



# PUBLIC NOTICE

Federal Communications Commission  
445 12<sup>th</sup> St., S.W.  
Washington, D.C. 20554

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DA 10-401

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## WIRELINE COMPETITION BUREAU SEEKS COMMENT ON UNIVERSAL SERVICE ADMINISTRATIVE COMPANY LETTER SEEKING GUIDANCE ON FCC FORM 497 FOR LOW-INCOME UNIVERSAL SERVICE PROGRAM

WC Docket No. 03-109

**Comment Date: April 9, 2010**

**Reply Comment Date: April 23, 2010**

On February 23, 2010, the Universal Service Administrative Company (USAC) filed a letter with the Wireline Competition Bureau (Bureau) seeking guidance from the Bureau on certain aspects of Line 9 of FCC Form 497, the Lifeline and Link Up Worksheet.<sup>1</sup> Line 9 of FCC Form 497 is used by eligible telecommunications carriers (ETCs) to report pro-rated low-income support amounts claimed.<sup>2</sup> Specifically, USAC notes that audits of the low-income program have identified carriers that have not pro-rated requests for Lifeline support amounts for customers whose Lifeline service is initiated or terminated mid-month, and asks the Commission what recovery action, if any, USAC should take against an ETC that has failed to pro-rate support claims for partial-month Lifeline customers.<sup>3</sup> Additionally, USAC seeks Commission guidance on whether ETCs may use Line 9 for any purpose other than to report the amount of support attributed to partial-month Lifeline customers.<sup>4</sup>

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<sup>1</sup> See Letter from Richard A. Belden, Chief Operating Officer, Universal Service Administrative Company to Sharon Gillett, Chief, Wireline Competition Bureau, Federal Communications Commission (filed Feb. 23, 2010) (USAC Letter). FCC Form 497 is used by eligible telecommunications carriers to request reimbursement for participation in the federal low-income universal service programs. See Instructions for Lifeline and Link Up Worksheet, OMB 3060-0819 (July 2008) (FCC Form 497), [http://www.usac.org/\\_res/documents/li/pdf/Form-497-instructions-FY2008.pdf](http://www.usac.org/_res/documents/li/pdf/Form-497-instructions-FY2008.pdf) (retrieved Feb. 23, 2009).

<sup>2</sup> See FCC Form 497 Instructions; see also 47 C.F.R. §§ 54.403(a), 54.407(c).

<sup>3</sup> See USAC Letter at 1-2; see also *Comment Sought on AT&T Request for Review of a Decision of the Universal Service Administrative Company Concerning Audit Findings Relating to the Low-Income Program*, WC Docket No. 03-109, Public Notice, 24 FCC Rcd 7679 (2009); *Comment Sought on AT&T Request for Review of a Decision of the Universal Service Administrative Company Concerning Audit Findings Relating to the Low-Income Program*, WC Docket No. 03-109, Public Notice, 23 FCC Rcd 13497 (2008); *Comment Sought on Qwest Request for Review of a Decision of the Universal Service Administrative Company Concerning Audit Findings Relating to the Low-Income Program*, WC Docket No. 03-109, Public Notice, 23 FCC Rcd 7845 (2008); *Comment Sought on AT&T Request for Review of a Decision of the Universal Service Administrative Company Concerning FCC Form 497*, WC Docket No. 03-109, Public Notice, 23 FCC Rcd 6407 (2008).

<sup>4</sup> See USAC Letter at 2.

Interested parties may file **comments on or before April 9, 2010**, and **reply comments on or before April 23, 2010**. All pleadings are to reference WC Docket No. 03-109. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.<sup>5</sup>

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.
- 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. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12<sup>th</sup> St., SW, Room TW-A325, Washington, D.C. 20554. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. The filing hours are 8:00 a.m. to 7:00 p.m. 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 must 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).

**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) Elizabeth Valinoti McCarthy, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-A364, Washington, D.C. 20554; e-mail: [elizabeth.mccarthy@fcc.gov](mailto:elizabeth.mccarthy@fcc.gov); and
- (3) Charles Tyler, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-A452, Washington, D.C. 20554; e-mail: [charles.tyler@fcc.gov](mailto:charles.tyler@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 CY-B402, Washington, D.C. 20554, telephone: (202) 488-5300, fax: (202) 488-5563, or via e-mail [www.bcpweb.com](http://www.bcpweb.com).

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<sup>5</sup> See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322 (1998).

This matter shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.<sup>6</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>7</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>8</sup>

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

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<sup>6</sup> 47 C.F.R. §§ 1.1200 *et seq.*

<sup>7</sup> *See* 47 C.F.R. § 1.1206(b)(2).

<sup>8</sup> 47 C.F.R. § 1.1206(b).