



PUBLIC NOTICE

Federal Communications Commission
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WIRELINE COMPETITION BUREAU SEEKS COMMENT ON THE NATIONAL EXCHANGE CARRIER ASSOCIATION PETITION FOR CLARIFICATION OF RULES RELATED TO ADMINISTRATIVE EXPENSES

CC Docket Nos. 01-92, 96-45; GN Docket No. 09-51; WC Docket Nos. 03-109, 05-337, 07-135, 10-90;
WT Docket No. 10-208

COMMENTS: March 19, 2012

REPLY COMMENTS: April 3, 2012

On February 24, 2012, the National Exchange Carrier Association (NECA) filed a petition¹ seeking clarification “that revenues associated with the new interstate recovery mechanisms [adopted in the Commission’s *USF/ICC Transformation Order*²] are to be included in the allocation of [NECA] expenses to Category I.C.”³ In its petition, NECA suggests that its requested clarification could be implemented by appending the following sentence to section 69.603(g) of the Commission’s rules: “Beginning July 1, 2012, Connect America Fund Intercarrier Compensation support revenues and Access Recovery Charge revenues shall be included in the allocation base for Category I.C expenses.”⁴

Interested parties may file **comments on or before March 19, 2012**, and **reply comments on or before April 3, 2012**. All pleadings are to reference **CC Docket Nos. 01-92, 96-45; GN Docket No. 09-51; WC Docket Nos. 03-109, 05-337, 07-135, 10-90; WT Docket No. 10-208**. Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS).⁵ Two courtesy copies must be delivered to Belinda Nixon, Federal Communications Commission, Wireline Competition Bureau, Pricing Policy Division, 445 12th Street, SW, Room 5-A221, Washington, DC 20554, or via e-mail at belinda.nixon@fcc.gov.

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.

¹ NECA Petition for Limited Clarification, CC Docket Nos. 01-92, 96-45; GN Docket No. 09-51; WC Docket Nos. 03-109, 05-337, 07-135, 10-90; WT Docket No. 10-208 (filed Feb. 24, 2012) (*Petition*).

² See *Connect America Fund et al.*, WC Docket No. 10-90 *et al.*, Report and Order and Further Notice of Proposed Rulemaking, FCC 11-161 (rel. Nov. 18, 2011), *pets. for review pending*, *Direct Commc'ns Cedar Valley, LLC v. FCC*, No. 11-9581 (10th Cir. filed Dec. 18, 2011) (and consolidated cases).

³ *Petition* at 3. Section 47 C.F.R. 69.603(g) of the Commission’s rules defines two categories (categories I and II), and three subcategories within category I (categories I.A, I.B, and I.C.), of NECA expenses. See 47 C.F.R. § 69.603(g).

⁴ See *Petition* at 3.

⁵ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- 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).

This Public Notice establishes certain procedural requirements relating to consideration of the NECA Petition. This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁶ Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one- or two-sentence description of the views and arguments presented generally is required.⁷ Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission's rules.⁸

For further information regarding this proceeding, contact Belinda Nixon, Pricing Policy Division, Wireline Competition Bureau, (202) 418-1520, or via e-mail at belinda.nixon@fcc.gov.

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⁶ See 47 C.F.R. §§ 1.1200, 1.1206.

⁷ See 47 C.F.R. § 1.1206(b).

⁸ See *id.*