

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)
)
Federal-State Joint Board on) CC Docket No. 96-45
Universal Service)
)
Motion for a Ruling on Appeal of)
USAC's Denial of USF Funding by)
Thumb Cellular, LLC)

ORDER

Adopted: January 12, 2010

Released: January 12, 2010

By the Acting Chief, Telecommunications Access Policy Division, Wireline Competition Bureau:

1. On September 15, 2006, Thumb Cellular, LLC (Thumb Cellular) filed a motion seeking a ruling on its June 2, 2004 appeal of a decision by the Universal Service Administrative Company (USAC) denying Thumb Cellular universal service interstate common line support (ICLS) for the third quarter of 2003 because USAC determined that Thumb Cellular's FCC Form 507 was not timely filed.¹ The Wireline Competition Bureau (Bureau) granted Thumb Cellular's appeal on November 22, 2006.² Because the motion seeks a ruling on an appeal that has been granted by the Bureau, we dismiss Thumb Cellular's motion as moot.

2. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.204(b), 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.204(b), 0.291, and 54.722(a), that the motion for a ruling on appeal filed by Thumb Cellular, LLC on September 15, 2006, IS DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

Jennifer K. McKee
Acting Chief
Telecommunications Access Policy Division
Wireline Competition Bureau

¹ Motion for a Ruling on Appeal of USAC's Denial of USF Funding by Thumb Cellular, LLC, CC Docket No. 96-45 (filed Sept. 15, 2006) (Thumb Cellular Motion); Request for Appeal of the Decision of the Universal Service Administrator by Thumb Cellular Limited Partnership, CC Docket 96-45, Request for Appeal (filed June 2, 2004) (Thumb Cellular Appeal).

² See *Request for Review of the Decision of the Universal Service Administrator by Thumb Cellular Limited Partnership*, CC Docket No. 96-45, Order, 21 FCC Rcd 13539 (Wireline Comp. Bur. 2006) (finding that Thumb Cellular's FCC Form 507 was timely filed under section 1.4(j) of the Commission's rules).