



PUBLIC NOTICE

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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 three petitions for waiver of Commission rules that set forth deadlines that states and/or eligible telecommunications carriers (ETCs) had to meet for ETCs to be eligible to receive certain forms of high-cost universal service support.¹ 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 all of the petitions were unopposed.² These petitions and related information are listed below:

¹ 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.

² The Wireline Competition Bureau sought comment on each of these petitions. *Wireline Competition Bureau Seeks Comment on the Midcontinent Communications Petition for Waiver of a Universal Service High-Cost Filing Deadline*, WC Docket. No. 08-71, Public Notice, DA 11-2054 (Wireline Comp. Bur. 2011); *The Wireline Competition Bureau Seeks Comment on Citizens Tel Coop Petition for Waiver of a Universal Service High-Cost Filing Deadline*, WC Docket. No. 08-71, Public Notice, DA 11-2033 (Wireline Comp. Bur. 2011); *The Wireline Competition Bureau Seeks Comment on Cross Wireless, LLC d/b/a Sprocket Wireless Petition for Waiver of a Universal Service High-Cost Filing Deadline*, WC Docket. No. 08-71, Public Notice, 25 FCC Rcd 17365 (Wireline Comp. Bur. 2010). As noted above, all of these petitions were unopposed. One comment was filed by the National Telecommunications Cooperative Association in support of the Citizens Tel Coop petition. See Comments of the National Telecommunications Cooperative Association, WC Docket No. 08-71 (filed Jan. 23, 2012).

Petitioner	Rule(s) Waived	Date Petition Filed
Midcontinent Communications	54.307(c)(1) ³	12/14/11
Citizens Tel Coop	54.314(d) ⁴	11/23/11
Cross Wireless, LLC d/b/a Sprocket Wireless	54.307(c)	12/6/10

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, or via e-mail www.bcpweb.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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³ Section 54.307(c) sets forth the deadlines for a competitive ETC to file line count data to be eligible to receive high-cost universal service support. 47 C.F.R § 54.307(c).

⁴ Section 54.314(d) sets forth deadlines for a state or ETC to file a rural use certification, which was required for such an ETC to be eligible to receive high-cost universal service support. 47 C.F.R § 54.314(d).