

**April 18, 2006**

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

***RE: Jurisdictional Separations and Referral to the Federal-State Joint Board  
CC Docket No. 80-286***

Dear Ms. Dortch:

Jurisdictional separations represents the process some incumbent local exchange carriers use to apportion regulated costs and revenues between the intrastate and interstate jurisdictions. In 2001, the Commission froze its jurisdictional separations rules for a five-year period, which will expire on June 30, 2006.<sup>1</sup> In light of the imminent expiration of the five-year freeze of the Federal Communications Commission's Part 36 jurisdictional separations rules, the undersigned Members of the Federal-State Joint Board on Jurisdictional Separations ("Separations Joint Board") hereby submit this letter recommending that the Commission extend the current separations freeze rules for an additional three-year period in order to allow an opportunity to seek comment on and conclude comprehensive separations.<sup>2</sup>

We encourage the Commission to adopt an interim extension of the current separations rules. Specifically, we encourage the Commission, (1) prior to June 30, 2006, to adopt an interim extension of the current jurisdictional separations rules for a period of three years from June 30, 2006; (2) prior to June 30, 2006, to seek additional comment from all interested parties (including state commissions) on comprehensive separations reform, including on matters (such as the Glide Path Paper) raised to or by the Joint Board, the Commission, or other interested parties since the inception of the current separations freeze; (3) to confirm whether the Joint Board has pending active referrals of the questions involved in comprehensive separations reform; and (4) to update the record in this matter to assist the Separations Joint Board in fulfilling its statutory role on separations issues prior to the expiration of the three-year interim separations freeze extension.

We recommend continuation of the freeze in part because since 2001 the telecommunications industry has changed so substantially and because there have been so many jurisdictional reclassifications. These jurisdictional reclassifications may have created mismatches between the costs and revenues associated with particular services. During the next three years we intend to examine with particular care how these changes have altered the ability

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<sup>1</sup> See Jurisdictional Separations and Referral to the Federal-State Joint Board, CC Docket No. 80-286, Report and Order, 16 FCC Rcd 11382 (2001).

<sup>2</sup> Two years is the minimum time to complete a comprehensive review. The industry may need up to one year to implement any changes.

to maintain a jurisdictional match between these costs and revenues and the responsibility to allow an opportunity to recover these costs.

In order to fulfill our statutory role to the Commission during the three-year extension period, we intend to schedule several substantive working meetings, some of which will include all state and federal members of the board, to the extent allowed by law. Consistent with statute, we also expect the Commission to make its best efforts to provide funding assistance for official meetings of the Joint Board members and staff.<sup>3</sup>

We thank the Commission for its consideration of the recommendations made herein.

**Respectfully Submitted by:**

**The Federal State Joint Board on Separations**

Signed:   
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**Deborah Taylor Tate**

**CHAIR FEDERAL-STATE JOINT BOARD ON SEPARATIONS**

*On behalf of all Federal Commissioner Members of the Board*

Signed:   
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**Paul Kjellander**

**STATE CHAIR FEDERAL-STATE JOINT BOARD ON SEPARATIONS**

*On behalf of all State Commissioner Members of the Board*

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<sup>3</sup> The Joint Board Members acknowledge that all of our federal members cannot expressly commit to, or even control, certain budgetary issues.