

Before the  
Federal Communications Commission  
Washington, D.C. 20554

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In the Matter of )  
 )  
Petition of Verizon New England for Forbearance )  
Pursuant to 47 U.S.C. § 160(c) in Rhode Island )

WC Docket No. 08-24

**ORDER**

**Adopted: February 2, 2009**

**Released: February 2, 2009**

By the Deputy Chief, Wireline Competition Bureau:

1. In this Order, pursuant to section 10(c) of the Communications Act of 1934, as amended (the Act),<sup>1</sup> we extend by 90 days the date by which the petition requesting forbearance, filed by Verizon New England (Verizon),<sup>2</sup> shall be deemed granted in the absence of a Commission decision that the petition fails to meet the standards for forbearance under section 10(a) of the Act.<sup>3</sup>

2. On February 14, 2008, Verizon filed a petition pursuant to section 10 of the Act, requesting that the Commission forbear from applying to Verizon certain obligations in most of its incumbent local service territory in Rhode Island. Specifically, Verizon seeks forbearance from loop and transport unbundling obligations pursuant to 47 U.S.C. § 251(c);<sup>4</sup> Part 61 dominant carrier tariffing requirements;<sup>5</sup> Part 61 price cap regulations;<sup>6</sup> *Computer III* requirements including CEI and ONA requirements; and dominant carrier requirements arising under section 214 of the Act and Part 63 of the Commission's rules concerning the processes for acquiring lines, discontinuing services, assignment or transfers of control, and acquiring affiliations.<sup>7</sup>

3. Section 10(c) of the Act states that a petition for forbearance shall be deemed granted if the Commission does not deny the petition for failure to meet the requirements for forbearance under section 10(a) within one year after the Commission receives it, unless the Commission extends the one-year period.<sup>8</sup> The Commission may extend the initial one-year period by an additional 90 days if the Commission finds that an extension is necessary to meet the requirements of section 10(a).<sup>9</sup>

<sup>1</sup> 47 U.S.C. § 160(c).

<sup>2</sup> See Petition of Verizon New England for Forbearance Pursuant to 47 U.S.C. § 160(c) in Rhode Island, WC Docket No. 08-24 (filed Feb. 14, 2008) (Verizon Rhode Island Petition).

<sup>3</sup> 47 U.S.C. § 160(a).

<sup>4</sup> Verizon Rhode Island Petition at 3 n.4 (citing 47 C.F.R. § 51.319(a), (b), (e)).

<sup>5</sup> *Id.* (citing 47 C.F.R. §§ 61.32, 61.33, 61.38, 61.58, 61.59).

<sup>6</sup> *Id.* (citing 47 C.F.R. §§ 61.41-61.49).

<sup>7</sup> *Id.* (citing 47 C.F.R. §§ 63.03, 63.04, 63.60-63.66).

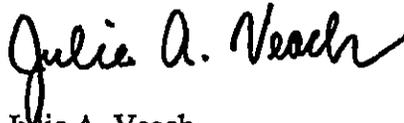
<sup>8</sup> 47 U.S.C. § 160(c).

<sup>9</sup> See, e.g., *Petition of Ameritech Corporation for Forbearance from Enforcement of Section 275(a) of the Communications Act of 1934, as Amended*, CC Docket No. 98-65, Order, 14 FCC Rcd 6415 (CCB 1999).

4. The Verizon Rhode Island Petition raises significant questions regarding whether forbearance from application of certain statutory and regulatory requirements for Verizon's provision of *telecommunications services in the state of Rhode Island* meets the statutory requirements set forth in section 10(a). The Bureau thus finds that a 90-day extension is warranted under section 10(c).

5. Accordingly, IT IS ORDERED that, pursuant to section 10 of the Communications Act of 1934, as amended, 47 U.S.C. § 160, and authority delegated under sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291,<sup>10</sup> the date on which the petition seeking forbearance filed by Verizon shall be deemed granted, in the absence of a Commission denial of the petition for failure to meet the statutory standards for forbearance, is extended to May 15, 2009.

## FEDERAL COMMUNICATIONS COMMISSION



Julie A. Veach  
Deputy Chief  
Wireline Competition Bureau

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<sup>10</sup> See 47 U.S.C. § 155(c).