

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

In the matter of)
)
Verizon Telephone Companies' Petition for)
Forbearance From the Current Pricing Rules for) WC Docket No. 03-157
the Unbundled Network Element Platform)
)

ORDER

Adopted: September 23, 2004

Released: September 23, 2004

By the Chief, Pricing Policy Division:

1. On July 1, 2003, the Verizon Telephone Companies (Verizon) filed a Petition for Expedited Forbearance asking the Commission to forbear from: (1) the rules allowing competitive local exchange carriers (LECs) that lease the unbundled network element (UNE) Platform to collect per-minute switching access charges from interexchange carriers; and (2) applying the Total Element Long Run Incremental Cost (TELRIC) pricing methodology to the UNE-Platform, and to apply the resale pricing standard instead.¹ On September 17, 2004, Verizon filed a request to withdraw its petition in light of events occurring since the petition was filed.² Specifically, Verizon's request to withdraw points to the Commission's rulemaking to establish alternative unbundling rules and the Commission's rulemaking regarding the TELRIC pricing methodology.³ In this Order, we grant Verizon's request to withdraw and dismiss its petition without prejudice.

2. Accordingly, IT IS ORDERED, pursuant to the authority delegated under sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91 and 0.291, that Verizon's request to withdraw the above-captioned petition for forbearance IS GRANTED.

¹ *Verizon Telephone Companies' Petition for Forbearance From the Current Pricing Rules for the Unbundled Network Element Platform*, WC Docket No. 03-157, Petition for Expedited Forbearance of the Verizon Telephone Companies (filed July 1, 2003).

² *Verizon Telephone Companies' Petition for Forbearance From the Current Pricing Rules for the Unbundled Network Element Platform*, WC Docket No. 03-157, Letter from Donna Epps, Vice President, Federal Regulatory Advocacy, Verizon, to Marlene H. Dortch, Secretary, Federal Communications Commission (filed Sept. 17, 2004).

³ *Id.* at 1. See also *Unbundled Access to Network Elements, Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, WC Docket No. 04-313, CC Docket No. 01-338, Order and Notice of Proposed Rulemaking at 9, para. 16, FCC 04-179 (rel. Aug. 20, 2004); *Review of the Commission's Rules Regarding the Pricing of Unbundled Network Elements and the Resale of Service by Incumbent Local Exchange Carriers*, WC Docket No. 03-173, Notice of Proposed Rulemaking, 18 FCC Red 18945 (2003).

3. IT IS FURTHER ORDERED, pursuant to the authority delegated under sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91 and 0.291, that the above-captioned petition for forbearance IS DISMISSED WITHOUT PREJUDICE.

FEDERAL COMMUNICATIONS COMMISSION

Tamara L. Preiss
Chief, Pricing Policy Division
Wireline Competition Bureau