

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of:)	
)	
Petition of the Cincinnati Bell Telephone Company, LLC for Waiver from the Equal Access Scripting Requirement)	WC Docket No. 09-206
)	
)	

**COMMENTS OF CENTURYLINK, FRONTIER,
IOWA TELECOM, AND WINDSTREAM**

The Cincinnati Bell Telephone Company, LLC (“Cincinnati Bell”) has petitioned the Commission to waive the equal access scripting requirement otherwise applicable to its marketing of long distance services.¹ CenturyLink, Frontier, Iowa Telecom, and Windstream support the petition.

Last year, the United States Telecom Association (“USTelecom”) filed a petition for waiver of the Commission’s equal access scripting requirements on behalf of its small and mid-sized carrier members.² USTelecom explained that the Commission had already granted forbearance from the scripting requirement to AT&T, Qwest, and Verizon and had waived the requirement for their incumbent local exchange carriers (“ILEC”) affiliates. USTelecom’s petition showed that the same facts and law that compelled

¹ Petition of the Cincinnati Bell Telephone Company LLC for Waiver from Application of the Equal Access Scripting Requirement (filed Sept. 11, 2009) (“Petition”). See Public Notice DA 09-2451 (rel. Nov. 20, 2009).

² Petition of the United States Telecom Association for Waiver from Application of the Equal Access Scripting Requirement, WC Docket No. 08-225 (filed Nov. 10, 2008). Public Notice DA 09-1816 (rel. Aug. 14, 2009).

granting forbearance and waiver to those carriers compelled granting a comparable waiver to the association's small and mid-sized ILEC members.

Cincinnati Bell was among parties submitting comments supporting USTelecom's petition.³ It agreed that "[t]he reasons for granting forbearance to BOCs and for waiving EA Scripting for BOC affiliates apply equally to small and mid-sized LECs."⁴ Cincinnati Bell emphasized that the same waiver relief should extend to all subject carriers. However, because USTelecom necessarily filed only on behalf of its members, Cincinnati Bell, as a non-member carrier, considered it appropriate to file its own petition.⁵ Its petition reinforces the need for relief for the small and mid-sized ILECs that -- alone among today's competitors -- remain subject to these outdated rules.

Waiver⁶ is warranted for Cincinnati Bell for the same, compelling reasons as for other small and mid-sized independent ILECs. CenturyLink, Frontier, Iowa Telecom, and Windstream jointly submitted comments supporting USTelecom's petition.⁷ They explained in detail why the Commission should extend the same relief to all small and

³ See Comments of Cincinnati Bell, WC. Docket No. 08-225 (Sept. 11, 2009).

⁴ *Id.* at 2, citing Section 272(f)(1) Sunset of BOC Separate Affiliate and Related Requirements; 2000 Biennial Regulatory Review Separate Affiliate Requirements of Section 64.1903 of the Commission's Rules; Petition of AT&T Inc. for Forbearance Under 47 U.S.C. § 160(c) with Regard to Certain Dominant Carrier Regulations for In-Region, Interexchange Services, Report and Order and Memorandum Opinion and Order, 22 FCC Rcd 16440 at ¶¶ 3, 117-26 (2007).

⁵ *Id.* at 1-2; Petition at 2-3. Cincinnati Bell filed its petition on the same day that interested parties submitted comments on USTelecom's petition.

⁶ Alternatively, the Commission could grant forbearance on its own initiative under 47 U.S.C. § 160.

⁷ Comments of CenturyLink, Frontier, Iowa Telecom, and Windstream, WC. Docket No. 08-225 (filed Sept. 11, 2009). A copy is attached to this submission.

mid-sized independent ILECs. Rather than repeat those arguments here, CenturyLink, Frontier, Iowa Telecom, and Windstream provide a copy of their joint comments from that docket as an attachment to this submission.

It has been more than two years since the Commission relieved AT&T, Qwest, Verizon and their ILEC affiliates from these outdated, unnecessary, and market-distorting rules. The standards for waiver are plainly met here. The time has come to extend comparable relief to CenturyLink, Frontier, Iowa Telecom, and Windstream, and to all small and mid-sized ILECs.

Respectfully submitted,



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