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**DOCKET FILE COPY ORIGINAL**

**Kathryn Marie Krause**  
Senior Attorney

June 8, 2001

**RECEIVED**

**JUN 8 2001**

**FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY**

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
Room TW-A325  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

CC Docket No. 01-1261

Re: Request for Special Temporary Authority to Provide Operator-Assisted Reverse Directory Assistance Service

Dear Ms. Salas:

Qwest Corporation ("Qwest") requests a grant of special temporary authority to provide operator-assisted Reverse Directory Assistance ("RDA") Service beginning July 1, 2001. To meet that service roll-out date, Qwest requests that the special temporary authority be granted by the Common Carrier Bureau ("Bureau") acting under its delegation of authority,<sup>1</sup> as was previously done with an almost identical request from SBC (Nevada Bell, Pacific Bell, Southwestern Bell Telephone Company, Southern New England Telephone, and the Ameritech Telephone Companies).<sup>2</sup> As stated above, Qwest hopes to begin offering the RDA service to the public around July 1, 2001. Counsel for Qwest will be leaving the country the week of June 18, 2001. Therefore, for ease of administration and to assure an initial offering of as high quality as possible, for the benefit of both Qwest and its customers, we request that the Commission act by June 18, 2001 on the instant request.

Concurrently with the submission of this request, Qwest is filing a "Petition for Waiver" from the Commission's Comparably Efficient Interconnection ("CEI") requirements, for the consideration of the Commission, to be acted on so that Qwest will be allowed to provide operator-assisted RDA Service on a permanent basis. A copy of the Petition is attached and is incorporated by this reference.

<sup>1</sup> If for any reason, the Federal Communications Commission ("Commission") or the Common Carrier Bureau acting under its delegated authority determines that a request for special temporary authority requires the filing of a formal petition, then Qwest respectfully requests that this letter be treated as such a petition.

<sup>2</sup> SBC filed for special temporary authority to offer an operator-assisted RDA service on March 30, 2000, asking for relief by April 7, 2000. See SBC letter to Ms. Magalie Roman Salas, dated March 30, 2000. On April 6, 2000, the Bureau granted the authority. A copy of the "granted" stamped front page is attached to this letter for the Bureau's convenience.

On November 7, 2000, the Bureau put the SBC Petition out for Public Notice. Public Notice, 15 FCC Rcd. 21582 (2000). To the best of Qwest's knowledge, no comments were filed in response to that Public Notice.

Qwest's request for special temporary authority is designed to offer consumers an immediate, additional means of obtaining RDA information -- namely, the ability to obtain customer name and address information associated with a telephone number -- from Qwest's directory assistance operators. The information will be provided utilizing the same databases and directory listing information available to other providers of directory assistance today, a number of which use the listings to provide a similar type of RDA capability.

The Commission previously granted Qwest (then U S WEST) a waiver from its CEI requirements to permit it to provide electronic RDA capability.<sup>3</sup> The Commission also previously granted forbearance from the Section 272 separate affiliate requirements for operator-assisted RDA Service to BellSouth.<sup>4</sup> The reasons for granting exceptions in the BellSouth case - - as well as in the recent grant to SBC to provide operator-assisted RDA -- are equally applicable in this case: consumers benefit from the services; competitive alternatives are available; the telephone companies would be unlikely to provide the service if they were required to comply with the CEI and separate affiliate requirements; and the public interest would be served by providing consumers with another directory assistance option and doing so without delay.<sup>5</sup>

Given the existence of prior waivers and exceptions, and the similarity of the capability which Qwest now seeks to offer those services covered by prior waivers and grants of authority, Qwest's instant request warrants a grant of special temporary authority,<sup>6</sup> allowing us to begin offering operator-assisted RDA Service as of July 1, 2001. Not only would a grant of special temporary authority serve the interests of competition and the public interest, it would also be consistent with other Commission practices (e.g., allowing a tariff to take effect on a one-day suspension, and permitting the service to be provided while the matter is investigated).

Should the Commission ultimately decide not to grant Qwest's attached Petition or to condition any granted relief, Qwest agrees that we will, within 30 days of the Public Notice of the Commission's decision or order, either come into compliance with the conditions set forth in such a decision or order or withdraw the operator-assisted RDA Service offering. Consequently, no one will be harmed by the Bureau's grant of this request. Moreover, the public will benefit from the requested temporary authority.

