



PUBLIC NOTICE

Federal Communications Commission
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DA 12-1725

Released: October 25, 2012

WIRELINE COMPETITION BUREAU SEEKS COMMENT ON PETITIONS FOR DESIGNATION AS A LOW-INCOME ELIGIBLE TELECOMMUNICATIONS CARRIER FILED BY FREE MOBILE, ICON AND NEWPHONE WIRELESS

WC Docket No. 09-197

Comment Date: November 26, 2012

Reply Comment Date: December 10, 2012

The Wireline Competition Bureau seeks comment on petitions filed by Free Mobile, Inc. (Free Mobile),¹ ICON Telecom, Inc. (ICON),² and NewPhone Wireless, L.L.C. (NewPhone Wireless)³ for limited designation as an eligible telecommunications carrier (ETC) for the provision of Lifeline service. Free Mobile, ICON, and NewPhone Wireless 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.⁴

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).⁵

¹ Free Mobile, Inc. Petition for Designation as a Lifeline Eligible Telecommunications Carrier, WC Docket No. 09-197 (filed Sept. 13, 2012) (Free Mobile Petition). Free Mobile 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 Free Mobile, Inc., WC Docket Nos. 09-197 and 11-42 (filed Aug. 31, 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, 27 FCC Rcd 6656, 6816, para. 380 (2012) (*Lifeline Reform Order*).

² ICON 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 Aug. 27, 2012) (ICON Petition). ICON 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* ICON Telecom, Inc. Amended Compliance Plan, WC Docket Nos. 09-197 and 11-42 (filed Aug. 22, 2012); *see also Lifeline Reform Order*, 27 FCC Rcd at 6816, para. 380.

³ NewPhone Wireless, L.L.C. Petition for Designation as a Lifeline Eligible Telecommunications Carrier, WC Docket No. 09-197 (filed Sept. 28, 2012) (NewPhone Wireless Petition). NewPhone Wireless 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* Revised Compliance Plan of NewPhone Wireless, L.L.C., WC Docket Nos. 09-197 and 11-42 (filed Aug. 23, 2012); *see also Lifeline Reform Order*, 27 FCC at 6816, para. 380.

⁴ Free Mobile Petition at 1-2; ICON Petition at 1; NewPhone Wireless Petition at 1-2.

⁵ *See* 47 CFR §§ 1.415, 1.419; *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (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).

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 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,

⁶ 47 C.F.R. §§ 1.1200 *et seq.*

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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