



PUBLIC NOTICE

Federal Communications Commission
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DA 05-323
February 4, 2005

Report on Timing of NECA Pool True-Up Submissions and FCC Form 492 Interstate Earnings Monitoring Reports

PLEADING CYCLE ESTABLISHED WC Docket No. 05-29

Comments Due: March 4, 2005
Reply Comments Due: March 25, 2005

On January 28, 2005, the National Exchange Carrier Association, Inc. (NECA) filed with the Commission the Report required by the Commission's November 30, 2004, Order terminating the investigation of NECA's 2004 annual access tariff filing.¹ NECA's report discusses its pool settlement processes, including cost study procedures and true-ups allowed during a 24-month window from the end of each calendar month. The report also addresses the timing differences between the filing of the FCC Form 492 (including revisions due to the 24-month true-up process) and the filing of reports associated with Interstate Common Line Support results and true-ups. NECA outlines changes it is making to improve the reporting and tariff filing processes. Finally, NECA offers some changes the Commission might consider to improve the reporting and tariffing processes.

Pursuant to sections 1.415 and 1.419 of the Commission's rules,² interested parties may file comments on or before **March 4, 2005**, and reply comments on or before **March 25, 2005**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.³

Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of the proceeding, 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, in this case, **WC Docket No.**

¹ *July 1, 2004, Annual Access Charge Tariff Filings*, WC Docket No. 04-372, Memorandum Opinion and Order, FCC 04-277 (Nov. 30, 2004), *errata*, DA 04-4050 (WCB/Pricing, Dec. 23, 2004).

² 47 C.F.R. §§ 1.415, 1.419.

³ See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322 (1998).

05-29. Parties may also submit an electronic comment by Internet e-mail. To get 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.” 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.

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). **Parties are strongly encouraged to file comments electronically using the Commission’s ECFS.**

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, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, Room TW-A325, 445 12th Street, SW, Washington, D.C. 20554. Parties should also send a copy of their filings to Douglas Slotten, Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission, Room 5-A233, 445 12th Street, SW, Washington, D.C. 20554, or by e-mail to Douglas.Slotten@fcc.gov. Parties shall also serve one copy with the Commission’s copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW, Room CY-B402, Washington, D.C. 20554, (202) 488-5300, or via e-mail to fcc@bcpiweb.com.

Documents in WC Docket No. **05-29** are available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th St. SW, Room CY-A257, Washington, DC 20554. The documents may also be purchased from BCPI, telephone (202) 488-5300, facsimile (202) 488-5563, TTY (202) 488-5562, e-mail fcc@bcpiweb.com.

This matter shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.⁴ Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented generally is required.⁵ Other rules pertaining to oral and written *ex parte*

⁴ 47 C.F.R. §§ 1.1200 *et seq.*

⁵ See 47 C.F.R. § 1.1206(b)(2).

presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission's rules.⁶

For further information, contact Douglas Slotten of the Pricing Policy Division, Wireline Competition Bureau at (202) 418-1572.

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⁶ 47 C.F.R. § 1.1206(b).