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<sup>3</sup> In the Matter of US West Communications, Inc. Petition for Computer III Waiver, Order, 11 FCC Rcd. 1195 (1995).

<sup>4</sup> In the Matter of Bell Operating Companies Petition for Forbearance from the Application of Section 272 of the Communications Act of 1934, As Amended, to Certain Activities, Memorandum Opinion and Order, 13 FCC Rcd. 2627 (1998) ("BellSouth Waiver Order"). Effective February 8, 2000, the ban on the Bell Operating Companies offering interLATA information services expired, and Section 272 forbearance on their future provision of such services is no longer required. In the Matter of Request for Extension of the Sunset Date of the Structural, Nondiscrimination, and Other Behavioral Safeguards Governing Bell Operating Company Provision of In-Region, InterLATA Information Services, Order, 15 FCC Rcd. 3267 (2000).

<sup>5</sup> BellSouth Waiver Order, 13 FCC Rcd. at 2671 ¶¶ 95-96. The difference between electronic reverse search and the operator-assisted RDA Service involved in this request is that the information in this case would be provided by Qwest's directory assistance operators.

<sup>6</sup> See Melody Music, Inc. v. FCC, 345 F.2d 730 (D.C. Cir. 1965) (holding that the Commission must ensure comparable treatment of similarly-situated parties).

Ms. Magalie Roman Salas  
June 8, 2001  
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An extra copy of this Request for special temporary authority has been included to be receipt stamped and returned to the messenger who has been instructed to wait for it.

Thank you for your attention to this matter.

*For Thryn Marie Krause by [Signature]*

**Attachments**

cc: Mr. William A. Kehoe III  
Ms. Janice Myles  
Ms. Ann Stevens



**GRANTED**

APR 20 2000

COMMON CARRIER BUREAU

March 30, 2000

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
Room TW-A325  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

**Re: Request for Special Temporary Authority To Provide Operator-Assisted Reverse Directory Assistance Services**

Dear Ms. Salas:

SBC Communications Inc. (SBC), on behalf of its telephone company subsidiaries,<sup>1</sup> requests that they be granted special temporary authority to provide Operator-Assisted Reverse Directory Assistance Services beginning April 1, 2000. SBC requests that the SBC telephone companies be granted such special authority either by order of the Commission or by the Common Carrier Bureau acting under its delegation of authority.<sup>2</sup>

Concurrently with the submission of this request, the SBC telephone companies are filing a Petition for a Waiver and/or Forbearance from the Commission's Comparably Efficient Interconnection (CEI) and Telecommunications Act of 1996 requirements that the Commission may deem applicable, such that they will be allowed to provide Operator-Assisted Reverse Directory Assistance Services and, where waivers have not been previously granted, Electronic Reverse Directory Assistance Services. A copy of the Petition is attached and is incorporated by this reference.

The SBC telephone companies' request for special temporary authority is designed to offer consumers an immediate, additional means of obtaining reverse directory assistance information - namely, the ability to obtain customer name and address information associated with a telephone number - from the SBC telephone companies' directory

<sup>1</sup> Nevada Bell (NB), Pacific Bell (PB), Southwestern Bell Telephone Company (SWBT), Southern New England Telephone (SNET), and the Ameritech (AIT) Michigan Bell, Ohio Bell, Illinois Bell, Indiana Bell, and Wisconsin Bell Telephone Companies (collectively, SBC telephone companies).

<sup>2</sup> If for any reason, the Commission or the Common Carrier Bureau acting under its delegated authority determines that a request for special temporary authority requires the filing of a formal petition, then the SBC telephone companies respectfully request that this letter be treated as such a petition.

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

In the Matter of )  
 )  
Petition of Qwest Corporation )  
To Provide Operator-Assisted Reverse )  
Directory Assistance Service and for )  
Waiver of any Comparably Efficient )  
Interconnection Requirements )  
That the Commission Might Deem Applicable )

PETITION FOR WAIVER

Qwest Corporation (“Qwest”) hereby petitions the Federal Communications Commission (“Commission”) for authority to provide operator-assisted Reverse Directory Assistance (“RDA”) Service. Qwest requests a waiver of any Comparably Efficient Interconnection (“CEI”) requirements that the Commission might deem applicable in order for Qwest to provide such service.

