COMMENT SOUGHT ON THE PETITION OF SMITH BAGLEY, INC. FOR A LIMITED WAIVER OF THE INTERIM CAP ON UNIVERSAL SERVICE HIGH-COST SUPPORT FOR COMPETITIVE ELIGIBLE TELECOMMUNICATIONS CARRIERS

WC Docket No. 05-337

Comment Date: February 11, 2010
Reply Comment Date: February 26, 2010

On December 14, 2009, Smith Bagley, Inc. (SBI) filed a petition for a limited waiver of the interim cap that the Commission imposed on the amount of universal service high-cost support that competitive eligible telecommunications carriers (ETCs) may receive. Specifically, SBI requests the limited waiver to enable SBI and other competitive ETCs to obtain uncapped high-cost support to provide or expand telecommunications services to residents of the Eastern Navajo Agency of the Navajo Nation in the state of New Mexico.

Interested parties may file comments on or before February 11, 2010, and reply comments on or before February 26, 2010. All pleadings are to reference WC Docket No. 05-337. Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS), or by filing paper copies.

- 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.

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2 Petition at 1, 4.

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:


2. Gary Seigel, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-C408, Washington, D.C. 20554; e-mail: Gary.Seigel@fcc.gov;

3. Theodore Burmeister, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-B438, Washington, D.C. 20554; e-mail: Theodore.Burmeister@fcc.gov; and

4. 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. 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. Other rules pertaining to oral and written ex parte

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4 47 C.F.R. §§ 1.1200 et seq.
5 See 47 C.F.R. § 1.1206(b)(2).
presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission’s rules.\footnote{47 C.F.R. § 1.1206(b).}

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

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