



# PUBLIC NOTICE

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DA 03-3014

## WIRELINE COMPETITION BUREAU SEEKS COMMENT ON REQUESTS FOR WAIVER OR TEMPORARY EXTENSION OF THE REQUIREMENT TO PROVIDE LOCAL NUMBER PORTABILITY TO CMRS PROVIDERS

### PLEADING CYCLE ESTABLISHED

CC Docket No. 95-116

Released: October 2, 2003

**Comment Date: October 17, 2003**

**Reply Comment Date: October 24, 2003**

On September 24, 2003, Franklin Telephone Company, Inc. (Franklin), Inter-Community Telephone Company, LLC (Inter-Community), and North Central Telephone Cooperative, Inc. (North Central) (collectively, the Companies) filed separate petitions for waiver of the Federal Communications Commission's (Commission's) rules that require local exchange carriers (LECs) to provide local number portability to a requesting Commercial Mobile Radio Service (CMRS) provider by November 24, 2003.<sup>1</sup> The Companies contend that there is uncertainty regarding their obligations to port to CMRS providers and seek a one year extension.<sup>2</sup>

We invite comment on these waiver requests. Pursuant to applicable procedures set forth in sections 1.415 and 1.419 of the Commission's rules, interested parties may file comments on or before **October 17, 2003**, and reply comments on or before **October 24, 2003**. All filings should refer to CC Docket No. 95-116. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.<sup>3</sup>

<sup>1</sup> *Franklin Telephone Company, Inc. Petition for Waiver*, Filed Sept. 24, 2003 (Franklin Petition); *Inter-Community Telephone Company, LLC Petition for Waiver*, Filed Sept. 24, 2003 (Inter-Community Petition) *North Central Telephone Cooperative, Inc. Petition for Waiver*, Filed Sept. 24, 2003 (North Central Petition) (collectively, the Petitions).

<sup>2</sup> *Id.* at 1-2.

<sup>3</sup> See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24121 (1998).

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. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to <[ecfs@fcc.gov](mailto:ecfs@fcc.gov)>, and should include the following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply.

Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Vistrionix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12<sup>th</sup> Street, SW, Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission.

Parties also must send three paper copies of their filing to Sheryl Todd, Telecommunications Access Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12<sup>th</sup> Street, S.W., Room 5-B540, Washington, D.C. 20554. In addition, commenters must send diskette copies to the Commission's copy contractor, Qualex International, Portals II, 445 12<sup>th</sup> Street, S.W., Room CY-B402, Washington, D.C. 20054.

Pursuant to section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, this proceeding will be conducted as a permit-but-disclose proceeding in which *ex parte* communications are permitted subject to disclosure.

For further information, contact Pam Slipakoff, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-7705, TTY (202) 418-0484, or [pslipako@fcc.gov](mailto:pslipako@fcc.gov).