



Public Utility Commission of Texas

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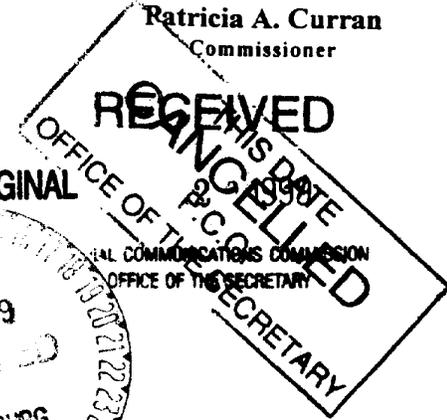
Pat Wood, III
Chairman

Judy Walsh
Commissioner

Patricia A. Curran
Commissioner

April 9, 1999

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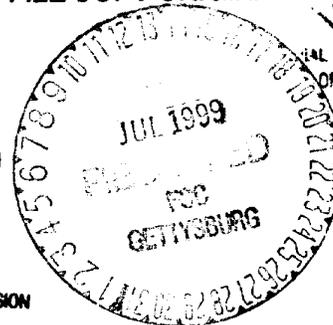


Office of the Secretary
Federal Communications Commission
Portals
445 Twelfth Street, S.W.
Washington, D.C., 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY



Dear Secretary:

RE: CC Docket No. 96-128--Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996

Enclosed is an original and fourteen copies of the Public Utility Commission of Texas's request for withdrawal of its petition for limited and temporary waiver of the FCC's payphone rules, related to the above referenced proceeding.

Thank you for your assistance.

Sincerely,

Bret Slocum
Director, Legal Division
Office of Regulatory Affairs



Enclosure

cc: International Transcription Service
Common Carrier Bureau--Enforcement Division

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**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In the Matter of:

**Implementation of the
Pay Telephone Reclassification
and Compensation Provisions of the
Telecommunications Act of 1996**

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CC Docket No. 96-128

**PUBLIC UTILITY COMMISSION OF TEXAS
REQUEST FOR WITHDRAWAL OF
PETITION FOR LIMITED AND TEMPORARY WAIVER**

Pat Wood, III, Chairman
Judy Walsh, Commissioner
Brett A. Perlman, Commissioner

April 9, 1999

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In the Matter of:

**Implementation of the
Pay Telephone Reclassification
and Compensation Provisions of the
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CC Docket No. 96-128

**PUBLIC UTILITY COMMISSION OF TEXAS
REQUEST FOR WITHDRAWAL OF
PETITION FOR LIMITED AND TEMPORARY WAIVER**

The Public Utility Commission of Texas (PUCT) hereby requests a withdrawal of its petition for limited and temporary waiver, submitted to the FCC on November 6, 1998 (see attached). Initially, the PUCT sought limited and temporary waiver of the Federal Communications Commission's (FCC) mandate requiring incumbent LECs to remove from their intrastate rates any charges that recover the costs of payphones, pursuant to Section 276(b)(1)(B) of the Telecommunications Act of 1996.¹ The PUCT sought a waiver to permit Big Bend Telephone Company, Inc. ("Big Bend"), a regulated incumbent local exchange carrier, to provide pay telephone service through its regulated business to remote, underserved areas within its large, rural territory.

Subsequent to the PUCT's request for waiver, a series of PUCT Staff Meetings has resulted in the Texas Payphone Association providing payphone service in the Big Bend

¹ *Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-128, Report and Order, FCC 96-388 (rel. Sept. 20, 1996), ¶ 186.

locations to which the waiver referred. Consequently, the PUCT would like to withdraw its Petition for Limited and Temporary Waiver in the above matter.

Respectfully submitted,

Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

Pat Wood, III, Chairman

Judy Walsh, Commissioner

Brett A. Perlman, Commissioner