



PUBLIC NOTICE

Federal Communications Commission
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DA 04-3687

Released Date: November 24, 2004

WIRELINE COMPETITION BUREAU SEEKS COMMENT ON THE PETITIONS OF DIRECT COMMUNICATIONS CEDAR VALLEY, LLC, QWEST CORPORATION, AND DIRECT COMMUNICATIONS ROCKLAND, INC., TO WAIVE THE STUDY AREA BOUNDARY FREEZE, AS CODIFIED IN PART 36, AND SECTIONS 69.2(hh) AND 69.605(c) OF THE COMMISSION'S RULES

PLEADING CYCLE ESTABLISHED

CC Docket No. 96-45

Comment Date: December 8, 2004

Reply Comment Date: December 15, 2004

On November 2, 2004, Direct Communications Cedar Valley, LLC (Direct Communications) and Qwest Corporation (Qwest) filed a joint petition for waiver of the study area boundary freeze, as codified in the Appendix-Glossary of Part 36 of the Commission's rules.¹ The requested waiver would permit Direct Communications to complete its proposed purchase of the municipal telephone system (approximately 2,223 subscribers) owned and operated by Eagle Mountain City (EMC). The area served by EMC is currently within Qwest's Utah study area. The waiver would allow Direct Communications to create a new Utah study area. Also, on November 2, 2004, Direct Communications Rockland, Inc., and Direct Communications filed a petition for waiver of sections 69.2(hh) and 69.605(c) of the Commission's rules to become a member of the National Exchange Carrier Association, to receive Universal Service Fund support, and to be regulated as an interstate average schedule company.²

Interested parties may file comments on the waiver request on or before December 8, 2004 and reply comments on or before December 15, 2004. 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. 24121 (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, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit electronic comments by Internet e-mail. To get filing instructions for e-mail comments, commenters should send e-mail to ecfs@fcc.gov, and should include the following words in the subject line "get form <your e-mail address>." A sample form and directions will be sent in reply.

¹ 47 C.F.R. § 36, App. (defining "study area").

² 47 C.F.R. §§ 69.29(hh), 69.605(c).

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. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

In addition, one copy of each pleading must be sent to each of the following:

- (1) The Commission's duplicating contractor, Best Copy and Printing, Inc, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554; website: www.bcpweb.com; phone: 1-800-378-3160.
- (2) Gary Seigel, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, S.W. Room 5-A633, Washington, D.C. 20554; e-mail: gary.seigel@fcc.gov.
- (3) Sheryl Todd, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, S.W. Room 5-B540, Washington, D.C. 20554; e-mail: sheryl.todd@fcc.gov.

Filings and comments are also available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC, 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone 1-800-378-3160.

For further information, please contact Gary Seigel at (202) 418-0879.