



FRN: 0005-0491-27

October 6, 2003

Application No. 12

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
Washington, D.C. 20554

Attention: Wireline Competition Bureau

Application is hereby made by Nevada Bell Telephone Company (NBTC) for Special Permission to waive Sections 61.58 and 61.59 of the Commission's Rules in order to withdraw Transmittal No. 49.

On October 3, 2003, NBTC issued Transmittal No. 49 revising its Tariff F.C.C. No. 1 in accordance with the Commission's Report and Order and Order on Remand and Further Notice of Proposed Rulemaking, CC Docket No. 01-338, paragraph 581, released August 21, 2003.

Transmittal No. 49 modified Tariff F.C.C. No. 1 (Section 5) to state that Unbundled Network Elements (UNEs) and combinations of UNEs can be commingled with wholesale services, including interstate access services. Additionally, Section 2 of Tariff F. C. C. No. 1 was modified to add a new definition. Transmittal No. 49 became effective on October 4, 2003.

With this application, NBTC requests permission to waive Sections 61.58 and 61.59 of the Commission's Rules in order to withdraw tariff revisions originally filed under Transmittal No. 49. NBTC wishes to withdraw the filing because NBTC inadvertently filed Transmittal No. 49 under one day's notice instead of with 15 day's notice, as NBTC intended to do. Therefore, with this Special Permission Application, NBTC requests to withdraw the tariff revisions originally filed under Transmittal No. 49 and refile the tariff revisions with 15 days notice.

A waiver of Section 61.58 is requested to permit the revision of tariff material to become effective on not less than 1 day's notice. A waiver of Section 61.59 is requested to permit revisions to tariff material that has not been in effect for thirty (30) days.

This Application letter and the appropriate illustrative tariff pages 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. These actions have been committed on the date established as the issued (filed) date as reflected above.

All correspondence and inquiries concerning this application should be addressed to Debra L. Clemens, Associate Director-Federal Regulatory, (202) 326-8882, 1401 I Street, N.W., Suite 1100, Washington, D.C. 20005.

Sincerely,

A handwritten signature in black ink that reads "Patrick R. Doherty". The signature is written in a cursive, flowing style with a prominent initial "P" and a stylized "D".

Attachments:

Letter
Illustrative Tariff Pages