



PUBLIC NOTICE

Federal Communications Commission
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Released: December 24, 2013

**WIRELINE COMPETITION BUREAU REMINDS PARTIES OF DEADLINES FOR FILING
OPPOSITIONS AND REPLIES REGARDING THE NATIONAL CABLE AND
TELECOMMUNICATIONS ASSOCIATION'S APPLICATION FOR REVIEW OF THE
*CONNECT AMERICA PHASE II SERVICE OBLIGATIONS ORDER***

WC Docket No. 10-90

Oppositions Due: January 7, 2014

Replies to Oppositions Due: Ten (10) days after respective oppositions are filed

On October 31, 2013, the Wireline Competition Bureau (Bureau) released the *Connect America Phase II Service Obligations Order*, which adopted service obligations for price cap carriers that accept Connect America Fund Phase II support, and specified the metrics that will be used to determine if an area will be considered "served by an unsubsidized competitor" and therefore ineligible for Phase II support.¹ On December 23, 2013, the National Cable and Telecommunications Association (NCTA) filed an application for review of one aspect of the *Connect America Phase II Service Obligations Order*.² Specifically, NCTA requests that the Commission reverse the Bureau's determination in the *Connect America Phase II Service Obligations Order* that, in order to be deemed an unsubsidized competitor, an existing provider must meet the same service obligations that are imposed on an incumbent carrier receiving Phase II support.³

Pursuant to the Commission's rules,⁴ 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. They may be filed using the Commission's Electronic Comment Filing System (ECFS), or by submitting paper copies.⁵

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

¹ *Connect America Fund*, WC Docket No. 10-90, Report and Order, 28 FCC Rcd 15060 (Wireline Comp. Bur. 2013) (*Connect America Phase II Service Obligations Order*). Notice of the *Connect America Phase II Service Obligations Order* was published in the Federal Register. 78 Fed. Reg. 70881 (Nov. 27, 2013).

² NCTA, Application for Review, WC Docket No. 10-90 (filed Dec. 23, 2013).

³ See *id.* at 1-2, 8; see also *Connect America Phase II Service Obligations Order*, 28 FCC Rcd at 15077, para. 40.

⁴ See 47 C.F.R. § 1.115.

⁵ See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322 (1998).

- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. 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).

Additional Copies. In addition, we request that you send one copy of each pleading to each of the following:

- (1) Ryan Yates, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, SW, 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, SW, 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.⁶ 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

⁶ 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 Ryan Yates, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-7400 or TTY (202) 418-0484.

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