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Application No. 86

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S. W.
Washington, D.C. 20554

Attention: Wireline Competition Bureau

The Verizon Telephone Companies (Verizon) hereby apply for Special Permission for a waiver of Section 61.74 and a limited waiver of Sections 61.38 and 61.49 of the Commission's Rules.

Verizon is preparing to introduce a new Verizon Infospeed Digital Subscriber Line (DSL) Solutions Five-Year Term and Volume Discount Plan (5N-VDTP). The 5N-VDTP offers customers 3 volume commitment levels with minimum service volumes for each year of the plan. Volumes and pricing are unique to the plan as compared to the existing 5-Year Volume and Term Discount Plan currently offered. Customers who have already made commitments to other Infospeed DSL Solutions term plans will have the option to convert to a 5N-VDTP without termination liability or to purchase a 5N-VDTP in addition to existing term plan(s). A nonrecurring charge will apply for converted term plans. Verizon is also proposing an increase to the nonrecurring charge for activities associated with upward change in speed from one service type to another.

On December 20, 2001, the Commission initiated a rulemaking proceeding to determine whether incumbent local exchange carriers, such as Verizon, should be considered dominant when they provide broadband telecommunications services.¹ Given the possibility that Verizon Infospeed DSL Solutions may eventually be excluded from price caps as a result of this pending rulemaking, Verizon is requesting a limited waiver of the price cap rules to allow it to exclude this new service offering from price caps pending a Commission decision on

¹.See Review of Regulatory Requirements for Incumbent LEC Broadband Telecommunications Services, CC Docket No. 01-337, Notice of Proposed Rulemaking, FCC 01-360 (rel. Dec. 20, 2001).

Verizon's ultimate status when providing Verizon Infospeed DSL Solutions. A waiver would avoid unnecessary impacts on Verizon's price cap indexes and price cap rates that would occur if the service were included in price caps, only to be removed later.

Accordingly, Verizon requests special permission to waive the requirements of the Commission's Part 61 price cap rules pending resolution of the rulemaking. Specifically, Verizon requests waivers of Sections 61.38 and 61.49 to file tariff revisions without cost support and other required supporting data. This waiver will be subject to the Commission's final decision on the status of broadband telecommunications services under price caps.

Cost support was included in a filing introducing Verizon Infospeed DSL Solutions issued under The Bell Atlantic Telephone Companies Transmittal No. 1076 in Tariff F.C.C. No. 1.

Verizon also requests special permission to waive the requirements of Section 61.74 in order to make reference to The Verizon Telephone Companies Tariff F.C.C. No. 1, Access Service and Verizon Advanced Data Inc. Tariff F.C.C. No. 1 within the revisions to Tariff F.C.C. No. 20, and to make reference to the Verizon Advanced Data Inc. Tariff F.C.C. No. 1 and The Verizon Telephone Companies Tariff F.C.C. No. 20 within the revisions to Tariff F.C.C. No. 1 for the purpose of identifying what Verizon DSL Solutions arrangements are included and/or excluded in a 5N-VDTP.

Illustrative tariff pages are included with this application. This application and associated attachments are being filed electronically today via the Federal Communications Commission's Electronic Tariff Filing System (ETFS).

Payment in the amount of \$695.00 has been electronically transmitted to the Mellon Bank in Pittsburgh, Pennsylvania, in accordance with the fee program procedures. The Form 159 is being transmitted electronically via ETFS as a proprietary document.

In accordance with the requirements of Section 61.21(a)(3) of the Commission's Rules, the FCC Registration Number (FRN) for Verizon is 0003-7085-00. Verizon is filing this application on behalf of issuing carriers with the following FRNs:

<u>Tariff FCC No. 1</u>	<u>Tariff F.C.C. No. 20</u>	
0002-0112-78	0001-5209-80	0002-0732-03
0002-0732-03	0001-5364-24	0002-1092-13
0002-1092-13	0001-5832-44	0002-1668-25
0002-1668-25	0001-6802-63	0003-2717-98
0003-2717-98	0001-8248-04	0003-2735-05
0003-2735-05	0001-8555-43	0003-4694-42
0003-3166-92	0001-9625-88	0003-6289-71
	0002-0112-78	0004-1917-89
		0004-3502-37

All correspondence and inquiries in connection with this application should be forwarded to Richard T. Ellis, Director, Federal Regulatory Advocacy via facsimile on (202) 336-7922 or by hand-delivery to 1300 I Street, NW, Suite 400 West, Washington, DC 20005.

A handwritten signature in cursive script, reading "Richard T. Ellis".

Attachments:

Illustrative Tariff Pages
Form 159