



PUBLIC NOTICE

Federal Communications Commission
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Wireline Competition Bureau Seeks Comment on Requests for Review of Administrator Decisions Regarding Mobile Line Count Reporting

CC Docket No. 96-45, WC Docket No. 05-337

Comment Date: August 9, 2013
Reply Date: August 26, 2013

The Wireline Competition Bureau seeks comment on three separate Requests for Review of Decisions by the Universal Service Administrative Company (USAC). Two requests were filed by AT&T, Inc. on behalf of its affiliates,¹ and the third request was made by Cordova Wireless Communications, LLC.² The three filings request of review of USAC determinations that certain mobile lines were not eligible for universal service support under section 54.307(b) of the Commission's rules due primarily to issues with the reporting of customer billing addresses.³

In its two filings, AT&T requests review of USAC's decision that, in determining the location of a customer using a P.O. Box, a carrier must use the physical address of the relevant post office.⁴ According to the petition, AT&T's current practice is to assign a P.O. Box customer based on the centroid

¹ Request for Review by AT&T of Decision of the Universal Service Administrator, CC Docket No. 96-45 et al. (filed June 22, 2012) (AT&T June 22 Filing); Request for Review by AT&T of Decision of the Universal Service Administrator, CC Docket No. 96-45 et al. (filed Apr. 16, 2013) (AT&T April 16 Filing).

² Request for Review by Cordova Wireless Communications, LLC of a Decision of Universal Service Administrator, CC Docket No. 96-45 et al. (filed July 5, 2013) (Cordova Filing).

³ 47 C.F.R. § 54.307(b). Several other petitions regarding mobile line count and customer billing address issues are also currently pending before the Commission. ACS Wireless Request for Review and Petition for Waiver, CC Docket No. 96-45, WC Docket No. 05-337 (filed Jan. 17, 2012); Request for Review by PR Wireless, Inc., of a Decision of the Universal Service Administrator, CC Docket Nos. 96-45, 03-109 (filed Apr. 5, 2010); ASTAC Wireless LLC Petition for Waiver of Section 54.307(b) of the Commission's Rules, CC Docket No. 96-45 (filed Jan. 31, 2008); Letter from John T. Nakahata, General Counsel, GCI, to Dana Shaffer, Bureau Chief, Wireline Competition Bureau, FCC, CC Docket No. 96-45 (filed Jan. 26, 2009); Mobi PCS, Inc. and Cricket Communications, Inc. Petition Requesting the Federal Communications Commission to Provide Guidance to the Universal Service Administrative Company, CC Docket 96-45 (filed May 29, 2009).

⁴ AT&T June 22 Filing at 2-3; AT&T April 16 Filing at 2-3.

of the customer's ZIP codes, and AT&T contends that cataloging and reporting the addresses of all the relevant post offices would be a burdensome undertaking.⁵

Cordova requests review of USAC's determination that certain lines were ineligible for support because the initially submitted customer billing addresses were outside Cordova's service area, even though the customers also receive bills at local addresses within Cordova's service area.⁶ Cordova argues that, for customers who receive bills at multiple addresses, USAC should rely upon the local addresses where the customers reside and use the service.⁷ Cordova also seeks review of a USAC decision that certain lines were ineligible for support because they showed no activity.⁸

Pursuant to sections 1.415 and 1.419 of the Commission's rules, interested parties may file comments or reply comments on or before the dates indicated above.⁹ Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).¹⁰

- 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, 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).

⁵ AT&T June 22 Filing at 7-9; AT&T April 16 Filing at 7-9.

⁶ Cordova Filing at i.

⁷ *Id.* at 5-6.

⁸ *Id.* at 11-14.

⁹ 47 C.F.R. §§ 1.415, 1.419.

¹⁰ See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Red 11322 (1998).

In addition, we request that one copy of each pleading be sent to each of the following:

- (1) Ryan J. Yates, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-B510, Washington, DC 20554; e-mail: Ryan.Yates@fcc.gov; and
- (2) Charles Tyler, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-A452, Washington, DC 20554; e-mail: <mailto:Charles.Tyler@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.¹¹ 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 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 Ryan Yates, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-0886 or TTY (202) 418-0484.

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¹¹ 47 C.F.R. §§ 1.1200 *et seq.*