



PUBLIC NOTICE

Federal Communications Commission
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DA 03-169
Released: January 21, 2003

PLEADING CYCLE ESTABLISHED FOR ALASCOM, INC. PETITION FOR WAIVER OF THE COMMISSION'S RULES REGARDING ITS ANNUAL TARIFF F.C.C. NO. 11

WC Docket No 03-18

COMMENTS: February 5, 2003
REPLY COMMENTS: February 18, 2003

I. PETITION FOR WAIVER

In this public notice, we seek comment on a petition filed by **Alascom, Inc.** (Alascom or Applicant) on January 7, 2003. Specifically, Alascom requests that the Commission waive section 61.58(e)(3) of the Communications Act of 1934, as amended,¹ to allow it to continue offering current rates for its common carrier services without making the required annual rate revision.

Alascom, a wholly-owned subsidiary of AT&T Corp., is required by Commission rules to maintain and refile annually pricing for three rate elements in each of two geographic zones.² These rates, which are filed in Alascom's FCC Tariff No. 11, are derived from the Commission-approved Cost Allocation Plan (CAP).³ Alascom asserts that due to the "archaic" CAP requirement, the lack of available data for 2002, and dramatic changes in the Alaska market, it is unable to provide reliable rate revisions for its 2003 tariff. Alascom therefore requests a waiver of the Commission's rules until it can prepare a new CAP model for Commission approval, or until the Commission acts on Alascom's requests for deregulation. Alascom contends that its petition for waiver of section 61.58(e)(3) would service the public interest.

¹ 47 U.S.C. § 214(a); *see also* 47 C.F.R. § 63.71.

² *See Integration of Rates and Services for the Provision of Communications by Authorized Common Carriers between the Contiguous States and Alaska, Hawaii, Puerto Rico and the Virgin Islands*, CC Docket No. 83-1376, Memorandum Opinion and Order, 9 FCC Rcd 3023 (1994); *Integration of Rates and Services for the Provision of Communications by Authorized Common Carriers between the Contiguous States and Alaska, Hawaii, Puerto Rico and the Virgin Islands*, CC Docket No. 83-1376, Final Recommended Decision, 9 FCC Rcd 2197 (1993).

³ *See Alascom, Inc. Cost Allocation Plan for the Separation of Bush and Non-Bush Costs*, 10 FCC Rcd 9823, DA 95-1902, Order (1995); *Alascom, Inc. Cost Allocation Plan for the Separation of Bush and Non-Bush Costs*, AAD 94-119, Order, 10 FCC Rcd 4963 (1995).

II. PROCEDURAL MATTERS

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-sentence or two-sentence description of the views and arguments presented is generally 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

Interested parties may file comments on or before February 5, 2003 and reply comments on or before February 18, 2003.⁷ Such comments should refer to **WC Docket No. 03-18**. Comments should include specific information about the impact of this proposed waiver. Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS), or by filing paper copies.⁸

Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic copy by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message: “get form <your email address>.” A sample form and directions will be sent in reply. Commenters also may obtain a copy of the ASCII Electronic Transmittal Form (FORM-ET) at <http://www.fcc.gov/e-file/email.html>.

Parties filing paper copies must file an original and four (4) copies of the comments with the Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Room TW-A325, Washington, DC 20554. Two (2) copies of the comments should also be sent to the Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, SW, Room 5-A430, Washington, DC 20554, Attention: Rhonda Lien.

Interested parties who wish to file comments via hand-delivery are also notified that the Commission will only receive such deliveries weekdays from 8:00 a.m. to 7:00 p.m., via

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).

⁷ 47 C.F.R. §§ 1.415, 1.419.

⁸ See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322, 11326, para. 8 (1998).

its contractor, Vistronix, Inc., located at 236 Massachusetts Avenue, NE, Suite 110, Washington, DC 20002. **The Commission no longer accepts these filings at 9300 East Hampton Drive, Capitol Heights, MD 20743.** Please note that all hand deliveries must be held together with rubber bands or fasteners, and envelopes must be disposed of before entering the building. In addition, this is a reminder that the Commission no longer accepts hand-delivered or messenger-delivered filings at its headquarters at 445 12th Street, SW, Washington, DC 20554. Messenger-delivered documents (e.g., FedEx), including documents sent by overnight mail (other than United States Postal Service (USPS) Express and Priority Mail), must be addressed to 9300 East Hampton Drive, Capitol Heights, MD 20743. This location is open weekdays from 8:00 a.m. to 5:30 p.m. USPS First-Class, Express, and Priority Mail should be addressed to the Commission's headquarters at 445 12th Street, SW, Washington, DC 20554. The following chart summarizes this information:

TYPE OF DELIVERY	PROPER DELIVERY ADDRESS
Hand-delivered paper filings	236 Massachusetts Avenue, NE, Suite 110, Washington, DC 20002 (Weekdays - 8:00 a.m. to 7:00 p.m.)
Messenger-delivered documents (e.g., FedEx), including documents sent by overnight mail (this type excludes USPS Express and Priority Mail)	9300 East Hampton Drive, Capitol Heights, MD 20743 (Weekdays - 8:00 a.m. to 5:30 p.m.)
USPS First-Class, Express, and Priority Mail	445 12 th Street, SW Washington, DC 20554

Regardless of whether parties choose to file electronically or by paper, commenters are requested to e-mail their comments to the FCC, to the attention of Rhonda Lien at rlien@fcc.gov. Parties should also file one copy of any documents filed in this docket with the Commission's copy contractor, Qualex International, Portals II, 445 12th Street S.W., CY-B402, Washington, D.C. 20554 (telephone 202-863-2893; facsimile 202-863-2898) or via e-mail at qualexint@aol.com. In addition, comments should be served upon Applicant.

The application will be available for review and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's copy contractor, Qualex International, Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail at qualexint@aol.com. The application will also be placed on the Commission's Internet site.

For further information, contact Rhonda Lien of the Pricing Policy Division, Wireline Competition Bureau at (202) 418-1520, or via e-mail at rlien@fcc.gov.

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