



# PUBLIC NOTICE

Federal Communications Commission  
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Washington, D.C. 20554

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DA 07-1846

**THE WIRELINE COMPETITION BUREAU SEEKS COMMENT ON A PETITION BY THE STATE E-RATE COORDINATORS ALLIANCE FOR CLARIFICATION AND/OR WAIVER OF E-RATE RULES CONCERNING TECHNOLOGY PLAN CREATION AND APPROVAL UNDER THE SCHOOLS AND LIBRARIES UNIVERSAL SERVICE SUPPORT MECHANISM**

**CC Docket No. 02-6**

**Release Date: April 25, 2007**

**Comment Date: May 10, 2007**

**Reply Comment Date: May 25, 2007**

The Wireline Competition Bureau (Bureau) seeks comment on a petition filed by the State E-rate Coordinators Alliance (SECA) for clarification and/or waiver of E-rate rules concerning technology plan creation and approval under the schools and libraries universal service support mechanism.<sup>1</sup> Pursuant to section 54.508(c) of the Commission's rules, applicants whose technology plans have not been approved when they file the FCC Form 470 must certify that they understand that their technology plans must be approved prior to the commencement of service.<sup>2</sup> SECA seeks clarification of the Commission's technology plan requirements with regard to the level of technology planning required before an applicant posts its FCC Form 470.<sup>3</sup> SECA suggests some general guidelines to clarify the Commission's rules.<sup>4</sup> SECA also requests that the Commission waive any stricter interpretations of its rules with respect to applicants operating under approved technology plans whose Funding Years 2005 and 2006 applications have been denied or whose FCC Form 486s had been rejected or are currently under review.<sup>5</sup>

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 **May 10, 2007**, and reply comments on or before **May 25, 2007**. All pleadings are to reference **CC Docket No. 02-6**. Comments may be filed using (1) the

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<sup>1</sup> See *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Petition for Clarification and/or Waiver of E-rate Rules Concerning Technology Plan Creation and Approval Under the Schools and Libraries Universal Service Support Mechanism (filed Feb. 21, 2007) (SECA Petition).

<sup>2</sup> 47 C.F.R. § 54.508(c).

<sup>3</sup> SECA Petition at 6.

<sup>4</sup> See *id.* at 6-7.

<sup>5</sup> *Id.* at 8.

Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies.<sup>6</sup>

- 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, 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, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington D.C. 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

**You may submit comments, identified by the above noted docket number, by any of the following methods:**

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Federal Communications Commission's Web Site: <http://www.fcc.gov/cgb/ecfs/>. Follow the instructions for submitting comments.
- People with Disabilities: Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by e-mail: [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or phone: 202-418-0530 or TTY: 202-418-0432.

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<sup>6</sup> See Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed. Reg. 2412 (1998).

**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, [www.bcpweb.com](http://www.bcpweb.com); phone: (202) 488-5300 fax: (202) 488-5563;
- (2) Alexander Minard, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-B550, Washington, D.C. 20554; e-mail: [Alexander.Minard@fcc.gov](mailto:Alexander.Minard@fcc.gov); and
- (3) David Duarte, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5B-441, Washington, D.C. 20554; e-mail: [David.Duarte@fcc.gov](mailto:David.Duarte@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, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CYB402, Washington, D.C. 20554, telephone: (202) 488-5300, fax: (202) 488-5563, or via e-mail [www.bcpweb.com](http://www.bcpweb.com).

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.<sup>7</sup> Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentation 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>8</sup> Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission's rules.<sup>9</sup>

For further information, please contact Alexander Minard, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-7400 or TTY (202) 418-0484.

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<sup>7</sup>47 C.F.R. §§ 1.1200 *et seq.*

<sup>8</sup>*See* 47 C.F.R. § 1.1206(b)(2).

<sup>9</sup>47 C.F.R. § 1.1206(b).