



PUBLIC NOTICE

Federal Communications Commission
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**WIRELINER COMPETITION BUREAU SEEKS COMMENT ON PETITIONS FOR
DESIGNATION AS A LOW-INCOME ELIGIBLE TELECOMMUNICATIONS CARRIER
FILED BY BIRCH, BLUE JAY, EZ REACH, LINKUP TELECOM, TELE CIRCUIT NETWORK
AND YOU TALK MOBILE
WC Docket No. 09-197**

Comment Date: August 10, 2012
Reply Comment Date: August 27, 2012

The Wireline Competition Bureau seeks comment on petitions filed by Birch Communications, Inc. (Birch),¹ Blue Jay Wireless, LLC (Blue Jay),² EZ Reach Mobile, LLC (EZ Reach),³ Linkup Telecom, Inc. (Linkup Telecom),⁴ Tele Circuit Network Corporation (Tele Circuit)⁵ and You Talk Mobile-Federal,

¹ Birch Communications, Inc. Petition for Designation as a Lifeline Eligible Telecommunications Carrier, WC Docket No. 09-197 (filed Apr. 27, 2012) (Birch Petition). Birch has a compliance plan pending with the Commission and may not be designated as an ETC until that plan has been approved by the Wireline Competition Bureau. *See* Amended Compliance Plan of Birch Communications, Inc., WC Docket Nos. 09-197 and 11-42 (filed June 1, 2012); *see also*, *Lifeline and Link Up Reform and Modernization et al.*, WC Docket No. 11-42 *et al.*, Report and Order and Further Notice of Proposed Rulemaking, FCC 12-11, at para. 380 (rel. Feb. 6, 2012) (*Lifeline Reform Order*).

² Blue Jay Wireless, LLC Petition for Limited Designation as an Eligible Telecommunications Carrier in Alabama, Connecticut, Delaware, the District of Columbia, Florida, New Hampshire, New York, North Carolina, Tennessee and Virginia, WC Docket No. 09-197 (filed May 21, 2012) (Blue Jay Petition). Blue Jay has a compliance plan pending with the Commission and may not be designated as an ETC until its plan has been approved by the Wireline Competition Bureau. *See* Blue Jay Wireless, LLC Compliance Plan, WC Docket Nos. 09-197 and 11-42 (filed May 11, 2012); *see also*, *Lifeline Reform Order*, FCC 12-11, at para. 380.

³ EZ Reach Mobile, LLC Petition for Limited Designation as an Eligible Telecommunications Carrier in Alabama, Connecticut, Delaware, the District of Columbia, Florida, New Hampshire, New York, North Carolina, Tennessee and Virginia, WC Docket No. 09-197 (filed May 10, 2012) (EZ Reach Petition). EZ Reach has a compliance plan pending with the Commission and may not be designated an ETC until its plan has been approved by the Wireline Competition Bureau. *See* EZ Reach Mobile, LLC Compliance Plan, WC Docket Nos. 09-197 and 11-42 (filed May 1, 2012); *see also*, *Lifeline Reform Order*, FCC 12-11, at para. 380.

⁴ Linkup Telecom, Inc. Petition for Limited Designation as an Eligible Telecommunications Carrier in Alabama, Connecticut, Delaware, the District of Columbia, Florida, New Hampshire, New York, North Carolina, Tennessee and Virginia, WC Docket No. 09-197 (filed May 22, 2012) (Linkup Telecom Petition). Linkup Telecom has a compliance plan pending with the Commission and may not be designated an ETC until its plan has been approved by the Wireline Competition Bureau. *See* Linkup Telecom, Inc. Compliance Plan, WC Docket Nos. 09-197 and 11-42 (filed Apr. 6, 2012); *see also*, *Lifeline Reform Order*, FCC 12-11, at para. 380.

⁵ Tele Circuit Network Corporation Petition for Limited Designation as an Eligible Telecommunications Carrier in the States of Alabama, Connecticut, Delaware, Florida, New Hampshire, New York, Tennessee, the Commonwealth of Virginia, and the District of Columbia, WC Docket No. 09-197 (filed July 6, 2012) (Tele Circuit Petition). Tele Circuit has a compliance plan pending with the Commission and may not be designated an ETC until its plan has

LLC (You Talk)⁶ for limited designation as an eligible telecommunications carrier (ETC) for the provision of Lifeline service. Blue Jay, EZ Reach, Linkup Telecom, Tele Circuit and You Talk each seek designation as an ETC for the limited purpose of offering Lifeline service in Alabama, Connecticut, Delaware, District of Columbia, Florida, New Hampshire, North Carolina, New York, Tennessee and Virginia.⁷ Birch seeks ETC designation for the limited purpose of offering Lifeline service in Alabama, Florida, North Carolina and Tennessee.⁸

Pursuant to sections 1.415 and 1.419 of the Commission's rules, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).⁹

- 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.

been approved by the Wireline Competition Bureau. *See* Linkup Telecom, Inc. Compliance Plan, WC Docket Nos. 09-197 and 11-42 (filed Apr. 6, 2012); *see also*, *Lifeline Reform Order*, FCC 12-11, at para. 380.

⁶ You Talk Mobile-Federal, LLC Petition for Limited Designation as an Eligible Telecommunications Carrier in Alabama, Connecticut, Delaware, the District of Columbia, Florida, New Hampshire, New York, North Carolina, Tennessee and Virginia, WC Docket No. 09-197 (filed June 19, 2012) (You Talk Petition). You Talk has a compliance plan pending with the Commission and may not be designated an ETC until its plan has been approved by the Wireline Competition Bureau. *See* You Talk Mobile-Federal, LLC, Compliance Plan, WC Docket Nos. 09-197 and 11-42 (filed Apr. 27, 2012); *see also*, *Lifeline Reform Order*, FCC 12-11, at para. 380.

⁷ Blue Jay Petition at 1-2; EZ Reach Petition at 1; Linkup Petition at 1; You Talk Petition at 1.

⁸ Birch Petition at 1.

⁹ *See* 47 CFR §§ 1.415, 1.419; *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

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).

The proceeding this Notice initiates shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.¹⁰ 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, 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, please contact Divya S. Shenoy, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-7400 or TTY (202) 418-0484.

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¹⁰ 47 C.F.R. §§ 1.1200 *et seq.*