**Section 731.635 Application of Level 1 Requirements to Level 2 Carriers and Conversion to Level 1**

If a Level 2 carrier is asked to or required to provide wholesale services other than those set forth in Section 731.610, it must petition the Commission for a determination as to whether it should be required to comply with Level 1 requirements for the provision of the service or services in question.

a) A Level 2 carrier may be required to comply with some or all of the Level 1 requirements established in Subparts B, C, D, and E of this Part only after the Commission considers and rules upon the following items:

1) The technical feasibility of compliance with each Subpart B, C, D, and E requirement;

2) The economic feasibility of compliance with each Subpart B, C, D, and E requirement;

3) The expected volume of wholesale service activity to be provisioned by the Level 2 carrier;

4) Whether the benefits expected to accrue to requesting carriers justify the costs expected to be incurred by the provisioning carrier to comply with each Subpart B, C, D, and E requirement; and

5) With which Subpart B, C, D, and E requirements that carrier must comply and within what time period.

b) A carrier directed pursuant to a Commission order to comply with all of the requirements of Subparts B, C, D, and E shall be a Level 1 carrier effective 90 days after the date of the Commission's order unless a different conversion date is specified in the Commission's order. A carrier directed pursuant to a Commission order to comply with some but not all of the requirements of Subparts B, C, D, and E shall remain a Level 2 carrier, but shall, unless a different time period is provided in the Commission's order, comply with such Level 1 requirements as directed by the Commission commencing 90 days after the date of the Commission's order.

c) In any proceeding to determine whether a carrier should be required to comply with some or all of the Level 1 requirements established in Subparts B, C, D, and E of this Part, the Commission may order or establish an interim wholesale service quality plan and determine its effective date.