



# PUBLIC NOTICE

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DA 06-1394

Released: July 5, 2006

## PLEADING CYCLE ESTABLISHED FOR COMMENTS ON PETITION OF AT&T INC. FOR EXPEDITED INTERIM WAIVER OF CERTAIN STRUCTURAL SEPARATION RULES FOR ADVANCED SERVICES

WC DOCKET NO. 06-130

Comments Due: July 12, 2006  
Reply Comments Due: July 19, 2006

On June 30, 2006, AT&T Inc. (AT&T) filed a petition requesting an interim, limited waiver of the Commission's sharing restrictions of information, employees and facilities between AT&T's advanced services affiliates and AT&T's incumbent local exchange carrier (incumbent LEC) affiliates.<sup>1</sup> Specifically, AT&T seeks a waiver of the following sections of the *SBC/Ameritech Merger Order* conditions as applied in the Commission's *SBC Advanced Services Detariffing Order*,<sup>2</sup> to the extent they prevent any AT&T advanced service affiliates from sharing information, employees or facilities with other AT&T affiliates on an exclusive basis: (1) section I.3, to the extent it incorporates section 272(c)(1) of the Communications Act of 1934, as amended; (2) sections I.4.a through I.4.e; (3) section I.4.f, as it relates to interfaces, processes and procedures; and (4) sections I.4.g through I.4.k.<sup>3</sup> AT&T also requests that the Commission clarify that, to the extent certain other conditions can be applied on a service-by-service basis, they would not apply to AT&T's provision of advanced services used in the provision of broadband Internet access service. AT&T further requests that this limited, interim waiver be granted on an expedited basis.

<sup>1</sup> AT&T presently maintains six regional advanced services affiliates. These affiliates conduct business as AT&T Advanced Solutions (ASI).

<sup>2</sup> See *Review of Regulatory Requirements for Incumbent LEC Broadband Telecommunications Services*, CC Docket No. 01-337, Memorandum Opinion and Order, 17 FCC Rcd 27000 (2002) (*SBC Advanced Services Detariffing Order*). AT&T specifies that its waiver applies to any AT&T affiliates other than the traditional incumbent LECs that provides advanced services, including AT&T Corp. post-272 sunset. See 47 U.S.C. § 272. AT&T seeks this waiver until the Commission addresses regulatory treatment of advanced services in the *Incumbent LEC Broadband NPRM* or otherwise grants AT&T full and permanent relief from Title II common carrier regulations of advanced services. See *Review of Regulatory Requirements for Incumbent LEC Broadband Telecommunications Services*, CC Docket No. 01-337, Notice of Proposed Rulemaking, 16 FCC Rcd 22745 (2001).

<sup>3</sup> See *Applications of Ameritech Corp., Transferor, and SBC Communications Inc., Transferee, for Consent to Transfer Control of Corporations Holding Commission Licenses and Lines Pursuant to Sections 214 and 310(d) of the Communications Act and Parts 5, 22, 24, 25, 63, 90, 95 and 101 of the Commission's Rules*, CC Docket No. 98-141, Memorandum Opinion and Order, 14 FCC Rcd 14712, 14859, para. 363 & App. C, Condition I (1999).

- U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, SW, Washington DC 20554.

All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554. Parties should also send a copy of their filings to Janice Myles, Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, Room 5-C140, 445 12th Street, SW, Washington, DC 20554, or by e-mail to [janice.myles@fcc.gov](mailto:janice.myles@fcc.gov). Parties must also serve one copy with the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC 20554, (202) 488-5300, or via e-mail to [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com).

Documents in **WC Docket No. 06-130** are available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th St. SW, Room CY-A257, Washington, DC 20554. The documents may also be purchased from BCPI, telephone (202) 488-5300, facsimile (202) 488-5563, TTY (202) 488-5562, e-mail [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com). People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

For further information regarding this proceeding, contact William Kehoe, Competition Policy Division, Wireline Competition Bureau, (202) 418-7122.

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