



# PUBLIC NOTICE

Federal Communications Commission  
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**THE TELECOMMUNICATIONS ACCESS POLICY DIVISION  
OF THE WIRELINE COMPETITION BUREAU  
GRANTS PETITIONS REQUESTING WAIVER OF VARIOUS  
HIGH-COST UNIVERSAL SERVICE FILING DEADLINES**

**WC Docket No. 08-71**

The Telecommunications Access Policy Division (Division) of the Wireline Competition Bureau has found that there is good cause to grant two petitions for waiver of Commission rules that set forth deadlines that eligible telecommunications carriers (ETCs) had to meet for ETCs to be eligible to receive certain forms of high-cost universal service support.<sup>1</sup> The Division has found that there is good cause to grant the requested waivers because the missed deadlines were the result of minor ministerial, clerical, or procedural errors. The Division also notes that both of the petitions were unopposed.<sup>2</sup> These petitions and related information are listed below:

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<sup>1</sup> Generally, the Commission's rules may be waived if good cause is shown. 47 C.F.R. § 1.3. The Commission may exercise its discretion to waive a rule where the particular facts make strict compliance inconsistent with the public interest. *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) (*Northeast Cellular*). In addition, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis. *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular*, 897 F.2d at 1166. Waiver of the Commission's rules is appropriate only if both (i) special circumstances warrant a deviation from the general rule, and (ii) such deviation will serve the public interest. *NetworkIP, LLC v. FCC*, 548 F.3d 116, 125-128 (D.C. Cir. 2008); *Northeast Cellular*, 897 F.2d at 1166.

<sup>2</sup> The Wireline Competition Bureau sought comment on both of these petitions. *Wireline Competition Bureau Seeks Comment on the Hargray Telephone Company and Bluffton Telephone Company Petition for Waiver of a Universal Service High-Cost Filing Deadline*, WC Docket No. 08-71, Public Notice, 27 FCC Rcd 2366 (Wireline Comp. Bur. 2012); *Wireline Competition Bureau Seeks Comment on the Cinergy MetroNet, Inc. Petition for Waiver of a Universal Service High-Cost Filing Deadline*, WC Docket No. 08-71, Public Notice, 27 FCC Rcd 1665 (Wireline Comp. Bur. 2012). As noted above, both of these petitions were unopposed.

<b>Petitioner</b>	<b>Rule(s) Waived</b>	<b>Date Petition Filed</b>
Hargray Telephone Company and Bluffton Telephone Company	54.301(e) <sup>3</sup>	2/17/12
Cinergy MetroNet, Inc.	54.307(c) <sup>4</sup>	2/1/12

Filings and comments are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone: (202) 488-5300, fax: (202) 488-5563. For more information, please visit: [www.bcpiweb.com](http://www.bcpiweb.com).

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For further information, please contact Abdel Eqab, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-7400 or TTY (202) 418-0484.

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<sup>3</sup> Section 54.301(e) set forth the deadline for certain incumbent local exchange carriers to file true-up data with the Universal Service Administrative Company to be eligible to receive local switching support. 47 C.F.R § 54.301(e).

<sup>4</sup> Section 54.307(c) set forth the deadlines for a competitive ETC to file line count data to be eligible to receive certain high-cost universal service support. 47 C.F.R § 54.307(c).