



PUBLIC NOTICE

Federal Communications Commission
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Release Date: March 15, 2010

**COMMENT SOUGHT ON VIRGIN MOBILE USA, L.P.'S PETITION
TO MODIFY LIFELINE CERTIFICATION METHODS IN ITS LIMITED ETC DESIGNATION
COMPLIANCE PLAN**

WC Docket No. 09-197

Comment Date: April 14, 2010

Reply Comment Date: April 29, 2010

The Wireline Competition Bureau (Bureau) seeks comment on the petition filed on March 4, 2010, by Virgin Mobile USA, L.P. (Virgin Mobile).¹ On October 29, 2009, the Bureau approved Virgin Mobile's plan for complying with the conditions imposed by the Commission in granting Virgin Mobile's request to forbear from the facilities ownership requirement of section 214(e)(1)(A) of the Communications Act of 1934, as amended.² Grant of this forbearance allowed Virgin Mobile to seek designation as a limited eligible telecommunications carrier (ETC) for the purpose of providing universal service low-income support through the Lifeline program.³ Virgin Mobile now seeks to supplement its compliance plan with two additional methods by which it will satisfy the requirement that its Lifeline customers self-certify before receiving service that they are the head of their household and only receive Lifeline-supported service from Virgin Mobile.⁴

Interested parties may file **comments on or before April 14, 2010**, and **reply comments on or before April 29, 2010**. All pleadings are to reference **WC Docket No. 09-197**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.⁵

¹ See Letter from Peter Lurie, Senior Vice President, Virgin Mobile USA, L.P., to Sharon Gillett, Chief, Wireline Competition Bureau, WC Docket No. 09-197 (filed Mar. 4, 2010) (Virgin Mobile Modification Petition).

² *Federal-State Joint Board on Universal Service; Virgin Mobile USA, L.P. Petition for Forbearance from 47 U.S.C. § 214(e)(1)(A); Petition for Designation as an Eligible Telecommunications Carrier in the State of New York; Petition for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Virginia; Petition for Limited Designation as an Eligible Telecommunications Carrier in the State of North Carolina; Petition for Limited Designation as an Eligible Telecommunications Carrier in the State of Tennessee*, CC Docket No. 96-45, Order, 24 FCC Rcd 13413 (WCB 2009); *Virgin Mobile USA, L.P. Petition for Forbearance from 47 U.S.C. § 214(e)(1)(A); Petitions for Limited Eligible Telecommunications Carrier Designation in New York, Pennsylvania, Virginia, North Carolina, and Tennessee*, CC Docket No. 96-45, Order, 24 FCC Rcd 3381 (2009) (*Virgin Mobile Order*); see also Virgin Mobile USA, L.P. Compliance Plan, CC Docket No. 96-45 (filed Apr. 3, 2009).

³ *Virgin Mobile Order*, 24 FCC Rcd at 3381, para. 1.

⁴ Virgin Mobile Modification Petition at 2; see *Virgin Mobile Order*, 24 FCC Rcd at 3392, para. 25.

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

- 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 12th 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 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.bcpiweb.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; 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.

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.bcpiweb.com.

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁶ 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

⁶ 47 C.F.R. §§ 1.1200 *et seq.*

arguments presented generally is required.⁷ 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.⁸

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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⁷ See 47 C.F.R. § 1.1206(b)(2).

⁸ 47 C.F.R. § 1.1206(b).