



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

News Media Information 202 / 418-0500
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DA 20-1076

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WIRELINE COMPETITION BUREAU SEEKS COMMENT ON HAWAIIAN TELECOM PETITION FOR WAIVER OF SECTIONS 54.310 AND 54.316 OF THE COMMISSION'S RULES

WC Docket No. 10-90

Comment Date: September 28, 2020

Reply Comment Date: October 5, 2020

The Wireline Competition Bureau seeks comment on a petition filed by Hawaiian Telecom requesting waiver of sections 54.310 and 54.316 of the Commission's rules, to the extent necessary, to enable Hawaiian Telecom to demonstrate compliance with its Connect America Fund Phase II buildout obligations for the year ending December 31, 2019, and subsequent years, for 523 locations destroyed or isolated by the Kilauea Volcano eruptions that began in May 2018.¹

Filing Requirements. Interested parties may file comments on or before the date indicated on the first page of this document.² All filings must refer to **WC Docket No. 10-90**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).³

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs/>.
- 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 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.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

¹ Petition of Hawaiian Telecom for Waiver of Sections 54.310 and 54.316 of the Commission's Rules, WC Docket No. 10-90 (filed Sept. 9, 2020); 47 CFR §§ 54.310, 54.316.

² See 47 CFR §§ 1.2, 1.405, and 1.419.

³ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19.⁴

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 & Government Affairs Bureau at 202-418-0530 (voice, 202-418-0432 (tty)).

Ex Parte Rules. This proceeding shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.⁵ 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 presenters 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 section 1.1206(b) of the Commission’s rules. In proceedings governed by section 1.49(f) of the rules 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).⁶ Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

Additional Information. For further information regarding this Notice, please contact Alexander Minard, Telecommunications Access Policy Division, Wireline Competition Bureau at Alexander.Minard@fcc.gov.

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⁴ See *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, 35 FCC Rcd 2788 (Mar. 19, 2020), <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.

⁵ See 47 CFR §§ 1.1200 *et seq.*

⁶ *Id.* § 1.1206(b).