I. SERVICE DESCRIPTION AND BACKGROUND

Qwest currently has authority to offer electronic RDA capability pursuant to a waiver granted by the Commission for electronic white pages.<sup>1</sup> The reverse search capability allows an end user to match a telephone number with a customer name and address, as opposed to traditional directory assistance (“DA”), which allows an end user with a customer name to find a telephone number.

In this Petition, Qwest requests an extension of the waiver previously granted for electronic RDA Service to include operator-assisted RDA Service so that Qwest can provide the same information to callers seeking to match a telephone number with a customer name and

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<sup>1</sup> In the Matter of US West Communications, Inc. Petition for Computer III Waiver, Order, 11 FCC Rcd. 1195 (1995).

address by calling DA as it does to those interacting electronically with a DA database. The difference in the offerings would be that in an operator-assisted RDA context, the customer name and address information would be obtained by the caller from a DA operator rather than made available to the inquiring party through an electronic transmission.

The Commission previously granted forbearance from the Section 272 separate affiliate requirements for operator-assisted RDA Service to BellSouth.<sup>2</sup> It is no longer necessary, however, to seek such forbearance since, on February 8, 2000, the ban on the Bell Operating Companies' offering interLATA information services expired.<sup>3</sup> To the extent the Commission determines that there are any other Orders or rules that would prevent or affect Qwest's proposed provisioning of this service, Qwest requests that those Orders or rules be waived to allow us to provide operator-assisted RDA Service.

The grounds for granting Qwest's requested relief are essentially the same as those the Commission found in granting BellSouth's petition for relief from the Section 272 requirements. There the Commission relied on the existence of competitive alternatives; the fact that BellSouth would be unlikely to offer the service without the forbearance grant; and that the public interest would be served by providing consumers another option and doing so without delay.<sup>4</sup> The same reasons apply equally with respect to Qwest's request for a waiver.

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<sup>2</sup> In the Matter of Bell Operating Companies Petition for Forbearance from the Application of Section 272 of the Communications Act of 1934, As Amended, to Certain Activities, Memorandum Opinion and Order, 13 FCC Rcd. 2627 (1998) ("BellSouth Waiver Order").

<sup>3</sup> In the Matter of Request for Extension of the Sunset Date of the Structural, Nondiscrimination, and Other Behavioral Safeguards Governing Bell Operating Company Provision of In-Region, InterLATA Information Services, Order, 15 FCC Rcd. 3267 (2000).

<sup>4</sup> BellSouth Waiver Order, 13 FCC Rcd. at 2671 ¶¶ 95-96.

## II. PUBLIC INTEREST BENEFITS

The public interest benefits of providing reverse search information were recognized over a decade ago by the United States District Court for the District of Columbia in granting a waiver to Ameritech allowing it to continue to provide such service.<sup>5</sup> Consumers want and desire such information in order to fully utilize their basic telecommunications services and satisfy their business needs.<sup>6</sup> For example, a paging service customer receiving a page may want to know the name of the person initiating the page before returning the call. Operator-assisted RDA will provide that customer with a valuable method to obtain that information. Similarly, a customer, while traveling, may not have the ability to go online to retrieve such information and, for that customer, operator-assisted RDA Service would prove useful as well.

As the Commission is well aware, DA Services are available for resale and directory listings are available to carriers and -- in many cases -- to independent DA providers. The same will be true with respect to reverse search capabilities. Competitive local exchange carriers ("CLEC") can have DA calls custom-routed by Qwest to the CLECs' platform or their DA provider's platform, where they too can provide RDA service.<sup>7</sup>

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<sup>5</sup> United States v. Western Electric Co., Inc., 1989 U.S. Dist. LEXIS 5156; 1989-1 Trade Cas. (CCH) P68, 433 (Feb. 6, 1989).

<sup>6</sup> See, e.g., Nevada Bell, et al., Petition for Waivers and/or Forbearance, filed Mar. 30, 2000 at n.5 ("when faced with the prospect of losing the reverse search functionality of SWBT's DirectLine Custom product, a number of customers wrote the Commission urging it to retain SWBT's reverse search product because of its importance to their services and businesses. Such customers included a city-owned utility, a police department, a county government, a bank, insurance investigators, and other firms.").

