



PUBLIC NOTICE

Federal Communications Commission
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DA 07-1304

**COMMENTS INVITED ON ALLTEL COMMUNICATIONS, INC.'S REQUEST THAT THE
COMMISSION RESOLVE PREVIOUSLY FILED PETITIONS FOR EXPEDITED
DECLARATORY RULING PREEMPTING THE ARKANSAS TELECOMMUNICATIONS
REFORM ACT OF 1997**

CC Docket Nos. 96-45, 97-100

Release Date: March 14, 2007

Comment Date: March 28, 2007

Reply Comment Date: April 11, 2007

On February 21, 2007, Alltel Communications, Inc. (Alltel) requested that the Commission resolve previously filed petitions for declaratory ruling seeking preemption of the Arkansas Telecommunications Reform Act of 1997.¹ Specifically, Alltel requests that Commission consider whether Section 5 of the Arkansas Telecommunications Regulatory Reform Act of 1997 (Arkansas Act) conflicts with federal law and the Commission's implementing regulations. Interested parties are invited to comment on Alltel's request.

Pursuant to Sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file **comments on or before March 28, 2007**, and **reply comments on or before April 11, 2007**. All pleadings are to reference **CC Docket Nos. 96-45 and 97-100**. Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.

¹ See Letter from David Sieradzki, Counsel to Alltel Communications, Inc., to Marlene Dortch, Federal Communications Commission, CC Docket Nos. 96-45, 97-100 (filed Feb. 21, 2007); see also *The Commission Seeks Comment Regarding Whether Universal Service Provisions of Arkansas Act Comport with Federal Law*, CC Docket No. 97-100, 15 FCC Rcd 699 (2000); *American Communications Services, Inc., MCI Telecommunications Corp., Petitions for Expedited Declaratory Ruling Preempting Arkansas Telecommunications Regulatory Reform Act of 1997 Pursuant to Sections 251, 252, and 253 of the Communications Act of 1934, as amended*, CC Docket No. 97-100, Memorandum Opinion and Order, 14 FCC Rcd 21579 (1999).

- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers 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, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, “get form.” A sample form and directions will be sent in response.
- Paper Filers: 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, filers 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). All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.

The Commission’s contractor 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, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington D.C. 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

You may submit comments, identified by the above noted docket number, by any of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Federal Communications Commission’s Web Site: <http://www.fcc.gov/cgb/ecfs/>. Follow the instructions for submitting comments.
- People with Disabilities: Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by e-mail: fcc504@fcc.gov or phone: (202) 418-0530 or TTY: (202) 418-0432.

In addition, one copy of each pleading must be sent to each of the following:

- (1) The Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554; www.bcpweb.com; phone: (202) 488-5300, fax: (202) 488-5563;
- (2) Vickie Robinson, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-A441, Washington, D.C. 20554; e-mail: vickie.robinson@fcc.gov; and
- (3) Toni Stevens, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-B521, Washington, D.C. 20554; e-mail: antoinette.stevens@fcc.gov.

Filings and comments are also available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CYB402, Washington, D.C. 20554, telephone: (202) 488-5300, fax: (202) 488-5563.

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.² Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentation and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented generally is required.³ 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.⁴

For further information, please contact Vickie Robinson, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-7400 or TTY (202) 418-0484.

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² 47 C.F.R. §§ 1.1200 *et seq.*

³ *See* 47 C.F.R. § 1.1206(b)(2).

⁴ 47 C.F.R. § 1.1206(b).