

PUBLIC NOTICE



FEDERAL COMMUNICATIONS COMMISSION

445 12th STREET, S.W.

WASHINGTON, D.C. 20554

DA 01-2838

News media information 202/418-0500 Fax-On-Demand 202/418-2830 Internet: <http://www.fcc.gov> <ftp.fcc.gov>

PALAU NATIONAL COMMUNICATIONS CORPORATION SEEKS A DECLARATORY RULING AND WAIVER OF CERTAIN PROVISION OF PARTS 36, 54, AND 69 OF THE COMMISSION'S RULES

PLEADING CYCLE ESTABLISHED

CC Docket No. 96-45

Release Date: December 6, 2001

Comment Date: January 7, 2002

Reply Comment Date: January 22, 2002

On November 16, 2001, Palau National Communications Corporation (PNCC) petitioned the Federal Communications Commission (FCC or Commission) for a declaratory ruling that PNCC is subject to FCC jurisdiction and therefore is eligible to participate in the federal universal service support programs and the National Exchange Carrier Association. PNCC also petitions for related waivers and international section 214 authority.

In particular, PNCC requests a declaratory ruling that the Compact of Free Association between the United States and the Government of Palau (Palau Compact) gives the FCC jurisdiction over PNCC's common carrier operations in Palau. Accordingly, PNCC states that it is eligible to receive high-cost universal service support pursuant to section 254 of the Communications Act of 1934, as amended (Act). PNCC also requests waivers of: 1) the definition of "incumbent local exchange carrier," as that term is used in certain provisions in Parts 36, 54, and 69 of the Commission's rules; 2) sections 36.611 and 36.612 of the Commission's rules to enable PNCC to receive high-cost loop support based on estimated costs; 3) the definition of "study area" in Part 36 Appendix-Glossary of the Commission's rules; and 4) any other rules that may be necessary to enable PNCC to receive support under the high-cost universal service support mechanism. If the Commission grants these requests, PNCC further requests authority under section 214 of the Act to provide resold international switched telecommunication services on all international routes.

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 **January 7, 2002**, and reply comments

on or before **January 22, 2002**. 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, 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-A422, Washington, D.C. 20554. In addition, commenters must send diskette copies to the Commission's copy contractor, Qualex International, Portals II, 445 Twelfth Street, S.W., Room CY-B402, Washington, D.C. 20554.

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 the Accounting Policy Division, Common Carrier Bureau at (202) 418-7400, TTY (202) 418-0484.