

# PUBLIC NOTICE



FEDERAL COMMUNICATIONS COMMISSION

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## AMANA COLONIES TELEPHONE COMPANY D/B/A HICKORYTECH AND HEARTLAND TELECOMMUNICATIONS COMPANY OF IOWA AND SOUTH SLOPE COOPERATIVE TELEPHONE COMPANY SEEK A WAIVER OF THE DEFINITION OF "STUDY AREA" IN PART 36 AND SECTION 69.605(C) OF THE COMMISSION'S RULES

### PLEADING CYCLE ESTABLISHED

CC Docket No. 96-45

Release Date: January 30, 2001

Comment Date: February 19, 2001

Reply Comment Date: March 1, 2001

On December 13, 2000, Amana Colonies Telephone Company d/b/a HickoryTech and Heartland Telecommunications Company of Iowa (Amana Colonies) and South Slope Cooperative Telephone Company (South Slope) filed a joint petition for waiver of the definition of "study area" as set forth in Part 36 of the Commission's rules. That definition constitutes a rule freezing all study area boundaries. South Slope is acquiring from Amana Colonies one telephone exchange serving approximately 1,500 access lines in Iowa. By this waiver, Amana Colonies seeks to alter its Iowa study area in order to remove the telephone exchange being transferred to South Slope. South Slope seeks a waiver of the study area freeze to add the purchased exchange to its existing Iowa study area. The petitioners submitted an Order from the Iowa State Utilities Board indicating that it has no objection to the issuance of a study area waiver associated with South Slope's acquisition of the one telephone exchange.

On January 19, 2001, South Slope filed a supplement to the joint petition requesting a waiver of section 69.605 of the Commission's rules, 47 C.F.R. § 69.605, so that it may continue to operate as average schedule companies with the acquired exchange. Section 69.605 defines an "average schedule company" as a telephone company that was participating in average schedule settlements on December 1, 1982.

Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments on or before **February 19, 2001**, and reply comments on or before **March 1, 2001**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in*

*Rulemaking Proceedings*, 63 Fed. Reg. 24,121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit electronic comments by Internet e-mail. To receive filing instructions for e-mail comments, commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the body of the message, "get form <your e-mail address.>" A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. All filings must be sent to the Commission's Secretary, Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554.

Parties also must send three paper copies of their filing to Sheryl Todd, Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, 445 Twelfth Street S.W., Room 5-B540, Washington, D.C. 20554. In addition, commenters must send diskette copies to the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, N.W., Washington, D.C. 20037.

Pursuant to section 1.1206 of the Commission's Rules, 47 C.F.R. § 1.1206, this proceeding will be conducted as a permit-but-disclose proceeding in which *ex parte* communications are permitted subject to disclosure.

For further information, contact Adrian Wright, Accounting Policy Division, Common Carrier Bureau at (202) 418-7400, TTY (202) 418-0484.