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September 17, 2004

Ex Parte

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Petition for Forbearance From the Current Pricing Rules for the Unbundled Network Elements Platform, WC Docket No. 03-157

Dear Ms. Dortch:

Verizon hereby provides notice that it is withdrawing its petition for forbearance in the above-referenced docket. Verizon's petition requesting forbearance from the application of TELRIC pricing to the UNE platform and from the rule allowing the UNE-P CLEC, rather than the ILEC, to collect access charges satisfies the standards specified in the Act, 47 U.S.C. § 160. Moreover, grant of the petition would be an important step toward establishing economically rational incentives for carriers to invest in network facilities and would further promote the continued development of facilities-based competition, including intermodal competition.

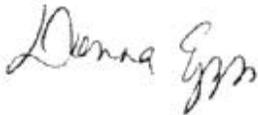
Since Verizon filed its petition, however, the D.C. Circuit has vacated the requirement to unbundle switching, and the Commission has issued a Notice of Proposed Rulemaking in which it solicited comments on alternative unbundling rules to implement the obligations of section 251(c)(3) of the Act consistent with the D.C. Circuit's decision. *See Unbundled Access to Network Elements*, WC Docket No. 04-313, Order and Notice of Proposed Rulemaking, rel. August 20, 2004. Verizon has already produced extensive evidence demonstrating that CLECs are not impaired in their ability to obtain switching. *See, e.g.*, Letter from Dee May, Verizon, to Marlene H. Dortch, FCC, CC Docket Nos. 01-338, 98-147 and 96-98 (filed June 24, 2004); Letter from Michael E. Glover, Verizon, to Marlene H. Dortch, FCC, CC Docket Nos. 01-338, 98-147 and 96-98 (filed July 2, 2004). Additionally, the Commission has opened a rulemaking proceeding in which it has committed to reexamining the TELRIC pricing methodology as it applies to all mandated unbundled network elements. *See Review of the Commission's Rules Regarding the Pricing of Unbundled Network Elements and the Resale of Service by Incumbent Local Exchange Carriers*, WC Docket No. 03-173, Notice of Proposed Rulemaking, rel. September 15, 2003.

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In light of these circumstances, Verizon strongly urges the Commission to focus its efforts on reaching a final decision on alternative unbundling rules no later than its stated December deadline. In addition, the Commission should comprehensively address the significant flaws associated with TELRIC pricing in its pending UNE pricing NPRM.

If you have any questions, please do not hesitate to call me.

Sincerely,

A handwritten signature in cursive script that reads "Donna Egan".

cc: Chairman Powell
Commissioner Abernathy
Commissioner Adelstein
Commissioner Copps
Commissioner Martin
Christopher Libertelli
Matthew Brill
Scott Bergmann
Jessica Rosenworcel
Daniel Gonzalez
Jeffrey Carlisle
Tamara Preiss