



PUBLIC NOTICE

Federal Communications Commission
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DA 14-132
Released: February 4, 2014

**PLEADING CYCLE ESTABLISHED FOR UNITED STATES TELECOM ASSOCIATION
PETITION FOR WAIVER OF REQUIREMENTS IN SECTION 61.49(K) OF THE
COMMISSION'S RULES FOR THE SHORT FORM TARIFF REVIEW PLAN**

WC Docket No. 14-18

Comment Date: February 19, 2014
Reply Comment Date: March 3, 2014

On January 30, 2013, the United States Telecom Association (USTelecom) filed a petition on behalf of its price cap members seeking a waiver of requirements in section 61.49(k) of the Commission's rules regarding non-exogenous cost data filing requirements for the Short Form Tariff Review Plan (TRP).¹ Specifically, USTelecom requests that all price cap local exchange carriers (price cap LECs) receive a waiver from the requirement that they submit PC-1 and IND-1 forms as part of the Short Form TRP.² USTelecom states that those carriers would continue to file the EXG-1Form and their exogenous cost work papers.³ In addition, USTelecom requests that the deadline for the Short Form TRP be moved to May 19, 2014 to give price cap carriers additional time to prepare their cost data.⁴ USTelecom notes that a similar waiver was requested and granted the last three years and contends that "[s]ince the same circumstances that motivated the 2010, 2011, 2012 and 2013 petitions continue to be present, this petition should be similarly granted and the waiver extended for another year."⁵

Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR §§ 1.415, 1.419, interested parties may file comments and reply comments on or before the dates 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 See Petition of the United States Telecom Association for Waiver of Rule 61.49(k)'s Non-exogenous Cost Data Requirements for the Short Form Tariff Review Plan and for Waiver of Rule 61.49(k)'s Deadline for Filing the Exogenous Cost Data Requirements of the Short Form Tariff Review Plan, WC Docket No. 14-18 at 1 (filed Jan. 30, 2014).

² *Id.* at 2.

³ *Id.*

⁴ *Id.*

⁵ *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 (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, 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. 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 at both locations 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, 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).

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 regarding this proceeding, contact Pamela Arluk, Pricing Policy Division, Wireline Competition Bureau, 202-418-1471, or via e-mail at Pamela.Arluk@fcc.gov.

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