

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20054**

In the Matter of)	
)	
Petition of AT&T for Interim Declaratory Ruling and Limited Waivers Regarding Access Charges and the "ESP Exemption")	Docket No. 08-152

Petition for Waiver of Embarq Local Operating Companies of Sections 61.3 and 61.44-61.48 of the Commission's Rules and any Associated Rules Necessary to Permit it to Unify Switched Access Charges Between Interstate and Intrastate Jurisdictions)	Docket No. 08-160
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**MOTION FOR CONSOLIDATION OF PROCEEDINGS AND
EXTENSION OF FILING DEADLINE**

To the Commission:

The Independent Telephone & Telecommunications Alliance (ITTA) National Exchange Carrier Association, Inc. (NECA), Organization for the Promotion and Advancement of Small Telecommunications Companies (OPASTCO), and the Western Telecommunications Alliance (WTA) (collectively, the Associations) hereby petition for consolidation of the above-captioned proceedings and extension of the filing deadline for initial comments on both petitions to August 26, 2008, and reply comments to September 5, 2008 (the dates established for comments and replies on Embarq's Petition). Consolidation of the proceedings with synchronized extended filing deadlines for comments and reply comments will enable the Commission and interested parties to address efficiently and rationally the common issues of the petitions. Alternatively, if the Commission determines not to consolidate the above-captioned proceedings, the

Associations request the Commission extend the deadline for comments on AT&T's petition to coincide with the pleading cycle established for comments on Embarq's petition, and permit parties to file comments that address both dockets in single pleadings.¹

On July 17, 2008, AT&T filed a petition seeking an interim declaratory ruling and limited waivers regarding access charges, specifically, to confirm the applicability of access charges to interconnected Voice over Internet Protocol (VoIP) traffic in states where interstate and intrastate access charges are set equally. On July 24, 2008, the Commission issued Public Notice DA 08-1725 establishing the pleading cycle for the AT&T petition. On August 1, 2008, Embarq filed a petition seeking waiver of certain rules that would enable Embarq to implement unified switched access charges between interstate and intrastate jurisdictions. On August 5, 2008, the Commission issued PN DA-08-1846 establishing the pleading cycle for the Embarq petition.

The AT&T and Embarq petitions concern their respective proposals to introduce unified switched access rates for inter-carrier traffic, including interconnected VoIP traffic. Both petitions address underlying assumptions related to the access charge regime; both petitions describe the emergence of IP-enabled services and their potential effect on access revenues; both petitions propose, albeit in different manner, a unified switched access rate for interstate and intrastate traffic. Although both arrive ultimately at a unified switched access rate, the general level of that rate (and the manner in which those rates would be implemented) vary.

Notwithstanding that variance and the fact that each petition is tailored specifically to the petitioning party, the issues raised in both dockets are of interest to members of the above-referenced associations who generally realize significant revenue streams from switched access

¹ The Associations note Comptel has filed a request to extend the filing dates for comments and replies on AT&T's Petition to August 28 and September 8, respectively. Comptel, Petitions of AT&T Inc. for Declaratory Ruling and Limited Waivers Regarding Access Charges and the "ESP Exemption." *Motion for Extension of Time*, WCB Docket No. 09-152 (filed August 6, 2008). The Associations have no objection to adoption of these dates for filing consolidated comments and replies on both petitions.

services. Accordingly, the above-referenced parties are preparing either individually or jointly comments on each of the above-captioned petitions.

Inasmuch as the petitions address separately different, though not necessarily conflicting, avenues toward a substantially similar destination, comments on the petitions will address many common issues. Consequently, discussion of each petition will benefit from concurrent discussion with its peer petition, and Commission and industry analysis of those discussions will benefit from the consolidated record that a coordinated schedule for unified comments on both petitions would produce. In sum, consolidation of the petitions into a single proceeding, or at least synchronization that would enable the filing of single sets of comments on both petitions, would enhance not only administrative efficiency for the Commission and interested parties, but would also enable more comprehensive, rational, and robust discussion that would contemplate the alternative mechanisms and effects proposed by each petitioner.

Accordingly, the above-referenced associations respectfully request the Commission to consolidate the above-captioned proceedings and extend the comments and reply comments deadline for the AT&T petition (Docket 08-152) to no sooner than the deadlines established for the Embarq petition (Docket 08-160), as described above. In the alternative, the Associations

request the Commission extend the deadline for comments and reply comments on the AT&T petition to no sooner than the deadlines established for the Embarq petition, and permit commenters to file single unified pleadings on both petitions.

Respectfully submitted,

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