

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE

THREE EMPIRE STATE PLAZA, ALBANY, NY 12223-1350

Internet Address: <http://www.dps.state.ny.us>

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Acting Secretary

September 18, 2003

Hon. Marlene H. Dortch
Secretary
Federal Communications Commission
The Portals II
445 12 St., SW
Washington, D.C. 20554

RE: Comments of the New York State Department of Public Service in the Matter of the Joint Petition of Qwest Corporation, BellSouth Telecommunications, Inc. and SBC Communications, Inc. for Expedited Forbearance from the Current Pricing Rules for the Unbundled Network Element Platform; WC Docket No. 03-189

Dear Secretary Dortch:

On August 18, 2003, the Federal Communications Commission (Commission) issued a Public Notice (DA 03-2679) requesting comments in response to the joint petition for expedited forbearance filed by Qwest Corporation, BellSouth Telecommunications, Inc. and SBC Communications Inc. (Joint Petitioners).

The Joint Petitioners requested that the Commission forbear from its "decision permitting Unbundled Network Element-Platform ("UNE-P") carriers to collect per-minute access charges from long distance operators and from applying its Total Element Long Run Incremental Cost (TELRIC) pricing rules to UNE-P." The Joint Petitioners noted that they are seeking the same relief as Verizon Telephone Companies requested in a similar petition filed on July 1, 2003 (WC Docket No. 03-157, the Verizon Proceeding).

The Notice indicated that parties may incorporate by reference comments filed in the Verizon Proceeding in this proceeding. The New York State Department of Public Service filed comments in the Verizon Proceeding and therefore requests that those comments, attached hereto, be incorporated by reference in this proceeding.

Respectfully submitted,

Dawn Jablonski Ryman
General Counsel
Kathleen H. Burgess
Assistant Counsel
Public Service Commission
of the State of New York
Three Empire State Plaza
Albany, New York 12223-1350