



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

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Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 16-1057

Released: September 20, 2016

**PLEADING CYCLE ESTABLISHED FOR COMMENTS ON PETITION FOR ORDER
DECLARING WARM SPRINGS TELECOMMUNICATIONS COMPANY AN INCUMBENT
LOCAL EXCHANGE CARRIER PURSUANT TO SECTION 251(h)(2)
OF THE COMMUNICATIONS ACT**

WC Docket No. 16-284

Comments Due: October 20, 2016

Reply Comments Due: November 4, 2016

On August 29, 2016, Warm Springs Telecommunication Company, d/b/a Warm Springs Telecom (WST), filed a petition for an order declaring WST to be an incumbent local exchange carrier (LEC) pursuant to section 251(h)(2) of the Communications Act of 1934, as amended, 47 U.S.C. § 251(h)(2), and section 51.223(b) of the Commission's Rules, 47 CFR § 51.223(b). The WST petition requests that the Commission issue an order declaring that WST shall be treated as the incumbent LEC in the Warm Springs Wire Center and Wanapine Exchange, both located on the Reservation of the Confederated Tribes of Warm Springs in Oregon.

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 **October 20, 2016**, and reply comments on or before **November 4, 2016**. All pleadings should reference **WC Docket No. 16-284**. To allow the Commission to consider fully all substantive issues regarding the Petition in as timely and efficient a manner as possible, petitioners and commenters should raise all issues in their initial filings. New issues may not be raised in responses or replies.¹ A party or interested person seeking to raise a new issue after the pleading cycle has closed must show good cause why it was not possible for it to have raised the issue previously. Submissions after the pleading cycle has closed that seek to raise new issues based on new facts or newly discovered facts should be filed within 15 days after such facts are discovered. Absent such a showing of good cause, any issues not timely raised may be disregarded by the Commission.

Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.² Comments may be filed electronically using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs>. Filers should follow the instructions provided on the Web site for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket number.

¹ See 47 CFR § 1.45(c).

² See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

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 Street, S.W., Room TW-A325, Washington, D.C. 20554. The filing hours are Monday through Friday, 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, 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), (888) 835-5322 (tty).

The proceeding in this Notice shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. 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), 47 C.F.R. § 1.1206(b). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules. For further information, please contact Alex Johns at (202) 418-1167 or Dennis Johnson at (202) 418-0809.

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