

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Federal-State Joint Board on Universal Service	)	CC Docket No. 96-45
	)	
Head Start Petition for Forbearance	)	

**ORDER**

**Adopted: April 29, 2010**

**Released: April 29, 2010**

By the Chief, Wireline Competition Bureau:

1. In this order, pursuant to section 10(c) of the Communications Act of 1934, as amended (the Act), we extend by 90 days the date by which the petition requesting forbearance filed by Head Start Telecom, Inc. (Head Start) shall be deemed granted in the absence of a Commission decision that the petition fails to meet the standards for forbearance under section 10(a) of the Act.<sup>1</sup>

2. On May 15, 2009, Head Start 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 telecommunication 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.<sup>2</sup> Section 10(c) of the Act states that a petition for forbearance shall be deemed granted if the Commission does not deny the petition for failure to meet the requirements for forbearance under subsection (a) within one year after the Commission receives it, unless the one-year period is extended by the Commission.<sup>3</sup> The Commission may extend the initial one-year period by an additional 90 days if the Commission finds that an extension is necessary to meet the requirements of subsection 10(a).<sup>4</sup>

3. Additional time is required to fully examine whether the forbearance requested by Head Start in its petition meets the statutory requirements set forth in section 10(a) of the Act. A 90-day extension is therefore necessary under section 10(c) of the Act.<sup>5</sup>

4. ACCORDINGLY, IT IS ORDERED that, pursuant to section 10 of the Communications Act of 1934, as amended, 47 U.S.C. § 160, and authority delegated under sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91 and 0.291, that the date on which the petition seeking forbearance filed by Head Start Telecom, Inc. shall be deemed granted, in the absence of a Commission denial of the petition for failure to meet the statutory standards for forbearance, is extended to August 13, 2010.

<sup>1</sup> 47 U.S.C. §§ 160(a), (c); Head Start Telecom, Inc. Petition for Forbearance, CC Docket No. 96-45 (filed May 15, 2009) (Head Start Petition).

<sup>2</sup>Head Start Petition at 1; 47 U.S.C. § 214(e)(1)(A).

<sup>3</sup> 47 U.S.C. § 160(c).

<sup>4</sup> *Id.*; see, e.g., *Petition of Ameritech Corporation for Forbearance from Enforcement of Section 275(a) of the Communications Act of 1934, As Amended*, CC Docket No. 98-65, Order, 14 FCC Rcd 6415 (Com. Car. Bur. 1999).

<sup>5</sup> 47 U.S.C. § 160(c).

5. IT IS FURTHER ORDERED that, pursuant to section 1.102(b)(1) of the Commission's rules, 47 C.F.R. § 1.102(b)(1), this order SHALL BE effective upon release.

FEDERAL COMMUNICATIONS COMMISSION

Sharon E. Gillett  
Chief  
Wireline Competition Bureau