



# PUBLIC NOTICE

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**WIRELINE COMPETITION BUREAU SEEKS COMMENT ON THE MOTION OF  
COVAD COMMUNICATIONS GROUP, NUVOX COMMUNICATIONS, INC., AND XO  
COMMUNICATIONS, LLC FOR EXPEDITED ORDER ON VERIZON PETITION FOR  
FORBEARANCE**

**PLEADING CYCLE ESTABLISHED**

**WC Docket No. 04-440**

**Comment Date: August 13, 2007**

**Reply Comment Date: August 17, 2007**

In this Notice, the Wireline Competition Bureau seeks comment on a petition filed by Covad Communications Group, NuVox Communications, Inc., and XO Communications, LLC (jointly, Petitioners) requesting that the Commission issue a written order addressing the Verizon Telephone Companies' (Verizon) petition seeking forbearance from certain regulatory requirements applicable to its provision of broadband services.<sup>1</sup> Specifically, Petitioners seek either a written order denying Verizon any regulatory forbearance for its broadband services, or an order expressly limiting the grant of forbearance to the particular types of broadband services and the Title II regulations specified by Verizon in its February 7, 2006 *ex parte* letter.<sup>2</sup> Petitioners request that the Commission address the merits of the Verizon broadband forbearance petition prior to the expiration of the statutory deadline for Commission action on pending forbearance petitions seeking similar relief filed by Qwest Corp., AT&T Inc., BellSouth Corp., Frontier and Citizens, and the Embarq local operating companies.<sup>3</sup>

Interested parties may file comments on the petition on or before **August 13, 2007** and reply comments on or before **August 17, 2007**. All pleadings are to reference **WC Docket No.**

<sup>1</sup> See Petition of the Verizon Telephone Companies for Forbearance Under 47 U.S.C. § 160(c) from Title II and *Computer Inquiry Rules with Respect to Their Broadband Services*, WC Docket No. 04-440 (filed Dec. 20, 2004) (Verizon Forbearance Petition); Motion for Expedited Order on Verizon Petition for Forbearance, WC Docket No. 04-440 (filed July 25, 2007) (*Covad et al. Motion*). On March 19, 2006, the Verizon Forbearance Petition was deemed granted by operation of law. See *Verizon Telephone Companies' Petition for Forbearance from Title II and Computer Inquiry Rules with Respect to their Broadband Services Is Granted by Operation of Law*, News Release, WC Docket No. 04-440, 2006 WL 707632 (2006). Multiple parties petitioned for review, and the consolidated appeals are currently pending in the U.S. Court of Appeals for the D.C. Circuit. See *Sprint Nextel Corp. v. FCC*, Case No. 06-1111 (D.C. Cir.).

<sup>2</sup> See *Covad et al. Motion* at 1 & n.2.

<sup>3</sup> We note that the statutory deadlines for each of these forbearance petitions have been extended, see *Covad et al. Motion* at n.4, and that the deadline for the Qwest petition will be the first to occur, on September 11, 2007. See *Qwest Petition for Forbearance Under 47 U.S.C. § 160(c) from Title II and Computer Inquiry Rules with Respect To Broadband Services*, WC Docket No. 06-125, Order, DA 07-2399 (WCB rel. June 8, 2007).

Documents in WC Docket No. 04-440 are available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12<sup>th</sup> St. SW, Room CY-A257, Washington, D.C. 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). These documents may also be viewed on the Commission's website at <http://www.fcc.gov/cgb/ecfs>.

For further information, contact Heather Hendrickson of the Competition Policy Division, Wireline Competition Bureau, at (202) 418-7295.

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