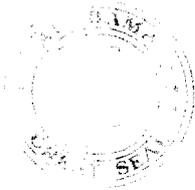


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JIM SULLIVAN, PRESIDENT
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Federal Communications Commission
Office of Secretary

WALTER L. THOMAS, JR.
SECRETARY

October 18, 2001

Kyle Dixon
Legal Assistant for Chairman
Michael K. Powell
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

Re: Petition of ITC^DeltaCom for a Waiver in Docket No. 96-98

Dear Mr. Dixon:

This letter is to advise you that the Alabama Public Service Commission (APSC) supports the petition filed by ITC^DeltaCom on August 17, 2001, for a waiver of the enhanced extended link (EEL) safe harbor requirements established in the *Supplemental Order Clarification* in Docket 96-98.

Having reviewed the filing and the comments of other parties the APSC believes the granting of this waiver, at this time, is justified and will ultimately benefit the consumers of Alabama. The two non-rural ILECs in Alabama account for 90% of the access lines in the state. There are numerous secondary and rural markets in Alabama where there is generally a lack of facility based competitive options. The APSC agrees with ITC^DeltaCom's statements that given the increased cost of capital over the last eighteen months, the company's ability to obtain EELs for the provision of local services will play a critical role in its entry and exit decisions in the secondary and rural areas. In its petition, ITC^DeltaCom is seeking a very limited waiver to efficiently serve its local exchange customers and not to bypass the ILECs special access tariffs. Both state and federal policy makers should take all prudent steps to provide incentives to emerging local competitors to serve secondary and rural markets.

The Alabama Commission urges you to approve this waiver and to move ahead as expeditiously as possible to remove unnecessary limitations on the use of the EELs.

Respectfully,
Alabama Public Service Commission

By: *Mary E. Newmeyer*
Mary E. Newmeyer
Federal Affairs Advisor

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