



# PUBLIC NOTICE

Federal Communications Commission  
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Washington, D.C. 20554

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DA 05-595

Released: March 4, 2005

## WESTGATE COMMUNICATIONS LLC d/b/a WEAVEL PETITION FOR WAIVER OF SECTIONS 69.2 AND 69.601 OF THE COMMISSIONS RULES

### PLEADING CYCLE ESTABLISHED

**WC Docket No. 05-58**

**COMMENTS: March 25, 2005**

**REPLY COMMENTS: April 8, 2005**

By this Public Notice, we seek comment on a petition filed on August 18, 2004 by Westgate Communications LLC d/b/a WeavTel (WeavTel) requesting waiver of Sections 69.2(hh) and 69.601 of the Commission's rules. WeavTel is a new local exchange carrier that has been formed for the purpose of serving previously unserved areas in Washington State. In its petition, WeavTel states that it is unable to join the National Exchange Carrier Association (NECA) and participate in NECA tariffs and pools because it is not an Incumbent Local Exchange Carrier (ILEC) as defined in Section 251(h)(1) of the Act. The requested waiver would allow WeavTel to become a member of NECA and participate in NECA tariffs and pools.

Pursuant to sections 1.415 and 1.419 of the Commission's rules, interested parties may file comments on or before March 25, 2005 and reply comments on or before April 8, 2005. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.<sup>1</sup> 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, 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. 05-58**. 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](mailto: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. 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.**

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<sup>1</sup> See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322 (1998).

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 12<sup>th</sup> Street, SW, Washington, D.C. 20554. Parties should also send a copy of their filings to Randy Clarke, Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission, Room 5-A133, 445 12<sup>th</sup> Street, SW, Washington, D.C. 20554, or by e-mail to [randy.clarke@fcc.gov](mailto:randy.clarke@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](mailto:fcc@bcpiweb.com).

The petition for waiver and comments filed by participating parties will be available for review through the ECFS and will be available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12<sup>th</sup> Street 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, or by e-mail at [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com).

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.<sup>2</sup> 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.<sup>3</sup> Other requirements pertaining to oral and written presentations are set forth in section 1.1206(b) of the Commission's rules.<sup>4</sup>

For further information, contact Randy Clarke of the Pricing Policy Division, Wireline Competition Bureau at (202) 418-1587.

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<sup>2</sup>47 C.F.R. § 1.1200 *et seq.*

<sup>3</sup>*See* 47 C.F.R. § 1.1206(b)(2).

<sup>4</sup>47 C.F.R. § 1.1206(b).