



Law Offices of Bennet & Bennet, PLLC

Maryland

4350 East West Highway, Suite 201
Bethesda, Maryland 20814
Tel: (202) 371-1500
Fax: (202) 371-1558
www.bennetlaw.com

District of Columbia

10 G Street NE, Suite 710
Washington, DC 20002

Caressa D. Bennet
Michael R. Bennet
Marjorie G. Spivak*
Kenneth C. Johnson‡

* Admitted in DC & PA Only
‡Admitted in DC & VA Only

Howard S. Shapiro
Daryl A. Zakov^
Robert A. Silverman
Anthony K. Veach#

^Admitted in DC & WA Only
#Admitted in DC & FL Only

February 27, 2012

Application No. 1

Via ETFS

Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Attention: Wireline Competition Bureau

Re: Pioneer Communications
FRN: 0002334795
Tariff FCC No. 1

Dear Ms. Dortch:

Pioneer Communications (“Pioneer”), hereby applies for Special Permission to waive the requirements under Sections 61.58 and 61.59 of the Federal Communications Commission’s (“FCC” or “Commission”) Rules¹ in order to withdraw certain tariff revisions filed under Transmittal No. 2 so that its protested Section 6 Switched Access Service rates do not become effective as of March 1, 2012, but its non-protested Section 7 Special Access Service rates become effective as of March 1, 2012.

On February 15, 2012, Pioneer proposed to revise certain Section 6 (Switched Access Service) and Section 7 (Special Access Service) rates of Tariff FCC No. 1 to become effective March 1, 2012. Pioneer sought to revise its Section 6 rates and raise its Section 7 rates to account for new demand trends since its July 1, 2011 bi-annual access tariff filing. However, Pioneer’s revisions to its Section 6 Switched Access Service rates were protested by AT&T.² AT&T argued that the Section 6 rates violated the FCC’s cap on Switched Access Service rates that became effective December 29, 2011.³

¹ 47 C.F.R. §§ 61.58 and 61.59.

² See *Petition of AT&T to Reject, or in the Alternative, Suspend and Investigate, Pioneer’s February 15, 2012 Tariff Submission* (February 22, 2012).

³ *Id.* at 2 (referencing 47 C.F.R. § 51.909 of the Commission’s Rules).

With this application, Pioneer requests permission to waive Sections 61.58 and 61.59 of the Commission's Rules in order to withdraw the protested Section 6 Switch Access Service revised rates filed under Transmittal No. 2 without them becoming effective, and to restore currently effective Section 6 Switched Access Service rates, allowing the non-protested Section 7 Special Access Service material to become effective on March 1, 2012.

A waiver of Section 61.58 is requested to permit the revisions of the tariff material to become effective on not less than one day's. A waiver of Section 61.59 is requested to permit revisions to tariff material that is not yet in effect.

This Application letter and illustrative tariff pages are being filed electronically today via the FCC's Electronic Tariff Filing System ("ETFS").

In accordance with the Commission's filing requirements, the required Form 159 and \$845.00 filing fee are being transmitted electronically today via ETFS.

All correspondence and inquiries concerning this filing should be directed to the undersigned below at kjohnson@bennetlaw.com, and whose service address is: 6124 MacArthur Blvd., Bethesda, MD 20816.

Respectfully submitted,

PIONEER COMMUNICATIONS

By: */s/ Kenneth C. Johnson*

Kenneth C. Johnson
Its Attorney

Attachments