



PUBLIC NOTICE

Federal Communications Commission
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DA 12-1405

Release Date: August 27, 2012

OFFICE OF NATIVE AFFAIRS AND POLICY, WIRELESS TELECOMMUNICATIONS BUREAU, AND WIRELINE COMPETITION BUREAU SEEK COMMENT ON THE UNITED STATES TELECOM ASSOCIATION PETITION FOR RECONSIDERATION AND CLARIFICATION OF THE FURTHER GUIDANCE REGARDING THE TRIBAL GOVERNMENT ENGAGEMENT OBLIGATION PROVISIONS OF THE CONNECT AMERICA FUND

WC Docket Nos. 10-90, 07-135, 05-337, 03-109

CC Docket Nos. 01-92, 96-45

WT Docket No. 10-208

GN Docket No. 09-51

Comment Date: September 26, 2012

Reply Comment Date: October 11, 2012

The Office of Native Affairs and Policy (ONAP), in coordination with the Wireless Telecommunications and the Wireline Competition Bureaus (the Bureaus), seeks comment on a petition¹ filed by the United States Telecom Association for reconsideration and clarification of the *Further Guidance Public Notice* released by ONAP and the Bureaus² regarding the Tribal government engagement obligations adopted in the Commission's *USF/ICC Transformation Order*.³

Pursuant to sections 1.415 and 1.419 of the Commission's rules, interested parties may file comments or reply comments on or before the dates indicated above.⁴ Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).⁵

¹ United States Telecom Association Petition for Reconsideration and Clarification, WC Docket No. 10-90 *et al.* (filed Aug. 20, 2012) (Petition).

² *Office of Native Affairs and Policy, Wireless Telecommunications Bureau, and Wireline Competition Bureau Issue Further Guidance on Tribal Government Engagement Obligation Provisions of the Connect America Fund*, WC Docket No. 10-90 *et al.*, Public Notice, DA 12-1165 (rel. July 19, 2012) (*Further Guidance Public Notice*); 47 C.F.R. § 54.313(a)(9).

³ *Connect America Fund*, WC Docket No. 10-90 *et al.*, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663 at 17868-69, paras. 636-37 (2011); *pets. for review pending sub nom. In re: FCC 11-161*, No. 11-9900 (10th Cir. filed Dec. 18, 2011).

⁴ 47 C.F.R. §§ 1.415, 1.419.

⁵ See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322 (1998).

- 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).

In addition, one copy of each pleading must be sent to each of the following:

- (1) Robert M. Finley, Office of Native Affairs and Policy, Consumer and Governmental Affairs Bureau, 445 12th Street, S.W., Room 4-C425, Washington, D.C. 20554; e-mail: Robert.Finley@fcc.gov; and
- (2) Rod Flowers, Office of Native Affairs and Policy, Consumer and Governmental Affairs Bureau, 445 12th Street, S.W., Room 4-C487, Washington, D.C. 20554; e-mail: Rod.Flowers@fcc.gov.

The proceeding this Notice initiates shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.⁶ 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

⁶ 47 C.F.R. §§ 1.1200 *et seq.*

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 Robert Finley, Office of Native Affairs and Policy, at (202) 418-7835 or TTY (202) 418-0432.

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