



PUBLIC NOTICE

Federal Communications Commission
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**WIRELINE COMPETITION BUREAU SEEKS COMMENT ON TULAROSA BASIN
TELEPHONE COMPANY AND SOUTHWEST TEXAS TELEPHONE COMPANY PETITION
FOR LIMITED WAIVER OF THE COMMISSION'S INTERCARRIER COMPENSATION
REVENUE RECOVERY RULES FOR RATE-OF-RETURN CARRIERS**

**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**

Comment Date: September 23, 2013

On June 10, 2013, Tularosa Basin Telephone Company, Inc. (Tularosa Basin) filed a petition for waiver of section 51.917(b)(7)(iii) of the Commission's rules.¹ On August 27, 2013, Tularosa Basin filed an amended petition that added Southwest Texas Telephone Company, Inc. (Southwest Texas) as a petitioner.² Specifically, Tularosa Basin and Southwest Texas (together Petitioners) seek a limited waiver to "allow Tularosa Basin and Southwest Texas to adjust their FY2011 Base Period Revenue so that each company includes the correct amount of Reciprocal Compensation Revenue each company is entitled to receive."³ Petitioners explain that Tularosa Basin's net reciprocal compensation revenue "was inadvertently added by error in the initial FY2011 Base Period Revenue in the Data Request of another company, Southwest Texas. Southwest Texas did not have reciprocal compensation revenue or expense for the data collection period."⁴

Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, 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). See *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/>.

¹ Petition of Tularosa Basin Telephone Company, Inc. for Limited Waiver of 47 C.F.R. § 51.917(b)(7)(iii), 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 June 10, 2013).

² Amended Petition of Tularosa Basin Telephone Company, Inc. and Southwest Texas Telephone Company, Inc. for Limited Waiver of 47 C.F.R. § 51.917(b)(7)(iii), 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 Aug. 27, 2013).

³ *Id.*

⁴ *Id.*

- 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 Street, 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 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) or (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.⁵ 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 Gregory Haledjian, Wireline Competition Bureau, Pricing Policy Division, at (202) 418-1520 or via e-mail at Gregory.Haledjian@fcc.gov.

⁵ 47 C.F.R. §§ 1.1200 *et seq.*

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