

## Federal Communications Commission

## § 63.02

- 63.13 Procedures for modifying regulatory classification of U.S. international carriers from dominant to non-dominant.
- 63.14 Prohibition on agreeing to accept special concessions.
- 63.16 Switched services over private lines.
- 63.17 Special provisions for U.S. international common carriers.
- 63.18 Contents of applications for international common carriers.
- 63.19 Special procedures for discontinuances of international services.
- 63.20 Electronic filing, copies required; fees; and filing periods for international service providers.
- 63.21 Conditions applicable to all international Section 214 authorizations.
- 63.22 Facilities-based international common carriers.
- 63.23 Resale-based international common carriers.
- 63.24 Assignments and transfers of control.
- 63.25 Special provisions relating to temporary or emergency service by international carriers.

### GENERAL PROVISIONS RELATING TO ALL APPLICATIONS UNDER SECTION 214

- 63.50 Amendment of applications.
- 63.51 Additional information.
- 63.52 Copies required; fees; and filing periods for domestic authorizations.
- 63.53 Form.

### DISCONTINUANCE, REDUCTION, OUTAGE AND IMPAIRMENT

- 63.60 Definitions.
- 63.61 Applicability.
- 63.62 Type of discontinuance, reduction, or impairment of telephone or telegraph service requiring formal application.
- 63.63 Emergency discontinuance, reduction, or impairment of service.
- 63.65 Closure of public toll station where another toll station of applicant in the community will continue service.
- 63.66 Closure of or reduction of hours of service at telephone exchanges at military establishments.
- 63.71 Procedures for discontinuance, reduction or impairment of service by domestic carriers.
- 63.90 Publication and posting of notices.
- 63.100 Notification of service outage.

### CONTENTS OF APPLICATIONS; EXAMPLES

- 63.500 Contents of applications to dismantle or remove a trunk line.
- 63.501 Contents of applications to sever physical connection or to terminate or suspend interchange of traffic with another carrier.
- 63.504 Contents of applications to close a public toll station where no other such toll station of the applicant in the community will continue service and where

telephone toll service is not otherwise available to the public through a telephone exchange connected with the toll lines of a carrier.

- 63.505 Contents of applications for any type of discontinuance, reduction, or impairment of telephone service not specifically provided for in this part.
- 63.601 Contents of applications for authority to reduce the hours of service of public coast stations under the conditions specified in § 63.70.

### REQUEST FOR DESIGNATION AS A RECOGNIZED PRIVATE OPERATING AGENCY

- 63.701 Contents of application.
- 63.702 Form.

AUTHORITY: Sections 1, 4(i), 4(j), 10, 11, 201–205, 214, 218, 403 and 651 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 154(j), 160, 201–205, 214, 218, 403, and 571, unless otherwise noted.

SOURCE: 28 FR 13229, Dec. 5, 1963, unless otherwise noted.

### EXTENSIONS AND SUPPLEMENTS

#### § 63.01 Authority for all domestic common carriers.

(a) Any party that would be a domestic interstate communications common carrier is authorized to provide domestic, interstate services to any domestic point and to construct or operate any domestic transmission line as long as it obtains all necessary authorizations from the Commission for use of radio frequencies.

(b) Domestic common carriers subject to this section shall not engage in any line construction that may have a significant effect on the environment as defined in § 1.1307 of this chapter without prior compliance with the Commission's environmental rules. See § 1.1312 of this chapter.

[64 FR 39939, July 23, 1999, as amended at 67 FR 18830, Apr. 17, 2002]

#### § 63.02 Exemptions for extensions of lines and for systems for the delivery of video programming.

(a) Any common carrier is exempt from the requirements of section 214 of the Communications Act of 1934, as amended, for the extension of any line.

(b) A common carrier shall not be required to obtain a certificate under section 214 of the Communications Act

### § 63.03

### 47 CFR Ch. I (10–1–11 Edition)

of 1934 with respect to the establishment or operation of a system for the delivery of video programming.

[64 FR 39939, July 23, 1999]

#### **§ 63.03 Streamlining procedures for domestic transfer of control applications.**

Any domestic carrier that seeks to transfer control of lines or authorization to operate pursuant to section 214 of the Communications Act of 1934, as amended, shall be subject to the following procedures:

(a) *Public notice and review period.* Upon determination by the Common Carrier Bureau that the applicants have filed a complete application and that the application is appropriate for streamlined treatment, the Common Carrier Bureau will issue a public notice stating that the application has been accepted for filing as a streamlined application. Unless otherwise notified by the Commission, an applicant is permitted to transfer control of the domestic lines or authorization to operate on the 31st day after the date of public notice listing a domestic section 214 transfer of control application as accepted for filing as a streamlined application, but only in accordance with the operations proposed in its application. Comments on streamlined applications may be filed during the first 14 days following public notice, and reply comments may be filed during the first 21 days following public notice, unless the public notice specifies a different pleading cycle. All comments on streamlined applications shall be filed electronically, and shall satisfy such other filing requirements as may be specified in the public notice.

(b) *Presumptive streamlined categories.* (1) The streamlined procedures provided in this rule shall be presumed to apply to all transfer of control applications in which:

- (i) Both applicants are non-facilities-based carriers;
- (ii) The transferee is not a telecommunications provider; or
- (iii) The proposed transaction involves only the transfer of the local exchange assets of an incumbent LEC by means other than an acquisition of corporate control.

(2) Where a proposed transaction would result in a transferee having a market share in the interstate, inter-exchange market of less than 10 percent, and the transferee would provide competitive telephone exchange services or exchange access services (if at all) exclusively in geographic areas served by a dominant local exchange carrier that is not a party to the transaction, the streamlined procedures provided in this rule shall be presumed to apply to transfer of control applications in which:

- (i) Neither of the applicants is dominant with respect to any service;
- (ii) The applicants are a dominant carrier and a non-dominant carrier that provides services exclusively outside the geographic area where the dominant carrier is dominant; or
- (iii) The applicants are incumbent independent local exchange carriers (as defined in § 64.1902 of this chapter) that have, in combination, fewer than two (2) percent of the nation's subscriber lines installed in the aggregate nationwide, and no overlapping or adjacent service areas.

(3) For purposes of (b)(1) and (2) of this paragraph, the terms “applicant,” “carrier,” “party,” and “transferee” (and their plural forms) include any affiliates of such entities within the meaning of section 3(1) of the Communications Act of 1934, as amended.

(c) *Removal of application from streamlined processing.* (1) At any time after an application is filed, the Commission, acting through the Chief of the Wireline Competition Bureau, may notify an applicant that its application is being removed from streamlined processing, or will not be subject to streamlined processing. Examples of appropriate circumstances for such action are:

- (i) An application is associated with a non-routine request for waiver of the Commission's rules;
- (ii) An application would, on its face, violate a Commission rule or the Communications Act;
- (iii) An applicant fails to respond promptly to Commission inquiries;
- (iv) Timely-filed comments on the application raise public interest concerns that require further Commission review; or