



PUBLIC NOTICE

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

News Media Information 202 / 418-0500
Internet: <https://www.fcc.gov>
TTY: 1-888-835-5322

DA 20-419

Released: April 16, 2020

WIRELINE COMPETITION BUREAU SEEKS COMMENT ON PETITION FOR WAIVER FILED BY JOHNSON TELEPHONE COMPANY REGARDING RURAL DIGITAL OPPORTUNITY FUND PROHIBITION AGAINST CAF PHASE II DEFAULTERS

WC Docket Nos. 19-126, 10-90

Comment Date: April 30, 2020

Reply Comment Date: May 7, 2020

The Wireline Competition Bureau seeks comment on a petition for waiver filed by Johnson Telephone Company (Johnson) requesting that the Commission waive the Rural Digital Opportunity Fund (Auction 904) rule that prohibits CAF Phase II defaulters from participating in Auction 904, and instead allow Johnson to apply.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 Nos. 19-126 and 10-90**.³ Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).⁴

- 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. 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 carrier, or by first-class or overnight U.S. Postal Service mail.⁵ All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

¹ Petition of Johnson Telephone Company for Waiver of section 54.803(d), WC Docket Nos. 19-126, et al., (filed Apr. 13, 2020)
<https://ecfsapi.fcc.gov/file/104132945723944/Johnson%20Petition%20for%20Waiver%20April%202020.pdf>.

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

³ All filings relating to this Public Notice should refer *only* to the dockets listed above.

⁴ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

⁵ In response to the COVID-19 pandemic, the FCC has closed its current hand-delivery filing location at FCC Headquarters. We encourage outside parties to take full advantage of the Commission's electronic filing system. Any party that is unable to meet the filing deadline due to the building closure may request a waiver of the comment or reply comment deadline, to the extent permitted by law. *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand Delivery Filing*, Public Notice, DA 20-304 (rel. Mar. 19, 2020).

- 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.

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.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 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).⁷ Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

Additional Information. For further information regarding this Notice, please contact Lauren Garry, Attorney Advisor, Telecommunications Access Policy Division, Wireline Competition Bureau at 202-418-0942 or Lauren.Garry@fcc.gov.

-FCC-

⁶ See 47 CFR §§ 1.1200 *et seq.*

⁷ *Id.* § 1.1206(b).