

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

In the Matter of
Numbering Resource Optimization

CC Docket No. 99-200

COMMENTS OF VERIZON

AT&T has filed a Petition for Reconsideration, it says, “of the Commission’s *Third NRO Order on Reconsideration* issued in” this proceeding.¹ But it then goes on for all of its nine pages to argue that the Commission should change its mind, not about any decision it made in that order, but about a decision made in *Third Report and Order and Second Order on Reconsideration*, which was issued last year.² Petitions for reconsideration of that order were due on March 14, and AT&T’s request is, therefore, two months too late, and Verizon³ urges the Commission to strike it and not give public notice of its filing.⁴

But it appears that AT&T was not simply confused because of the similar names of the two orders. Rather, AT&T knew that it wanted the Commission to reconsider the *Third Report and Order and Second Order on Reconsideration*, not the *Third NRO Order on Reconsideration* that it identified in its petition. In a footnote at the very end of its pleading, AT&T admits that it

¹ AT&T Pet. at 1, citing 17 FCC Rcd 4784 in footnote 1.

² 17 FCC Rcd 252 (2001).

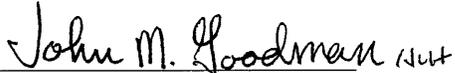
³ The Verizon telephone companies are the local exchange carriers affiliated with Verizon Communications Inc., listed in Attachment A.

⁴ The Commission has held that it does not have the authority to extend the PFR filing deadline or to waive failures to timely file. *E.g.*, *CPNI*, 14 FCC Rcd 15550, ¶ 132 n.318 (1999).

knows which order is which and that the time to seek reconsideration of *Third Report and Order and Second Order on Reconsideration* has passed.⁵ AT&T apparently intentionally mis-labeled its filing, apparently hoping that parties with an interest in the *Third Report and Order and Second Order on Reconsideration* would not notice or bother to read a petition that purported to be about other matters. The Commission should not tolerate such tactics.

If the Commission sees any need to deal with the merits of AT&T's disingenuous petition, it should deny it. AT&T offers nothing new, nothing that wasn't raised (or couldn't have been raised) earlier in these proceedings, nothing that the Commission has not already heard and rejected. AT&T argues that some ILECs have sought to recover costs they are not entitled to.⁶ This is, if anything, a problem with how some LECs have construed the Commission's order — not a problem with the order itself. Moreover, AT&T has opposed these tariffs, and the Commission is investigating them. Even if AT&T's claims prove to be true, this is not a reason to change the cost recovery system.

Respectfully submitted,


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⁵ AT&T Pet. at 7 n.19 (“the effect of the Commission’s decision on IXC’s was not readily apparent at the *Third NRO Order* reconsideration deadline”).

⁶ AT&T Pet. at 2, 5.

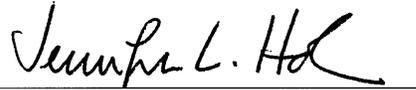
THE VERIZON TELEPHONE COMPANIES

The Verizon telephone companies are the local exchange carriers affiliated with Verizon Communications Inc. These are:

Contel of the South, Inc. d/b/a Verizon Mid-States
GTE Midwest Incorporated d/b/a Verizon Midwest
GTE Southwest Incorporated d/b/a Verizon Southwest
The Micronesian Telecommunications Corporation
Verizon California Inc.
Verizon Delaware Inc.
Verizon Florida Inc.
Verizon Hawaii Inc.
Verizon Maryland Inc.
Verizon New England Inc.
Verizon New Jersey Inc.
Verizon New York Inc.
Verizon North Inc.
Verizon Northwest Inc.
Verizon Pennsylvania Inc.
Verizon South Inc.
Verizon Virginia Inc.
Verizon Washington, DC Inc.
Verizon West Coast Inc.
Verizon West Virginia Inc.

CERTIFICATE OF SERVICE

I hereby certify that, on this 20th day of May, 2002, copies of the forgoing "Comments of Verizon" were sent by first class mail, postage prepaid, to the parties named on the attached list.



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