



PUBLIC NOTICE

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

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

RECEIVED

NOV 13 1998

FCC A/R 98-2260

Released: November 6, 1998

Policy and Rules Concerning the Interstate, Interexchange Marketplace Implementation of Section 254(g) of the Communications Act of 1934, as amended

CC Docket No. 96-61

Proceeding Reclassified As Permit-But-Disclose for Ex Parte Purposes

On October 3, 1997, Airtouch Communications, Inc., Bell Atlantic Mobile, Inc., BellSouth Corporation, the Cellular Telecommunications Industry Association, the Personal Communications Industry Association, PrimeCo Personal Communications, L.P., and Telephone and Data Systems, Inc. individually filed petitions seeking reconsideration of the Commission's decision in *Policy and Rules Concerning the Interstate, Interexchange Marketplace, Implementation of Section 254(g) of the Communications Act of 1934, as amended*, CC Docket No. 96-61, First Memorandum Opinion and Order on Reconsideration, 12 FCC Rcd 11812 (1997), holding that the rate integration requirements of section 254(g) of the Communications Act of 1934, as amended, 47 U.S.C. § 254(g), apply to the interstate, interexchange services offered by Commercial Mobile Radio Service (CMRS) providers. See Report No. 2232, Petitions for Reconsideration and Clarification of Action in Rulemaking Proceedings (rel. Oct. 10, 1997). Those reconsideration petitions also included, in the alternative, petitions for forbearance requesting the Commission to forbear from applying the rate integration provisions of section 254(g) to interstate, interexchange services offered by CMRS providers.

Petitions for Forbearance from the Commission's rules are subject, unless otherwise provided, to treatment by the Commission as restricted proceedings for *ex parte* purposes under section 1.1208 of the Commission's rules, 47 C.F.R. § 1.1208. Because of the policy implications and potential impact of this proceeding on persons not parties to the forbearance aspect of this proceeding, we believe it would be in the public interest to treat these petitions for forbearance as a permit-but-disclose proceeding under the *ex parte* rules. See sections 1.1200(a) and 1.1206 of the Commission's rules, 47 C.F.R. §§ 1.1200(a) and 1.1206. Therefore, any *ex parte* presentations that are made with respect to the issues involved in the forbearance requests subsequent to the release of this Public Notice will be permissible, but must be disclosed in accordance with the requirements of section 1.1206(b) of the Commission's rules, 47 C.F.R. § 1.1206(b).

For further information, contact Douglas Slotten, 202-418-1572, TTY: 202-418-0484.

-FCC-