



PUBLIC NOTICE

Federal Communications Commission
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DA 13-1308
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WIRELINE COMPETITION BUREAU REMINDS PARTIES OF DEADLINES FOR FILING OPPOSITIONS AND REPLIES REGARDING THE DELL TELEPHONE COOPERATIVE APPLICATION FOR REVIEW

WC Docket No. 10-90
WC Docket No. 05-337

Oppositions Due: June 14, 2013
Replies to Oppositions Due: June 24, 2013

The Wireline Competition Bureau (Bureau) seeks comment on an application for review filed by Dell Telephone Cooperative, Inc. (Dell).¹ On April 30, 2013, the Bureau released an order that dismissed without prejudice several petitions for waiver of certain universal service rules, including a petition from Dell,² because of the availability of alternative remedies and support through a state process.³ Dell seeks review of the Bureau's decision to dismiss its petition for waiver.⁴

Pursuant to section 1.115 of the Commission's rules, oppositions shall be filed within 15 days after the application for review is filed and replies to oppositions shall be filed within 10 days after the opposition is filed.⁵ Oppositions and replies to oppositions may be filed using the Commission's Electronic Comment Filing System (ECFS).⁶

¹ Application for Review of Dell Telephone Cooperative, WC Docket Nos. 10-90, 05-337 (filed May 30, 2013) (Dell Application for Review).

² Petition for Waiver of Dell Telephone Cooperative, WC Docket No. 10-90 et al. (filed June 7, 2012) (seeking waiver of: (i) section 54.302 of the Commission's rules capping per-line support at \$250 per month; (ii) section 36.621(a)(5) of the Commission's rules ("the benchmark rule") limiting capital and operating expenses for high-cost loop support (HCLS); and (iii) section 36.621(a)(4) of the Commission's rules extending existing corporate operations expense limits to the existing HCLS and interstate common line support (ICLS) mechanisms).

³ *Connect America Fund; High-Cost Universal Service Support*, WC Docket Nos. 10-90, 05-337, Order, DA 13-965 (Wireline Comp. Bur. rel. April 30, 2013).

⁴ See Dell Application for Review, *supra* note 1.

⁵ 47 C.F.R. § 1.115.

⁶ See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Red 11322 (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, D.C. 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 D.C. 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).

In addition, one copy of each pleading must be sent to each of the following:

- (1) Abdel Eqab, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-B431, Washington, D.C. 20554; e-mail: Abdel-Hamid.Eqab@fcc.gov;
- (2) Charles Tyler, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-A452, Washington, D.C. 20554; e-mail: Charles.Tyler@fcc.gov; and
- (3) Dania Ayoubi, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 6-A322, Washington, D.C. 20554; e-mail: Dania.Ayoubi@fcc.gov.

The proceeding this Notice initiates shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission's *ex parte* rules.⁷ 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

⁷ 47 C.F.R. §§ 1.1200 *et seq.*

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, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

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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