

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Promotion of Competitive Networks)	WT Docket No. 99-217
in Local Telecommunications Markets)	
)	
Wireless Communications Association)	
International, Inc. Petition for Rulemaking)	
to Amend Section 1.40000 of the)	
Commission's Rules to Preempt Restrictions))	
on Subscriber Premises Reception or)	
Transmission Antennas Designed to)	
Provide Fixed Wireless Services)	
)	
Implementation of the Local Competition)	CC Docket No. 96-98
Provisions in the Telecommunications Act)	
of 1996)	
)	
Review of Sections 68.104, and 68.213 of)	CC Docket No. 88-57
the Commission's Rules Concerning)	
Connection of Simple Inside Wiring to the)	
Telephone Network)	

PETITION OF VERIZON FOR CLARIFICATION¹

Verizon respectfully asks the Commission to clarify its requirement regarding disclosure to the landlord of the location of the demarcation point in multi-tenant buildings. In its most recent order, the Commission allowed the landlord to ask the telephone company the location of the demarcation point in a building and specified that, if the telephone company does not respond to the landlord's request within ten business days, the landlord may presume the demarcation

¹ The Verizon companies ("Verizon") participating in this filing are the affiliates of Verizon Communications Inc. that are identified in the attached list.

point to be located at the minimum point of entry.² Verizon asks the Commission to clarify that the telephone company may designate by posting on its Website a person or organization to whom the landlord's notice must be sent in order to begin the 10-day period.

Verizon is concerned that landlords might forward a request for demarcation point information to a building engineer or other employee in the field who may not be versed on the applicable demarcation point policy and the Commission's requirements. By the time the request is forwarded to the proper person, the ten-day deadline will have passed, and the demarcation point will, under the Commission's rules, be "presumed" to be at the minimum point of entry when it, in fact, is at an upper floor. This would be unfair to the landlord, who may expend resources under the misapprehension that the telephone company's service ends at the minimum point of entry. It would be unfair to competitors, who may plan and market their services based on the same misunderstanding. And it would be unfair to the telephone company, whose unamortized property may be subject to an unlawful taking unless it is fully compensated for the value of its assets. The result could be extensive litigation, during which tenants could be deprived of new services.

Therefore, the Commission should clarify that the telephone company may specify, on its Website, the individual or organization to whom the request for demarcation point information

² See *First Report and Order and Further Notice of Proposed Rulemaking in WT Docket No. 99-217, Fifth Report and Order and Memorandum Opinion and Order in CC Docket No. 96-98, and Fourth Report and Order and Memorandum Opinion and Order in CC Docket No. 88-57, FCC 00-366, & 56* (rel. Oct. 25, 2000) and 47 C.F.R. § 68.3 (1)(b)(4).

should be made, along with the address (postal and/or e-mail) and/or facsimile number to which the landlord's request should be forwarded.³ The Commission should further find that only a request made to that individual or organization begins the ten business day clock.

Respectfully submitted,

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³ Verizon will provide to recognized landlord associations for dissemination to their members information on the Web location where the information is posted.

THE VERIZON TELEPHONE COMPANIES

The Verizon telephone companies are the affiliated local telephone companies of Bell Atlantic Corporation (d/b/a Verizon Communications), including the telephone companies formerly affiliated with GTE Corporation. These are:

- Contel of the South, Inc. d/b/a Verizon South Systems
- GTE Midwest Incorporated d/b/a Verizon Midwest
- GTE Southwest Incorporated d/b/a Verizon Southwest
- The Micronesian Telecommunications Corporation
- Verizon California Inc.
- Verizon Delaware Inc.
- Verizon Florida Inc.
- Verizon Hawaii Inc.
- Verizon Maryland Inc.
- Verizon New England Inc.
- Verizon New Jersey Inc.
- Verizon New York Inc.
- Verizon North Inc.
- Verizon Northwest Inc.
- Verizon Pennsylvania Inc.
- Verizon South Inc.
- Verizon Virginia Inc.
- Verizon Washington, DC Inc.
- Verizon West Coast Inc.
- Verizon West Virginia Inc.