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Marlene H. Dortch
Federal Communications Commission
445 12th St., N.W.
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Re: *In re: Verizon Petition for Expedited Forbearance, WC Docket No. 03-157*

Dear Ms. Dortch:

As MCI explains in the attached Opposition, Verizon's Petition for Expedited Forbearance should be rejected as procedurally improper and substantively misguided. In large part, Verizon's Petition is a continuation of the arguments it made in the Triennial against the continuation of UNE-P. But Verizon lost that argument, as it did when it made the same argument in prior proceedings. Verizon's argument has no more merit here.

Wrapped up with Verizon's argument against UNE-P is an argument against TELRIC. That argument too has been repeatedly rejected by the Commission. And even if there were any substance to Verizon's claims regarding the effects of TELRIC, the appropriate place to consider them would be in a rulemaking on TELRIC. Verizon's claims about TELRIC are generic ones, not claims specific to TELRIC pricing for UNE-P. Verizon's TELRIC claims focus on UNE-P only because competitors have been less successful in bringing competition to the market by leasing individual UNEs than they have with UNE-P. Moreover, Verizon is alleging long-term indirect effects of the FCC's pricing methodology based on changes that will take place gradually in the market. The appropriate way to deal with such problems (if they exist) is in a considered rulemaking proceeding, not in a forbearance petition.

Of course, the FCC is already in the process of convening such a rulemaking. The evident purpose of Verizon's petition is to attempt to unfairly bias the Commission as it considers the scope and substance of that rulemaking. Adopting Verizon's agenda in the rulemaking would divert what could be useful consideration of how TELRIC has fared over the last seven years into a vehicle to shut down local competition, which is Verizon's goal.

A more productive inquiry into TELRIC would consider instead:

a. Whether the failure of local residential competition to spread more quickly than it has can be attributed to wholesale prices that are set considerably *above* the ILECs' costs, and, if so, what can be done to give the states the necessary guidance to set rates that more fairly reflect cost?

b. Whether states should be given more guidance on cost of capital calculations now that competitors are only able to lease the less risky parts of the network, so that states assess only the risk-adjusted cost of capital on these "old" less risky facilities?

c. Whether TELRIC remains the appropriate method to price access to copper when CLECs are consigned to use retired copper rather than the ILECs' up-to-date loop facilities or whether the Commission instead base prices on the cost of maintaining and provisioning the copper?

d. Whether it would be appropriate to eliminate the "existing wire center" departure from forward-looking pricing, since, given the new "impairment" standard, there is no risk that competitors will lease when they are able to build, since such elements will not be available to CLECs under section 251 any longer?

d. Whether TELRIC remains the appropriate method to price switching, as opposed to short-term incremental costing, given the substantial excess capacity on ILEC switches, and advent of new switching technology, both of which may render it economically inefficient to incent CLECs to deploy their own switches?

e. How to allocate costs when a competitor is given access only to limited functionality of a physical facility?

f. Whether states need to be given guidance on costing to ensure that current users do not pay for growth in the network designed for future users?

g. Whether there are legal limits to the extent the FCC can dictate to the states on implementation of pricing rules?

h. How and to what extent are actual ILEC practices and networking operations reflected in forward-looking cost models?"

i. What are the relative advantages and disadvantages of short-term, medium-term, and long-term cost models?

j. What kinds of information would the ILECs need to make available in order to base costs on their existing network practices?

If you have any questions, please call me at (202) 639-6087.

Sincerely,

/s/ Marc A. Goldman

cc:Christopher Libertelli
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