



# PUBLIC NOTICE

Federal Communications Commission  
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DA 05-412

**WIRELINE COMPETITION BUREAU SEEKS COMMENT ON THE  
JOINT PETITION OF THE WYOMING PUBLIC SERVICE COMMISSION  
AND THE WYOMING OFFICE OF CONSUMER ADVOCATE FOR  
SUPPLEMENTAL FEDERAL NON-RURAL UNIVERSAL SERVICE SUPPORT**

**PLEADING CYCLE ESTABLISHED**

**CC Docket No. 96-45**

**Released Date: February 14, 2005**

**Comment Date: March 7, 2005**

**Reply Comment Date: March 21, 2005**

The Wireline Competition Bureau seeks comment on the December 21, 2004, Joint Petition filed by the Wyoming Public Service Commission (WPSC) and the Wyoming Office of Consumer Advocate for supplemental universal service funding for customers of Wyoming's only non-rural incumbent local exchange carrier, Qwest Corporation.<sup>1</sup> On October 27, 2003, the Commission released its decision in the *Ninth Report and Order Remand* proceeding.<sup>2</sup> Among others things, the Commission adopted the recommendation of the Federal-State Joint Board on Universal Service to permit states to request further federal action, including additional targeted federal support, based on a demonstration that the state's rates in rural, high-cost areas served by non-rural carriers are not reasonably comparable to urban rates nationwide and that the state has

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<sup>1</sup> Joint Petition for Supplemental Federal Universal Service Funds for Customers of Wyoming's Non-Rural Incumbent Local Exchange Carrier, by the Wyoming Public Service Commission and the Wyoming Office of Consumer Advocate, CC Docket No. 96-45, filed December 21, 2004 (Joint Petition).

<sup>2</sup> See *Federal-State Joint Board on Universal Service*, Order on Remand, Further Notice of Proposed Rulemaking, and Memorandum Opinion and Order, CC Docket 96-45, 18 FCC Rcd 22559 (2003) (*Ninth Report Remand Order*), *appeal pending sub nom. Qwest Communications International Inc. v. FCC & USA*, Tenth Cir. No. 03-9617; *SBC Communications Inc. v. FCC & USA*, Tenth Cir. No. 04-9518; and *Vermont Public Service Board v. FCC & USA*, Tenth Cir. No. 04-9519. The *Ninth Order Remand Order* also denied the WPSC's petition for reconsideration of the *Ninth Report and Order*. See *id.* at 22639-40, paras. 143-44.

taken all reasonable steps to achieve reasonable comparability through state action and existing federal support.<sup>3</sup>

Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR §§ 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
  - For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.
- Paper Filers: 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, filers 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). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 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.

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<sup>3</sup> See *Ninth Report Remand Order*, 18 FCC Rcd at 22562, para. 4, 22614-16, paras. 93-96. The *Ninth Report Remand Order* also sought comment on how to treat any state requests for further federal action, including procedures for states to submit any such requests, required showings by requesting states, and how to calculate any additional targeted federal support. See *id.* at 22626-31, paras. 121-25.

- 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, Express, and Priority mail should be addressed to 445 12<sup>th</sup> Street, SW, Washington DC 20554.

People with Disabilities: Contact the FCC to request materials in accessible formats (braille, large print, electronic files, audio format, etc.) by e-mail at [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0531 (voice), 202-418-7365 (TTY).

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 12<sup>th</sup> Street, S.W., Room CY-B402, Washington, D.C. 20554; website [www.bcpweb.com](http://www.bcpweb.com); phone: 1-800-378-3160.
- (2) Katie King, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12<sup>th</sup> Street, S.W., Room 5-B544, Washington, D.C. 20554; e-mail: [Katie.King@fcc.gov](mailto:Katie.King@fcc.gov).
- (3) Sheryl Todd, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12<sup>th</sup> Street S.W., Room 5-B540, Washington, D.C. 20552; e-mail: [Sheryl.Todd@fcc.gov](mailto: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 12<sup>th</sup> Street, SW, Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy Printing, Inc. 445 12<sup>th</sup> Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone 1-800-378-3160.

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, please contact Sheryl Todd at (202) 418-7386.