



# PUBLIC NOTICE

**Federal Communications Commission**  
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**DA 12-719**  
**Release Date: May 4, 2012**

## COMMENT SOUGHT ON CALIFORNIA PUC PETITION FOR WAIVER

**WC Docket Nos. 12-23, 11-42, 03-109;**  
**CC Docket No. 96-45**

**Comment Date: May 15, 2012**

The Wireline Competition Bureau (Bureau) seeks comment on a petition for waiver filed on April 26, 2012 by the California Public Utilities Commission (CA PUC).<sup>1</sup>

In its petition, the CA PUC requests that the Commission temporarily waive several rules established in the recent *Lifeline Reform Order*.<sup>2</sup> Specifically, the CA PUC seeks (1) a permanent waiver from section 54.410(e) certification form requirements; (2) a waiver of twelve months to comply with section 54.410(f) re-certification requirements; (3) a waiver of seven months to comply with section 54.410(d) data collection requirements; and (4) a waiver of seven months to comply with section 54.410(d) and 54.410(g) temporary address requirements.<sup>3</sup>

Interested parties may file comments on or before **May 15, 2012**. Because at least some of the rules from the CA PUC seeks a waiver will go into effect June 1, the Bureau adopts an expedited comment period for this proceeding.<sup>4</sup>

Pursuant to sections 1.415 and 1.419 of the Commission's rules, interested parties may file comments on or before the date indicated on the first page of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).<sup>5</sup>

<sup>1</sup> *Lifeline and Link Up Reform and Modernization et al.*, Petition for Waiver, WC Dkt. Nos. 11-42 *et al.* CC Dkt. No. 95-45 (filed Apr. 26, 2012) (*CA PUC Waiver Petition*).

<sup>2</sup> See *Lifeline and Link Up Reform and Modernization et al.*, Report and Order and Further Notice of Rulemaking, WC Dkt. Nos. 11-42 *et al.*, CC Dkt. No. 96-45, FCC 12-11 (rel. Feb 6, 2012) (*Lifeline Reform Order*).

<sup>3</sup> *CA PUC Waiver Petition* at 1-3.

<sup>4</sup> See *Wireline Competition Bureau Provides Notice Regarding the Effective Date of Certain Rules Adopted in the Lifeline Reform Order*, Public Notice, WC Dkt. Nos. 11-42 *et al.*, CC Dkt. No. 96-45, DA 12-689 at n.2, 3 (rel. May 1, 2012) (noting that section 54.410 (a)-(f) will be effective June 1, 2012, while the Commission anticipates that it will re-submit for approval of the information collection requirements in section 54.410(g)).

<sup>5</sup> 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 12<sup>th</sup> 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 12<sup>th</sup> 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](mailto: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.<sup>6</sup> 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

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<sup>6</sup> 47 C.F.R. §§ 1.1200 *et seq.*

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 Jonathan Lechter, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-7400 or TTY (202) 418-0484.

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