

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

In the Matter of)	
)	
Qwest Petition for Forbearance Under 47 U.S.C. § 160(c) from Title II and <i>Computer Inquiry</i> Rules with Respect to Broadband Services)	WC Docket No. 06-125
)	
Petition of AT&T Inc. for Forbearance Under 47 U.S.C. § 160(c) from Title II and <i>Computer Inquiry</i> Rules with Respect to its Broadband Services)	
)	
Petition of BellSouth Corporation for Forbearance Under 47 U.S.C. § 160(c) from Title II and <i>Computer Inquiry</i> Rules with Respect to Its Broadband Services)	
)	
Petition of Embarq Local Operating Companies for Forbearance Under 47 U.S.C. § 160(c) From Application of <i>Computer Inquiry</i> and Certain Title II Common-Carriage Requirements)	WC Docket No. 06-147
)	
Petition of ACS of Anchorage, Inc. for Forbearance From Certain Dominant Carrier Regulation of its Interstate Access Services and From Title II Regulation of its Broadband Services in the Anchorage, Alaska Incumbent Local Exchange Carrier Study Area)	WC Docket No. 06-109
)	

COMMENTS OF ACS OF ANCHORAGE, INC.

ACS of Anchorage, Inc. (“ACS”) supports the above-captioned forbearance petitions submitted by AT&T Inc., BellSouth Corporation, Qwest Corporation and Qwest Communications Corporation, and the Embarq Local Operating Companies (together, the “Petitioners”).

The Petitioners seek forbearance from the *Computer Inquiry* requirements and Title II rules for broadband services provided by each of their incumbent local exchange carrier (“ILEC”) operating companies, consistent with the regulatory relief that the Commission granted

to the Verizon Telephone Companies earlier this year. As is discussed in these four petitions, forbearance would serve the public interest for several reasons, including: (i) providing the Petitioners much-needed flexibility to compete in their respective markets; (ii) reducing unnecessary costs associated with superfluous regulation of ILEC broadband services; and (iii) ending the current irrational, asymmetrical regulatory environment in place since Verizon obtained forbearance identical to the relief that the Petitioners seek. Moreover, forbearance would end the inequities caused by the fact that other competitive providers of broadband services already are free from the regulatory burdens that currently apply to the broadband services provided by the Petitioners and all other ILECs, with the exception of Verizon.

The requested relief is justified for all similarly situated carriers (as some of the Petitioners request), and specifically for all ILECs. ACS submitted a forbearance petition seeking similar relief in its ILEC service market earlier this year.¹ In its petition, ACS demonstrated, through detailed market data and analysis, that forbearance is warranted for ACS consistent with the relief granted to Verizon for broadband services (as well as relief from certain aspects of dominant carrier regulation for ACS's interstate exchange access services, similar to the relief granted last year to Qwest in Omaha). Among other things, ACS demonstrates that it does not have market power in any relevant product market, and ACS serves fewer than 50 percent of the switched access customers in its study area. The case for forbearance in ACS's market is clearly and compellingly presented in ACS's petition.

The petitions of Qwest, AT&T, BellSouth, and Embarq only underscore the case ACS has made for forbearance for broadband services, and demonstrate why forbearance should

¹ Petition of ACS of Anchorage, Inc. for Forbearance from Certain Dominant Carrier Regulation of its Interstate Access Services, and for Forbearance from Title II Regulation in Broadband Services, in the Anchorage, Alaska, Incumbent Local Exchange Study Area, WC Docket No. 06-109 (filed May 22, 2006).

be promptly granted not only in the Petitioners' markets but throughout the nation. To the extent that the Commission acts on the above-captioned petitions related to broadband services more swiftly than it acts on ACS's more fulsome forbearance petition, ACS respectfully requests that any relief granted to the Petitioners apply immediately to all ILECs, including ACS, pending the Commission's consideration of the other forbearance requests set forth in ACS's petition.

Respectfully submitted,

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