



PUBLIC NOTICE

Federal Communications Commission
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DA 13-585

Release Date: March 29, 2013

**WIRELINE COMPETITION BUREAU SEEKS COMMENT ON
THE JOINT PETITION OF TRANS-CASCADES TELEPHONE COMPANY D/B/A RELIANCE
CONNECTS AND CENTURYTEL OF OREGON, INC. D/B/A CENTURYLINK
TO WAIVE THE STUDY AREA BOUNDARY FREEZE AS CODIFIED IN PART 36 OF THE
COMMISSION'S RULES**

CC Docket No. 96-45

Comment Date: April 29, 2013

Reply Comment Date: May 14, 2013

The Wireline Competition Bureau (Bureau) seeks comment on the Trans-Cascades Telephone Company d/b/a Reliance Connects (Reliance Connects) and CenturyTel of Oregon, Inc. d/b/a CenturyLink (CenturyLink) joint petition for waiver of the Commission's study area boundary freeze.¹ Reliance Connects and CenturyLink seek to transfer the Camp Fossil area within CenturyLink's Oregon study area to Reliance Connects' Oregon study area.² CenturyLink currently provides one customer with basic voice service in the Camp Fossil area.³ No facilities will be transferred from CenturyLink to Reliance Connects in connection with this waiver.⁴ Reliance Connects and CenturyLink request that their Petition be processed via the new streamlined study area waiver rules adopted in the *USF/ICC Transformation Order*.⁵

Effective November 15, 1984, the Commission froze all study area boundaries to prevent incumbent local exchange carriers (LECs) from establishing separate study areas made up only of high-cost exchanges to maximize their receipt of high-cost universal service support.⁶ A carrier must therefore

¹ Trans-Cascades Telephone Company d/b/a Reliance Connects and CenturyTel of Oregon, Inc. d/b/a CenturyLink, Joint Petition for Waiver of the Definition of "Study Area" of the Appendix-Glossary of Part 36 of the Commission's Rules (filed Feb. 15, 2013) (Petition); 47 C.F.R. Part 36 App. (defining "study area").

² See Petition at 1-2.

³ *Id.* at 4.

⁴ *Id.* at 5.

⁵ *Connect America Fund et al.*, WC Docket No. 10-90 et al., Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17763, paras. 266-67 (2011) (*USF/ICC Transformation Order*), *pets. for review pending sub nom. In re: FCC*, No. 11-9900 (10th Cir. filed Dec. 18, 2011); 47 C.F.R. § 36.4.

⁶ See *MTS and WATS Market Structure, Amendment of Part 67 of the Commission's Rules and Establishment of a Joint Board*, CC Docket Nos. 78-72, 80-286, Decision and Order, 50 Fed. Reg. 939 (1985) (*Part 67 Order*).

apply to the Commission for a waiver of the study area boundary freeze if it wishes to transfer or acquire additional exchanges.

In the *USF/ICC Transformation Order*, the Commission streamlined its rules governing study area waiver requests, creating a method similar to the Bureau's processing of routine section 214 transfer of control applications.⁷ In the past, the procedures for addressing petitions for study area waiver required the Bureau to issue an order either granting or denying the request after issuing a public notice. Under the revised process, upon determination that a petitioner has filed a complete petition and that the petition is appropriate for streamlined treatment, the Bureau will issue a public notice seeking comment on the petition, and the petition will be deemed granted 60 days after the reply comment due date absent further action by the Bureau.⁸ Based on an initial review, the Bureau finds that the petition is complete and is appropriate for streamlined treatment, and therefore seeks comment on the petition.

Interested parties may file **comments on or before Monday, April 29, 2013**, and **reply comments on or before Tuesday, May 14, 2013**. All pleadings are to reference **CC Docket No. 96-45**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS), or by filing paper copies.⁹

- 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 four copies 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. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. The filing hours are 8:00 a.m. to 7:00 p.m. 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, S.W., 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:

⁷ See *USF/ICC Transformation Order*, 26 FCC Rcd at 17663, paras. 266-67.

⁸ See *id.*; 47 C.F.R. § 36.4.

⁹ See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322 (1998).

- (1) The Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, www.bcpweb.com; phone: (202) 488-5300 fax: (202) 488-5563;
- (2) Ian Forbes, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 6-C113, Washington, D.C. 20554; e-mail: Ian.Forbes@fcc.gov;
- (3) 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.

Filings and comments are also available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone: (202) 488-5300, fax: (202) 488-5563, or via e-mail www.bcpweb.com.

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.¹⁰ Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentation and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented generally is required.¹¹ Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission's rules.¹²

For further information, please contact Ian Forbes, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-7400 or TTY (202) 418-0484.

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¹⁰ 47 C.F.R. §§ 1.1200 *et seq.*

¹¹ See 47 C.F.R. § 1.1206(b)(2).

¹² 47 C.F.R. § 1.1206(b).