<sup>7</sup> In the Matter of Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Third Report and Order and Fourth Further Notice of Proposed Rulemaking, 15 FCC Rcd. 3696, 3708 (1999) ("Incumbent LECs are not required to unbundle their OS/DA services pursuant to section 251(c)(3), except in the limited circumstance where in incumbent LEC does not provide customized routing to a requesting carrier to allow it to route traffic to alternative OS/DA providers.").

Moreover, it is clear that the DA listings available to other DA providers are already being used to provide RDA Service. Operator-assisted RDA Service is already available from other companies, such as, AT&T, who offers RDA Service under the product name "00" Info. Besides AT&T, other companies providing the service include Cincinnati Bell ("All In One 411"), Metro One and Excel Agent Services. The same or similar information is also available from a number of Internet sites.<sup>8</sup> Qwest will be just another source of the information providing it through a different means; all of which serves the public interest by giving consumers more choices.

Another reason to permit Qwest to provide this information through DA is that it is incremental to the information currently provided by DA operators and can be provided efficiently and quickly by Qwest's directory assistance operators utilizing existing databases.<sup>9</sup> Consumers should not be denied the benefits of these efficiencies, particularly when there are other providers and alternatives.

### III. WAIVER REQUEST

Qwest submits that there is good cause for a waiver of the Commission's CEI requirements for the provision of operator-assisted RDA Service. In addition to the public interest benefits enumerated above, literal compliance with CEI would likely delay and could potentially prevent Qwest from offering this service. Operator-assisted RDA Service cannot be economically offered as a stand-alone service. It is only feasible to offer the service as a complement to Qwest's existing DA Services using the same databases and the same DA

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<sup>8</sup> See, e.g., <http://www.411locate.com/>; <http://www.infospace.com/>; <http://www.telephonedirectory.com/>; <http://whitepages.com/>; [www.worldpages.com](http://www.worldpages.com/); [www.qwestdex.com](http://www.qwestdex.com/).

<sup>9</sup> DA and RDA Services are complementary and can be provided from the same databases.

operators.<sup>10</sup> Consumer acceptance of the RDA Service would also be adversely affected by the delays in provisioning of both operator-assisted RDA and traditional DA information, if such information is provided in a manner that complies with the requirements of CEI.<sup>11</sup>

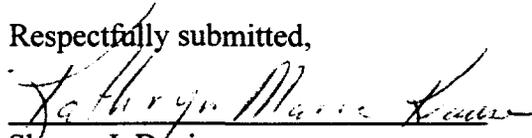
Enforcement of the CEI requirements is simply not necessary. In fact, enforcement of the CEI requirements would likely result in a situation where Qwest -- unlike most other DA providers -- would be unable to offer this service to consumers, thus reducing competition and consumer choice.

#### IV. CONCLUSION

Qwest seeks an extension of the CEI waiver previously granted to provide Electronic RDA Service to include authority to provide operator-assisted RDA Service.

Respectfully submitted,

By:

  
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1020 19<sup>th</sup> Street, N.W.  
Washington, DC 20036  
(303) 672-2859

Its Attorneys

June 8, 2001

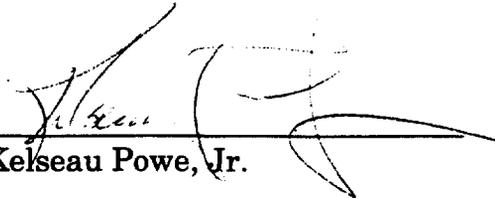
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<sup>10</sup> Qwest believes it is not feasible to offer RDA Service in any other way, and that offering the service through a different channel would be redundant and overly expensive.

<sup>11</sup> Examples might include reading off a list of available providers, using voice prompts to select a provider, and/or using different operators to provide the reverse search information. Consumers would be inconvenienced by such requirements, and would be unlikely to use the service. Moreover, enhanced service providers are not likely to want to provide a stand-alone reverse search service and, for that reason, also, it would be unreasonable to impose those requirements on Qwest's provision of operator-assisted RDA Service.

**CERTIFICATE OF SERVICE**

I, Kelseau Powe, Jr., do hereby certify that on the 8<sup>th</sup> day of June, 2001, I have caused the original and four copies of the foregoing **PETITION FOR WAIVER** to be served, via hand delivery, on the Secretary of the Federal Communications Commission and a copy to its contractor International Transcription Services, Inc.

  
Kelseau Powe, Jr.