



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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BUREAU GRANTS THE NATIONAL EXCHANGE CARRIER ASSOCIATION, INC.'S REQUEST TO WITHDRAW ITS PETITION FOR WAIVER OF SECTION 36.2(A)(3) OF THE COMMISSION'S RULES

CC DOCKET NO. 80-286

Release Date: November 19, 1998

On May 8, 1998, the National Exchange Carrier Association, Inc. (NECA) filed a Petition for Interim Waiver. In the Petition, NECA requested that the Federal Communications Commission (Commission) waive section 36.2(a)(3) of its rules on an interim basis. Section 36.2(a)(3) of the Commission's rules requires telephone companies to determine actual use measurements based on studies of traffic handled during a representative period for all traffic. NECA stated that to the extent that this rule requires companies to perform traffic studies using current data, which includes increasing amounts of Internet traffic, the waiver would permit local exchange carriers participating in NECA's traffic sensitive access charge pool to use data from a specified prior study period, or an average of data from several study periods, to determine relative state/interstate use of facilities for separations purposes.

Parties filed comments on the petition on or before June 4, 1998, and reply comments on or before June 18, 1998. Several parties filed comments and reply comments.

On October 6, 1998, NECA filed a letter with the Commission requesting withdrawal of its petition, explaining that data relevant to the issues addressed in the Petition were not fully available. NECA submitted its withdrawal without prejudice to its right to seek future action in this matter when further information becomes available.

The Accounting Policy Division of the Common Carrier Bureau grants NECA's request to withdraw without prejudice the above captioned petition.

For further information, contact Kaylene Shannon, Accounting Policy Division, Common Carrier Bureau, at (202) 418-7295.

--Action by Chief, Accounting Policy Division--