

PUBLIC NOTICE



FEDERAL COMMUNICATIONS COMMISSION

445 12th STREET, S.W.

WASHINGTON, D.C. 20554

DA 01-584

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STATE OF ALASKA SEEKS A DECLARATORY RULING AND WAIVER OF SECTION 54.504(b)(2)(ii) OF THE COMMISSION'S RULES

PLEADING CYCLE ESTABLISHED

CC Docket No. 96-45

Release Date: March 7, 2001

Comment Date: April 6, 2001

Reply Comment Date: May 7, 2001

On January 30, 2001, the State of Alaska, on behalf of its rural school districts and libraries, filed a petition for waiver of section 54.504(b)(2)(ii) of the Commission's rules, which requires that the services funded by the schools and libraries universal service support program are used solely for educational purposes. The State of Alaska asks the Commission to waive its rules to allow others living in remote rural Alaska communities to use the telecommunications services received by rural school districts and libraries under the schools and libraries support program if the following conditions are met: (1) the services used by the school district or library are sold by the service provider on the basis of a price that is not usage sensitive; (2) the use by others in those communities is limited to hours in which the school or library through which the Internet would be accessed is closed (*e.g.*, after-school hours and holidays); and (3) no dial-up Internet access is otherwise available in the community.

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 **April 6, 2001**, and reply comments on or before **May 7, 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, 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, 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 the Accounting Policy Division, Common Carrier Bureau at (202) 418-7400, TTY (202) 418-0484.