



PUBLIC NOTICE

Federal Communications Commission
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DA 09-580

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COMMENT CYCLE ESTABLISHED FOR REQUEST BY TELALASKA, INC. FOR WAIVER AND EXTENSION OF TIME TO CONSTRUCT CELLULAR FACILITIES IN ALASKA

WT Docket No. 09-31

Comment Date: April 1, 2009

Reply Comment Date: April 11, 2009

By this Public Notice, the Mobility Division of the Wireless Telecommunications Bureau (Bureau) seeks comment on a request for waiver or extension of time to construct filed by TelAlaska, Inc. (TelAlaska) for two cellular licenses (Petition).¹ Specifically, TelAlaska requests an extension of its construction deadlines of up to a four-year period, or, in the alternative, a waiver of section 22.946(c) of the Commission's rules.²

TelAlaska is a holding company for two local exchange carriers, Interior Telephone Company (ITC) and Mukluk Telephone Company (MTC) that serve approximately 8,500 access lines in eleven communities and 3,700 access lines in twelve Alaskan communities, respectively.³ In order to expand its service offerings, TelAlaska sought, and was granted, two cellular licenses, that are currently subject to a construction deadline of April 11, 2009.⁴ In its Petition, TelAlaska seeks an extension or waiver of the April 11, 2009 deadline. TelAlaska proposes to construct its cellular sites in four stages: 1) three sites in 2009; 2) seven sites in 2010; 3) six sites in 2011; and 4) three sites in 2012.⁵

¹ See TelAlaska, Inc. Request for Waiver or, in the alternative, for Extension of Twelve-Month Construction Deadline, FCC File Nos. 0003663275 (Call Sign WQIQ306) and 0003663276 (Call Sign WQIQ308), filed Dec. 1 2008 (Petition).

² Section 22.946(c) states that the construction period applicable to specific new or modified cellular facilities for which a separate authorization is granted is one year, beginning on the date the authorization is granted. 47 C.F.R. § 22.946(c).

³ Petition at 1.

⁴ *Id* at 2. TelAlaska was granted cellular licenses that cover several locations in Rural Service Area 316 – Alaska 2 – Bethel (Call Sign WQIQ306) and Rural Service Area 315 – Alaska 1 – Wade Hampton (Call Sign WQIQ308).

⁵ Petition at Attachment 2.

In support of its Petition, TelAlaska cites, among other things, the short construction season in Alaska that, for certain parts of its licensed area, consists of a three or four-month window each year.⁶ TelAlaska argues that the abbreviated construction season as well as the added expenses of having to access sites by plane or boat make it logistically infeasible for a small company like TelAlaska to complete construction of twenty cellular sites over a one-year period.⁷ TelAlaska also cites the loss of a key executive, restrictions on new capital expenditures, and its efforts to secure Eligible Telecommunication Carrier (ETC) status as other factors that support its request for relief.⁸

Interested parties may file comments on TelAlaska's Petition on or before **April 1, 2009**. Parties interested in submitting reply comments must do so on or before **April 11, 2009**. All filings concerning matters referenced in this Public Notice should refer to WT Docket 09-31. Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS): <http://www.fcc.gov/cgb/ecfs/>, (2) the Federal Government's eRulemaking Portal: <http://www.regulations.gov>, or (3) paper copies.⁹

- 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 names, U.S. Postal Service mailing addresses, and the applicable docket or rulemaking number. Interested 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, and include the following words in the body of the message: "get form." A sample form and directions will be sent in response.
- eRulemaking Filers: Filers should follow the instructions provided on the website for submitting comments.
- 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.
 - 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.

⁶ *Id.* at 2.

⁷ *Id.* at 2.

⁸ *Id.* at 3 – 4.

⁹ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, SW, Washington, DC 20554.

Copies of this Public Notice, and TelAlaska's Petition, will be posted on the web at http://gullfoss2.fcc.gov/prod/ecfs/comsrch_v2.cgi and will be available for public inspection and duplication during regular business hours in the FCC Reference Information Center, 445 12th Street, SW, Room CY-A257, Washington, DC 20554. Copies of the comments and other filings in this docket also may be obtained from the Commission's duplicating contractor, Best Copy and Printing, Inc., in person at 445 12th Street, SW, Room CY-B402, Washington, DC 20554, via telephone at (202) 488-5300 or (800) 378-3160, via facsimile at (202) 488-5563, or via e-mail at fcc@bcpiweb.com. 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 or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

This proceeding is designated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.¹⁰ 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 is generally required.¹¹ 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.¹²

For further information, contact James Brown, Mobility Division, Wireless Telecommunications Bureau at (717) 338-2621 or via email at James.Brown@fcc.gov.

By the Chief, Mobility Division, Wireless Telecommunications Bureau.

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¹⁰ 47 C.F.R. §§ 1.1200(a), 1.1206.

¹¹ 47 C.F.R. § 1.1206(b).

¹² *Id.*