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# PUBLIC NOTICE



FEDERAL COMMUNICATIONS COMMISSION

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WASHINGTON, D.C. 20554

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## CENTURYTEL AND GTE SEEK WAIVER OF THE DEFINITION OF "STUDY AREA" IN PART 36 OF THE COMMISSION'S RULES AND SECTIONS 61.41(C) AND 69.3(G)(2) OF THE COMMISSION'S PRICE CAP RULES

### PLEADING CYCLE ESTABLISHED

**CC Docket No. 96-45**

**Release Date: February 25, 2000**

**Comment Date: March 17, 2000**

**Reply Comment Date: March 24, 2000**

On January 28, 2000, CenturyTel of Northwest Arkansas, LLC and CenturyTel of Central Arkansas, LLC (collectively, CenturyTel), and GTE Arkansas Incorporated, GTE Midwest Incorporated, and GTE Southwest Incorporated (collectively, GTE) filed a joint petition for waiver of the definition of "study area" as set forth in Part 36 of the Commission's rules. That definition constitutes a rule freezing all study area boundaries. The requested waivers would allow CenturyTel and GTE to alter the boundaries of their existing Arkansas, Oklahoma, and Missouri study areas when transferring 105 local telephone exchanges (214,270 access lines) from GTE to CenturyTel. The petitioners submitted a letter from the Arkansas Public Service Commission (Arkansas PSC) indicating that the Arkansas PSC has no objection to the issuance of a study area waiver associated with CenturyTel's acquisition of the 105 telephone exchanges from GTE.

CenturyTel also seeks waiver of section 61.41(c) of the Commission's price cap rules, 47 C.F.R. § 61.41, to exempt it from the price cap "all or nothing" rule. Section 61.41(c) requires non-price cap companies, and the telephone companies with which they are affiliated, to become subject to price cap regulation after acquiring a price cap company or any part thereof. The requested waiver would permit CenturyTel to continue operating under rate-of-return regulation after acquiring the GTE exchanges that are currently under price cap regulation. In addition, CenturyTel seeks waiver of section 69.3(g)(2), 47 C.F.R. § 69.3(g)(2), to return the purchased access lines to the National Exchange Carrier Association's common line pool after acquiring them from GTE.

Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments on or before **March 17, 2000**, and reply comments on or before **March 24, 2000**. Comments may be filed using the Commission's Electronic

Comment Filing System (ECFS) or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24,121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit electronic comments by Internet e-mail. To receive filing instructions for e-mail comments, commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the body of the message, "get form <your e-mail address.>" A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. All filings must be sent to the Commission's Secretary, Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554.

Parties also must send three paper copies of their filing to Sheryl Todd, Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, 445 Twelfth Street S.W., Room 5-B540, Washington, D.C. 20554. In addition, commenters must send diskette copies to the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, N.W., Washington, D.C. 20037.

Pursuant to section 1.1206 of the Commission's Rules, 47 C.F.R. § 1.1206, this proceeding will be conducted as a permit-but-disclose proceeding in which *ex parte* communications are permitted subject to disclosure.

For further information, contact Adrian Wright, Accounting Policy Division, Common Carrier Bureau at (202) 418-7400, TTY (202) 418-0484.