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

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of	)	
	)	
2000 Biennial Regulatory Review	)	IB Docket No. 00-202
	)	
Policy and Rules Concerning the International, Interexchange Marketplace	)	

PETITION FOR TEMPORARY WAIVER

Telstra Incorporated ("Telstra"), by its attorneys, hereby requests that the Commission temporarily waive Sections 42.10(b) and 63.19(a) of the Commission's Rules[1] to the extent necessary to grant Telstra an extension of time in which to cancel its FCC tariffs for international interexchange services and to post information concerning its detariffed international offerings on its web site. As demonstrated herein, there is good cause for granting the requested waiver.

In a *Report and Order* issued on March 20, 2001 in the above-captioned proceeding,[2] the Commission required that all non-dominant carriers by January 28, 2002 (1) cancel their tariffs for international interexchange services,[3] and (2) make their rates, terms and conditions for detariffed services available to the public in at least one location during regular business hours[4] and on their web sites.[5] Telstra is in the process of informing its international services customers of the change from a tariff regime to a private contractual relationship for those services. The

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1 47 C.F.R. §§ 42.10(b), 61.19(a).

2 16 FCC Rcd 10647 (2001).

3 *See* 47 C.F.R. § 61.19(a).

4 *See* 47 C.F.R. § 42.10(a). Telstra is not seeking a waiver of this requirement.

5 *See* 47 C.F.R. § 42.10(b).

company is also in the process of concluding written contracts with its international services customers and adding its rates, terms and conditions for international services to its web site. However, for the reasons discussed below, the company has not been able to complete these steps in time to comply with the January 28, 2002 deadline. Telstra therefore requests that the Commission grant it a partial and temporary waiver of the international detariffing requirements for a period of forty-five days (until March 14, 2002).

Good cause exists for Telstra's requested waiver and extension for several reasons:

First, Telstra's ultimate parent company, the Australian carrier Telstra Corporation Limited ("Telstra Corp."), recently established a joint venture called Reach Ltd. ("Reach") with the Hong Kong-based company Pacific Century CyberWorks ("PCCW"). As part of this transaction, Telstra Corp. is completing a restructuring under which certain U.S. international wholesale telecommunications assets are being transferred to Reach. As a result, Telstra's U.S. operations have been divided up, with certain company employees becoming part of the retail operation that remains with Telstra, and other employees becoming part of the wholesale operation going to Reach. This division has caused many administrative issues for Telstra, including a delay in taking the necessary steps to detariff the company's international services.

Second, Telstra is currently in the process of redesigning and upgrading its U.S. web site. Although the rates, terms and conditions for the company's detariffed domestic interexchange services remain on its web site, the redesign process has caused a delay in Telstra being able to post the necessary information for its international services.

Third, in addition to the administrative and employment changes that have taken place during and after the Reach transaction, Telstra's general counsel was away for several months on

family leave during the second half of 2001. This also has contributed to the delay in the company's ability to comply with the administrative requirements to effect detariffing.

Telstra only requires a brief extension of forty-five days in which to finalize its international detariffing. During that time, Telstra will not make any changes to the rates, terms and conditions for its international services as currently reflected in Telstra's international tariffs. Additionally, pending the cancellation of its tariffs, Telstra will ensure that its international service tariffs are available to the public in at least one location during regular business hours in compliance with Section 42.10(a) of the Commission's Rules. The foregoing measures should ensure that none of Telstra's international services customers or the general public are adversely affected by grant of the brief extension requested here.

For the foregoing reasons, good cause exists to waive Sections 42.10(b) and 63.19(a) of the Commission's Rules and grant Telstra a forty-five day extension of the international tariff cancellation and web posting requirements contained in those rules.

Respectfully submitted,

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January 25, 2002