



PUBLIC NOTICE

Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
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OCT 23 2006

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DA 06-2057
October 18, 2006

**WIRELINE COMPETITION BUREAU GRANTS EXTENSION OF TIME TO FILE
COMMENTS ON VERIZON'S PETITIONS FOR FORBEARANCE
IN THE BOSTON, NEW YORK, PHILADELPHIA, PITTSBURGH,
PROVIDENCE, AND VIRGINIA BEACH METROPOLITAN STATISTICAL AREAS**

WC Docket No. 06-172

Comments Due: December 15, 2006

Reply Comments Due: January 26, 2007

On October 11, 2006, Broadview Networks, Inc., Covad Communications Group, NuVox Communications, Inc. and XO Communications, Inc. (CLEC Parties) submitted a "Motion to Compel Disclosure of Confidential Information Pursuant to Protective Order" (Motion).¹ In this Motion, the CLEC Parties contend that some parties that have signed the Protective Order in this proceeding² have been unable to access all of the information the Verizon Telephone Companies (Verizon) submitted to the Commission in the non-redacted version of its Petitions and supporting materials.³ In addition, on October

¹ See Letter from Brett Heather Freedson, Counsel for CLEC Parties, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 06-172 Attach. (filed Oct. 11, 2006), *amended by* Letter from Brett Heather Freedson, Counsel for CLEC Parties, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 06-172 Attach. (filed Oct. 13, 2006) (jointly, "Motion to Compel"); *see also* Pleading Cycle Established for Comments on Motion to Compel Disclosure of Confidential Information Pursuant to Protective Order and Motion to Dismiss, WC Docket No. 06-172, Public Notice, DA No. 06-2056 (WCB rel. Oct. 18, 2006).

² Petitions of the Verizon Telephone Companies for Forbearance Pursuant to 47 U.S.C. § 160(c) in the Boston, New York, Philadelphia, Pittsburgh, Providence and Virginia Beach Metropolitan Statistical Areas, WC Docket No. 06-172, Protective Order, DA 06-1870 (WCB rel. Sept. 14, 2006).

³ Petition of the Verizon Telephone Companies for Forbearance Pursuant to 47 U.S.C. § 160(c) in the Boston Metropolitan Statistical Area, WC Docket No. 06-172 (filed Sept. 6, 2006) (Verizon Boston Petition); Petition of the Verizon Telephone Companies for Forbearance Pursuant to 47 U.S.C. § 160(c) in the New York Metropolitan Statistical Area, WC Docket No. 06-172 (filed Sept. 6, 2006) (Verizon New York Petition); Petition of the Verizon Telephone Companies for Forbearance Pursuant to 47 U.S.C. § 160(c) in the Philadelphia Metropolitan Statistical Area, WC Docket No. 06-172 (filed Sept. 6, 2006) (Verizon Philadelphia Petition); Petition of the Verizon Telephone Companies for Forbearance Pursuant to 47 U.S.C. § 160(c) in the Pittsburgh Metropolitan Statistical Area, WC Docket No. 06-172 (filed Sept. 6, 2006) (Verizon Pittsburgh Petition); Petition of the Verizon Telephone Companies for Forbearance Pursuant to 47 U.S.C. § 160(c) in the Providence Metropolitan Statistical Area, WC Docket No. 06-172 (filed Sept. 6, 2006) (Verizon Providence Petition); Petition of the Verizon Telephone Companies for Forbearance Pursuant to 47 U.S.C. § 160(c) in the Virginia Beach Metropolitan

16, 2006, ACN Communications Services, Inc. *et al.* filed a “Motion to Dismiss” in this docket, seeking the dismissal of Verizon’s Petitions on the basis that the Petitions rely on information allegedly used by Verizon in violation of its legal duties.⁴ Today, the Wireline Competition Bureau (Bureau) issued a Public Notice seeking comment on the Motion filed by the CLEC Parties and the Motion to Dismiss under a pleading cycle which closes on November 6, 2006.⁵ The current deadline for filing comments in the underlying proceeding is October 30, 2006, and reply comments is November 29, 2006.⁶

In the interest of developing a thorough and complete record in this proceeding, the Bureau, on its own motion, hereby extends the comment and reply comment filing deadlines in this proceeding. Parties therefore have until **December 15, 2006** to file comments on the Verizon Petitions in this docket, and until **January 26, 2007** to file reply comments. This will allow adequate time to resolve the issues raised by the CLEC Parties, and should help minimize the piecemeal submission of arguments and analysis in the form of *ex parte* submissions after the reply comment deadline. All other filing requirements set forth in the Public Notice establishing the initial pleading cycle remain in effect.⁷

For further information regarding this proceeding, contact Tim Stelzig, Wireline Competition Bureau, (202) 418-0942.

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Statistical Area, WC Docket No. 06-172 (filed Sept. 6, 2006) (Verizon Virginia Beach Petition) (collectively, Verizon Petitions).

⁴ Letter from Andrew D. Lipman *et al.*, Counsel for ACN Communications Services, Inc. *et al.*, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 06-172 (filed Oct. 16, 2006) (Motion to Dismiss).

⁵ See Pleading Cycle Established for Comments on Motion to Compel Disclosure of Confidential Information Pursuant to Protective Order and Motion to Dismiss, WC Docket No. 06-172, Public Notice, DA 06-2056 (WCB rel. Oct. 18, 2006).

⁶ See Pleading Cycle Established for Comments on Verizon’s Petitions for Forbearance in the Boston, New York, Philadelphia, Pittsburgh, Providence, and Virginia Beach Metropolitan Statistical Areas, WC Docket No. 06-172, Public Notice, DA 06-1869 (WCB rel. Sept. 14, 2006).

⁷ See *id.*