



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 10-1069
June 14, 2010

QUIET PERIOD FOR THE I-WIRELESS FORBEARANCE PROCEEDING

WC Docket No. 96-45

Quiet Period Begins: June 16, 2010

On June 26, 2009, the Commission adopted the *Forbearance Procedures Order*,¹ which put in place procedural rules governing forbearance petitions under section 10 of the Communications Act of 1934, as amended.² Specifically, section 1.58 of the Commission's rules provides for a two-week quiet period before the statutory deadline for Commission action in forbearance proceedings, which thus begins one week before the voting deadline.³ As indicated in the *Forbearance Procedures Order*, this public notice announces the beginning of the two-week quiet period.⁴

On April 1, 2009, i-wireless filed a petition requesting that the Commission forbear from applying the requirements of section 214(e)(1)(A) of the Act, to the extent that those provisions require a common carrier designated as an eligible telecommunications carrier to offer services supported by the federal universal service support mechanisms using either its own facilities or a combination of its own facilities and another carrier's services.⁵ The date on which i-wireless's forbearance petition shall be

¹ *Petition to Establish Procedural Requirements to Govern Proceedings for Forbearance Under Section 10 of the Communications Act of 1934, as Amended*, WC Docket No. 07-267, Report and Order, 24 FCC Rcd 9543 (2009) (*Forbearance Procedures Order*), http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-09-56A1.doc. All of the forbearance procedural rules are now effective. See *Notice of Effective Date of New Forbearance Procedural Rules*, Public Notice, 24 FCC Rcd 10937 (Wireline Comp. Bur. 2009); *Notice of Effective Date of "Complete As Filed" Forbearance Procedural Rule*, Public Notice, DA 10-663 (Wireline Comp. Bur. rel. Apr. 16, 2010).

² 47 U.S.C. § 160.

³ 47 C.F.R. § 1.58 (stating that "[t]he prohibition in § 1.1203(a) on contacts with decision makers concerning matters listed in the Sunshine Agenda shall also apply to a petition for forbearance for a period of 14 days prior to the statutory deadline under 47 U.S.C. 160(c) or as announced by the Commission"); 47 C.F.R. § 1.1203.

⁴ *Forbearance Procedures Order*, 24 FCC Rcd at 9560-61, para. 33.

⁵ Petition for Forbearance by i-wireless, LLC, CC Docket No. 96-45 (filed Apr. 1, 2009); 47 U.S.C. § 214(e)(1)(A).

deemed granted, in the absence of a Commission denial of the petition, is June 30, 2010.⁶ Based on this deadline, the quiet period for this proceeding **begins on June 16, 2010.**⁷

Section 1.58 extends the prohibition in section 1.1203(a) (governing contacts with decision makers concerning matters listed in the Sunshine Agenda) to petitions for forbearance “for a period of 14 days prior to the statutory deadline.”⁸ Accordingly, all presentations to decision makers concerning the i-wireless forbearance proceeding, whether *ex parte* or not, are prohibited during the two-week quiet period, beginning June 16, 2010.⁹

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

- FCC -

⁶ Pursuant to section 10(c), the Commission’s Wireline Competition Bureau extended the initial one-year statutory period by an additional 90 days, from April 1, 2010 to June 30, 2010. See *Federal-State Joint Board on Universal Service; i-wireless Petition for Forbearance*, CC Docket No. 96-45, Order, 25 FCC Rcd 2762 (Wireline Comp. Bur. 2010).

⁷ “Absent unusual circumstances, this quiet period will end with the release of a Commission order addressing the forbearance petition, or if approved by the Commission, withdrawal of the petition by the petitioner.” *Forbearance Procedures Order*, 24 FCC Rcd at 9561, para. 34.

⁸ *Id.* at 9561, para. 33 n.110; 47 C.F.R. §§ 1.58, 1.1203.

⁹ 47 C.F.R. §§ 1.58, 1.1203. In accordance with the purpose of section 1.58 of the Commission’s rules, comments submitted on any Commission blog pages during the quiet period will not be considered by the Commission in finalizing the item under consideration.