



PUBLIC NOTICE

Federal Communications Commission
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DA 07-4617

Released: November 14, 2007

**PLEADING CYCLE ESTABLISHED FOR COMMENTS ON
EMBARQ PETITION FOR FORBEARANCE UNDER 47 U.S.C. § 160(c)
FROM CONTRACT TARIFF FILING REQUIREMENTS**

WC Docket No. 07-258

Comments Due: November 29, 2007

Reply Comments Due: December 14, 2007

On October 19, 2007, the Embarq Local Operating Companies (Embarq) filed a petition for forbearance pursuant to section 10(c) of the Communications Act of 1934, as amended (the Act), 47 U.S.C. § 160(c). In its petition, Embarq requests that the Commission forbear from applying its rules that require Embarq to file contract tariffs in areas where the carrier has or may receive Phase I or Phase II pricing flexibility.¹ Specifically, Embarq asks the Commission to forbear from the application of the contract tariff filing requirements in sections 61.55, 61.58, and 69.727(a) of the Commission's rules relating to pricing flexibility.²

Interested parties may file comments on the Embarq petition for forbearance on or before **November 29, 2007** and reply comments on or before **December 14, 2007** pursuant to sections 1.415 and 1.419 of the Commission's rules.³ Filings in this proceeding should be captioned "In the Matter of Petition of the Embarq Local Operating Companies for Forbearance Pursuant to 47 U.S.C. § 160(c) from the Contract Tariff Filing Requirements of the Pricing Flexibility Rules" and filed in WC Docket No. 07-258.

All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Suite TW-A325, Washington, DC 20554. Two courtesy copies must be delivered to Marvin Sacks, Federal Communications Commission, Wireline Competition Bureau, Pricing Policy Division, 445 12th Street, SW, Room 5-A260, Washington,

¹ Petition of the Embarq Local Operating Companies for Forbearance Pursuant to 47 U.S.C. § 160(c) from the Contract Tariff Filing Requirements of the Pricing Flexibility Rules, WC Docket No. 07-258, at 2 (filed Oct. 19, 2007).

² *Id.* at 2 (citing 47 C.F.R. §§ 61.55, 61.58, 69.727(a)).

³ 47 C.F.R. §§ 1.415, 1.419.

contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone 202-488-5300, facsimile 202-488-5563, or via e-mail at fcc@bcpiweb.com..

This Public Notice establishes certain procedural requirements relating to consideration of the Embarq petition for forbearance. This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁴ Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one- or two-sentence description of the views and arguments presented generally is required.⁵ Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission's rules.⁶

For further information regarding this proceeding, contact Marvin Sacks, Pricing Policy Division, Wireline Competition Bureau, (202) 418-1520, or via e-mail at marvin.sacks@fcc.gov.

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⁴ See 47 C.F.R. §§ 1.1200, 1.1206.

⁵ See 47 C.F.R. § 1.1206(b).

⁶ 47 C.F.R. § 1.1206(b).