, LLC for Waiver of Section 51.332 of the Commission's Rules, GN Docket No. 13-5, RM-11358 (filed May 6, 2016), <http://apps.fcc.gov/ecfs/comment/view?id=60001739114> (Alaska Communications Petition for Waiver); see also 47 CFR § 1.3; 47 CFR § 51.332(f).

Incumbent LEC contact:
Lisa Phillips
Manager – Regulatory Affairs
Alaska Communications Systems
600 Telephone Avenue
Anchorage, Alaska 99503 Phone: (907) 297-3130

Incumbent LEC public notices of network change filed for the retirement of copper pursuant to section 51.332 are deemed approved on the 180th day after the release of the Commission’s public notice of the filing.⁵ For purposes of computation of time when filing a petition for reconsideration, application for review, or petition for judicial review of the Commission’s decision, the date of “public notice” shall be 180 days after the release date of this Public Notice, or the date announced in any further public notice or order announcing final action, as applicable. Should no petitions for reconsideration, applications for review, or petitions for judicial review be timely filed, the proceeding listed in this Public Notice shall be terminated, and the docket will be closed.

In association with its network change disclosure filing, Alaska Communications requests waiver of section 51.332 to the extent necessary to allow approval for implementation of its proposed copper retirements upon fewer than 180 days’ notice and within the timeframes established by the AK-DOT. As detailed in its waiver request, Alaska Communications submits that road work planned by the AK-DOT will result in the destruction of Alaska Communications copper loop plant, and that the work will need to be completed before the end of the Alaska summer construction season.⁶ According to Alaska Communications, permanent replacement copper facilities could not be ordered, delivered to Anchorage, Alaska, and installed in time to meet the accelerated AK-DOT schedule.⁷ Alaska Communications states, however, that General Communications, Inc. (GCI) is the only Alaska Communications customer directly affected by the resulting projects, and that GCI has been assured that the planned copper retirements and fiber replacements will not result in a loss of service to GCI or any of its customers.⁸ Alaska Communications maintains that it is working closely with GCI to allow for a smooth transition and that GCI has indicated that it does not object to the planned copper retirement.⁹

Given the circumstances, we seek comment on Alaska Communications’ waiver request.¹⁰ Commenters must file any comments regarding the waiver request no later than June 27, 2016. Alaska Communications may file reply comments in response to any comments filed no later than July 5, 2016. Interested parties may file comments regarding the waiver request using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs>. Filers should follow the instructions provided on the Web site for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the

⁵ See 47 CFR § 51.332(f).

⁶ Alaska Communications Petition for Waiver at 2-4.

⁷ *Id.* at 7.

⁸ *Id.* at 4-5.

⁹ *Id.*

¹⁰ See 47 CFR § 1.3. Alaska Communications’ waiver request is officially announced in this public notice and deemed to have been filed as of the release date of the public notice for purposes of filing comments and reply comments in response to the filing.

applicable docket number. Interested parties also may comment on the waiver request by sending an e-mail to NetworkChange@fcc.gov. The subject line of the e-mail must include the correct NCD Report Number or docket number in order for the comments to be considered in conjunction with this proceeding. All information submitted including names and addresses will be publicly available via the web.

Parties who choose to file paper copies must file an original and one copy of each filing. Such 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 Street, S.W., Room TW-A325, Washington, D.C. 20554. The filing hours are Monday through Friday, 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, S.W., Washington, D.C. 20554.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules.¹¹ Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules. 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).

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), (888) 835-5322 (tty).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), or Carmell.Weathers@fcc.gov (email), of the Competition Policy Division, Wireline Competition Bureau. The tty number is (888) 835-5322.

-FCC-

¹¹ 47 CFR § 1.1200 *et seq.*