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

In the Matter of	)	
	)	
Deployment of Wireline Services Offering Advanced Telecommunications Capability	)	CC Docket No. 98-147
	)	
And	)	
	)	
Implementation of the Local Competition Provisions of the Telecommunications Act of 1996	)	CC Docket No. 96-98

REPLY COMMENTS OF WORLDCOM, INC.

WorldCom, Inc. (WorldCom) responds to the comments filed by parties in opposition to the petition for reconsideration filed by the Competitive Telecommunications Association (CompTel).[1] In its petition, CompTel seeks clarification and/or reconsideration of certain aspects of the Line Sharing Reconsideration Order.[2] CompTel requests, *inter alia*, that (1) the Commission classify the low frequency portion of the loop as a "subloop UNE"; and (2) CLECs be allowed to use either UNE loop or UNE platform to engage in line splitting. WorldCom asks the Commission to give prompt consideration to CompTel's requests.

Sprint places the CompTel petition in the correct context – "in a well-ordered world, no additional Commission clarification should be necessary. Unfortunately, the world of local competition is not yet that well-ordered."[3]

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[1] Petition for Reconsideration of the Competitive Telecommunications Association (CompTel), March 8, 2001.

[2] Deployment of Wireline Services Offering Advanced Telecommunications Capability and Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Third Report and Order on Reconsideration, CC Docket No. 98-147, Fourth Report and Order on Reconsideration, CC Docket No. 96-98 (Jan. 19, 2001) (Line Sharing Reconsideration Order).

[3] Comments of Sprint Corporation, at 2-3.

The Low Frequency Portion of the Loop Should Be A Subloop UNE

As AT&T states in its comments, "as long as it is technically feasible to provide a line splitting arrangement over any one loop, the ILECs' existing obligation to provide access to all the features, functions, and capabilities of unbundled network elements must extend to all loops."[4] WorldCom agrees with this conclusion. The provision of advanced services to all Americans is predicated upon the fact that ILECs are obligated to facilitate interconnection between carriers in order to provide consumer choice. As CompTel points out in its petition, it is technically feasible to access the low frequency portion of the loop at the main distribution frame.[5] Adopting this understanding, the low frequency portion of the loop could qualify as a subloop UNE under the Commission's rules.[6]

As the Commission states in the UNE Remand Order, "a broad definition of the subloop that allows requesting carriers maximum flexibility to interconnect their own facilities at these points where technically feasible will best promote the goals of the Act. Access to portions of the loop elements at these points, i.e., access to the subloop, will facilitate rapid development of competition, encourage facilities-based competition, and promote deployment of advanced services."[7] Accordingly, the Commission should grant CompTel's petition seeking to include the low frequency portion of the loop as a subloop UNE, to the extent technically feasible.

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[4] Comments of AT&T at 2.
[5] CompTel Petition at 4.
[6] See 47 C.F.R. § 51.319(a)(2).
[7] Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Third Report and Order, Fourth Further Notice of Proposed Rulemaking, CC Docket 96-98 (Nov. 5, 1999) (UNE Remand Order).

ILECs Are Required To Facilitate Interconnection

The Commission's intent is clear in paragraph 18 of the Order, where it states that

> "independent of the unbundling obligations associated with the high frequency portion of the loop that are described in the Line Sharing Order, incumbent LECs must allow competing carriers to provide voice and data service over a single unbundled loop. This obligation extends to situations where a competing carrier seeks to provide combined voice and data services on the same loop, or where two competing carriers join to provide voice and data services through line splitting."[8]

It is conceivable, however, that ILECs could twist this wording to exclude carriers providing service over UNE-Loop. As Sprint noted, and as WorldCom agrees, "In an ideal world, no further clarification would be necessary. But given the tendency of some RBOCs to seize upon any conceivable ambiguity in the Commission's orders and rules to obstruct local competition, and in view of the fact that this issue arose in the specific context of the UNE-platform, the Commission should grant CompTel's requested clarification so as to remove any conceivable doubt on this issue."[9]

To the extent that there may be ambiguity in the Line Sharing Reconsideration Order to argue that line splitting is restricted only to those carriers using the UNE-platform, and excluding UNE-Loop carriers, the Commission should clarify the Order.[10] ILECs are required to permit and facilitate interconnection under section 251(c)(2) of the 1996 Act. The Commission cannot permit ILECs to facilitate line splitting to only those carriers who provide UNE-P services – that is a contradiction of both the intent and purpose of both the Line Sharing Reconsideration Order, and of the 1996 Act as well.

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[8] Line Sharing Reconsideration Order at ¶ 18.
[9] Comments of Sprint Corporation, at 2.
[10] See Line Sharing Reconsideration Order at ¶ 19.

Conclusion

WorldCom respectfully requests that the Commission grant CompTel's petition for reconsideration seeking to declare the low frequency portion of the loop as a subloop UNE, and to clarify that line splitting is permitted in both UNE-platform and UNE-loop environments.

Dated: April 25, 2001

Respectfully submitted,

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Certificate of Service

I, Barbara Nowlin, do hereby certify that copies of the foregoing Reply Comments of WorldCom Inc., were sent via first class mail, postage paid, to the following on this 25th day of April, 2001.

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