



# PUBLIC NOTICE

Federal Communications Commission  
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## WIRELINE COMPETITION BUREAU SEEKS COMMENT ON PETITION FOR LIMITED WAIVER FROM FAIRPOINT COMMUNICATIONS, INC.

WC Docket No. 10-90

**Comment Date: May 4, 2017**

**Reply Comment Date: May 19, 2017**

By this Public Notice, the Wireline Competition Bureau (Bureau) seeks comment on a petition filed by FairPoint Communications, Inc. (FairPoint) seeking waiver of section 54.312(c) of the Commission's rules.<sup>1</sup> FairPoint asks that the Commission permit FairPoint to submit the locations and census blocks in which FairPoint deployed broadband, but for which FairPoint was not authorized, in order to meet the requirements for receipt of Connect America Fund Phase I Round 2 support.<sup>2</sup> Specifically, FairPoint proposes that the Bureau conduct a challenge process to confirm whether any of the locations in certain previously unidentified census blocks were "served" at the time FairPoint accepted Connect America Fund Phase I Round 2 support.<sup>3</sup>

Interested parties may file comments and reply comments on or before the respective dates indicated above. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS), or by filing paper copies.

- **Electronic Filers:** Comments may be filed electronically using the Internet by accessing the ECFS: <https://www.fcc.gov/ecfs/>
- **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 12<sup>th</sup> 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.

<sup>1</sup> See Petition for Limited Waiver to Identify, *Nunc Pro Tunc*, the Census Blocks and Locations in Virginia in which FairPoint Deployed Broadband to Meet the Requirements of CAF Phase I, Round 2, WC Docket No.10-90 (filed Mar. 30, 2017) (Petition); 47 CFR § 54.312(c).

<sup>2</sup> Petition at 1.

<sup>3</sup> Petition at 8.

- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12<sup>th</sup> 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), (202) 418-0432 (TTY).

The proceeding this petition initiates shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.<sup>4</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 Stephen Wang, Telecommunications Access Policy Division, Wireline Competition Bureau, at (202) 418-7400 or via email at [Stephen.Wang@fcc.gov](mailto:Stephen.Wang@fcc.gov).

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<sup>4</sup> 47 CFR §§ 1.1200 *et seq.*