



# PUBLIC NOTICE

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FEDERAL COMMUNICATIONS COMMISSION

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## WIRELESS TELECOMMUNICATIONS BUREAU POSTPONES REQUEST FOR COMMENT ON CURRENT STATE OF THE MARKET FOR LOCAL AND ADVANCED TELECOMMUNICATIONS SERVICES IN MULTITENANT ENVIRONMENTS

WT Docket No. 99-217 /

In the October 25, 2000 Competitive Networks Further Notice of Proposed Rulemaking ("Further Notice"), the Commission authorized the Wireless Telecommunications Bureau to issue a public notice requesting additional information on the state of the market for local and advanced telecommunications services in multi-tenant environments eight months after the release of the Further Notice. In light of developments since the Further Notice, we are postponing the issuance of the public notice referenced in the Further Notice.<sup>1</sup>

The Commission in the Further Notice noted that an assessment of the market "would best be guided by information that measures the current state of the market . . . after a reasonable period of time has passed after the implementation of the [Competitive Networks Order] and the best practices proposed by the real estate industry."<sup>2</sup> The final model access agreement and accompanying best practices, which were developed through the efforts of the Real Access Alliance<sup>3</sup> and released to the public on May 22, 2001, have not yet been fully implemented.<sup>4</sup>

<sup>1</sup> Promotion of Competitive Networks in Local Telecommunications Markets, *First Report and Order in WT Docket No. 99-217, the Fifth Report and Order and Memorandum Opinion and Order in CC Docket No. 96-98, and the Fourth Report and Order and Memorandum Opinion and Order in CC Docket No. 88-57*, 15 FCC Rcd. 22,983 (2000) (*Competitive Networks Order*).

<sup>2</sup> *Id.* at ¶ 130.

<sup>3</sup> The Real Access Alliance is an alliance of real estate interests, including Building Owners and Managers Association International, Institute of Real Estate Management, International Council of Shopping Centers, Manufactured Housing Institute, National Apartment Association, National Association of Home Builders, National Association of Industrial and Office Properties, National Association of Real Estate Investment Trusts, National Association of Realtors, National Multihousing Council, and the Real Estate Roundtable.

Also, some of the Commission's rules adopted in the Competitive Networks Order have only recently become effective. Consequently, we are temporarily postponing the issuance of the market data collection public notice until there has been sufficient opportunity to gauge the effects of the model access agreement, industry best practices, and Competitive Networks rules in the marketplace. We intend to issue a public notice on or about November 30, 2001, requesting the submission of data by February 1, 2002.

For further information, contact Leon Jackler, Commercial Wireless Division, Wireless Telecommunications Bureau, at (202) 418-0946.

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<sup>4</sup> The model access agreement (referred to as a "model license agreement" by the Real Access Alliance) and accompanying best practices are available for review at [www.realaccess.org](http://www.realaccess.org).