



# PUBLIC NOTICE

Federal Communications Commission  
445 12<sup>th</sup> St., S.W.  
Washington, D.C. 20554

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## WIRELINE COMPETITION BUREAU SEEKS COMMENT ON RURAL LECs PETITION FOR LIMITED AND EXPEDITED WAIVER OF THE COMMISSION'S INTERCARRIER COMPENSATION REVENUE RECOVERY RULES FOR RATE-OF-RETURN CARRIERS

CC Docket No. 01-92; WC Docket Nos. 07-135, 10-90

**Comment Date: September 11, 2014**  
**Reply Comment Date: September 26, 2014**

On April 25, 2014, Alenco Communications, Inc., Five Area Telephone Cooperative, Inc., Nortex Communications, North Texas Telephone Company, Peoples Telephone Cooperative, Inc., Totelcom Communications, LLC, West Plains Telecommunications, Inc., and XIT Rural Telephone Cooperative, Inc. (jointly referred to herein as "Rural LECs") filed a petition for limited waiver of section 51.917(c) of the Commission's rules.<sup>1</sup> Section 51.917(b) requires that 2011 Rate-of-Return Carrier Base Period Revenue consist of, among other things, Fiscal Year 2011 revenues from Transitional Intrastate Access Service received by March 31, 2012. Specifically, the Rural LECs seek a waiver "so that they may include in their 2011 Base Period Revenue amounts that were billed to Halo Wireless, Inc. ("Halo") for intrastate access services rendered during FY 2011 that cannot be collected as a result of Halo's bankruptcy."<sup>2</sup>

Pursuant to section 1.419 of the Commission's rules, 47 C.F.R. § 1.419, interested parties may file comments on or before the dates indicated above. Comments may be filed by paper copies or by 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/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. Because more than one docket number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket 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.

<sup>1</sup> Petition of Alenco Communications, Inc., Five Area Telephone Cooperative, Inc., Nortex Communications, North Texas Telephone Company, Peoples Telephone Cooperative, Inc., Totelcom Communications, LLC, West Plains Telecommunications, Inc., and XIT Rural Telephone Cooperative, Inc. for Limited Waiver of 47 C.F.R. § 51.917(c), 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 April 25, 2014) ("Rural LECs Petition"). The rule to which the Rural LECs refer in their waiver petition, 47 C.F.R. § 51.917(c), is now numbered as 47 C.F.R. § 51.917(b)(7)(ii).

<sup>2</sup> Rural LECs Petition at 2.

- 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 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](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice) or (202) 418-0432 (tty).

This matter shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.<sup>3</sup> 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, Pricing Policy Division, Wireline Competition Bureau, at (202) 418-1520 or via e-mail at [Gregory.Haledjian@fcc.gov](mailto:Gregory.Haledjian@fcc.gov).

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<sup>3</sup> 47 C.F.R. §§ 1.1200 *et seq.*