



PUBLIC NOTICE

Federal Communications Commission
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WIRELINE COMPETITION BUREAU SEEKS COMMENT ON HYPERCUBE TELECOM, LLC PETITION FOR LIMITED WAIVER OF CALL SIGNALING RULES

CC Docket Nos. 01-92, 96-45; GN Docket No. 09-51; WC Docket Nos. 03-109, 05-337, 07-135, 10-90;
WT Docket No. 10-208

COMMENTS: August 9, 2012

REPLY COMMENTS: August 24, 2012

On June 28, 2012, HyperCube Telecom, LLC (“HyperCube”) filed a petition¹ seeking a limited waiver of the Commission’s call signaling rules² adopted in the *USF/ICC Transformation Order*.³ Specifically, HyperCube requests “a limited waiver for certain traffic where a pseudo-North American Numbering Plan number or no CPN or CN information is transmitted by the originating party....”⁴ HyperCube also requests a “limited waiver of the [call signaling] rule requiring intermediate carriers to pass the CPN or CN (if different) in the MF ANI field.”⁵ HyperCube asserts that its requested waivers are necessary because “compliance with the [call signaling] rules is not technically feasible given the network technology deployed or where industry standards would permit deviation from the obligation to pass... signaling information that is unaltered.”⁶

Pursuant to sections 1.415 and 1.419 of the Commission’s rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments and reply comments on the HyperCube petition on or before the dates indicated above. All pleadings are to reference **CC Docket Nos. 01-92, 96-45; GN Docket No. 09-51; WC Docket Nos. 03-109, 05-337, 07-135, 10-90; WT Docket No. 10-208**. Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS).⁷ Two courtesy copies must be delivered to Randy Clarke, Federal Communications Commission, Wireline Competition Bureau, Pricing

¹ See HyperCube Telecom LLC’s Petition for Limited Waiver of the Commission’s Call Signaling Rules in 47 C.F.R. § 64.1601, CC Docket Nos. 01-92, 96-45; GN Docket No. 09-51; WC Docket Nos. 03-109, 05-337, 07-135, 10-90; WT Docket No. 10-208 (filed June 28, 2012) (Petition).

² 47 C.F.R. § 64.1601(a).

³ See *Connect America Fund et al.*, WC Docket No. 10-90 *et al.*, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663 (2011), Appendix A, 47 C.F.R. § 64.1601(a)(1) & (2) (rel. Nov. 18, 2011), *pets. for review pending*, *Direct Commc’ns Cedar Valley, LLC v. FCC*, No. 11-9581 (10th Cir. filed Dec. 18, 2011) (and consolidated cases) (*USF/ICC Transformation Order*).

⁴ Petition at 2.

⁵ *Id.* at 7.

⁶ *Id.*

⁷ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

Policy Division, 445 12th Street, SW, Room 5-A221, Washington, DC 20554, or via e-mail at Randy.Clarke@fcc.gov.

- 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 one copy 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, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- 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, SW, Washington DC 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).

This Public Notice establishes certain procedural requirements relating to consideration of the HyperCube Petition. This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁸ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations,

⁸ 47 C.F.R. §§ 1.1200 *et seq.*

and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

For further information regarding this proceeding, contact Randy Clarke, Pricing Policy Division, Wireline Competition Bureau, (202) 418-1520, or via e-mail at Randy.Clarke@fcc.gov.

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