



PUBLIC NOTICE

Federal Communications Commission
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DA 98-1301
Released: June 30, 1998

NATIONAL TELEPHONE & COMMUNICATIONS, INC. EMERGENCY PETITION FOR PARTIAL WAIVERS

PLEADING CYCLE ESTABLISHED

CC Docket No. 96-45

Comment Date: July 14, 1998
Reply Comment Date: July 21, 1998

In the May 8, 1997 *Universal Service Report and Order*, the Commission directed all interstate telecommunications carriers, payphone providers, and others which provide interstate telecommunications service for a fee to contribute to the Universal Service Funds.¹ Contributions to the universal service support mechanisms must be based on contributors' end-user telecommunications revenues from the previous year, and the contribution factors determined quarterly by the Commission.² National Telephone & Communications, Inc. (NTC) resells intrastate and interstate interexchange services through independent sales representatives. On June 25, 1998, NTC filed a petition seeking authority to calculate its 1998 contributions on the basis of its 1998 revenues, or otherwise reduce the amount of the required contribution. NTC claims that a waiver is warranted because, in late 1997, NTC corrected the improper marketing of its services by its sales representatives, and this resulted in a drastic reduction in its end-user revenues.

Parties wishing to comment on the NTC Emergency Petition for Partial Waiver are directed to file the comments on or before **July 14, 1998**, to file reply comments on or before **July 21, 1998**, in accordance with the procedures set forth below.

Procedure for Filing

¹ *Federal-State Joint Board on Universal Service, Report and Order*, 12 FCC Rcd 8776, 9173 at ¶ 777 (rel. May 8, 1997) (*Report and Order*), consolidated appeals pending sub nom. *Texas Office of Public Utility Counsel v. FCC*, Civ. No. 97-60421 (5th Cir.); see 47 C.F.R. §§ 54.703, 54.711, 54.713.

² 47 C.F.R. §§ 54.709, 54.711.

Comments should reference: National Telephone & Communications, Inc. Emergency Petition for Partial Waiver, CC Docket No. 96-45, and should include the DA number shown on this Public Notice. Interested parties must file an original and five copies of their comments with the Office of Secretary, Federal Communications Commission, Room 222, 1919 M Street, N.W., Washington, D.C. 20554. Parties should send three copies of their comments to Sheryl Todd, Common Carrier Bureau, Federal Communications Commission, 2100 M. St, N.W., 8th Floor, Washington, D.C. 20554. Parties should send one copy of their comments to the Commission's copy contractor, International Transcription Service, 1231 20th Street, N.W., Washington, D.C. 20036. Copies of documents filed with the Commission, including the Emergency Petition for Partial Waiver, may be obtained from the International Transcription Service, 1231 20th Street, N.W., Washington, D.C. 20037, (202) 857-3800. Documents are also available for review and copying at the FCC Reference Center, Room 239, 1919 M Street, N.W., Washington, D.C., from 9:00 a.m. to 4:30 p.m.

Parties may also file informal comments or an exact copy of formal comments electronically via the Internet at: <<http://www.fcc.gov/e-file/ecfs.html>>. Only one copy of an electronic submission must be submitted. A party must note whether an electronic submission is an exact copy of formal comments on the subject line and should note in its paper submission that an electronic copy of its comments is being submitted via the Internet. A commenter also must include its full name and Postal Service mailing address in its submission. Parties not submitting an exact copy of their formal comments via the Internet are also asked to submit their comments on diskette. Parties submitting diskettes should submit them to Sheryl Todd at the address noted above. Such a submission should be on a 3.5 inch diskette formatted in an IBM compatible format using WordPerfect 5.1 for Windows or compatible software. The diskette should be accompanied by a cover letter and should be submitted in "read only" mode. The diskette should be clearly labelled with the party's name, proceeding, type of pleading (comment or reply comment), date of submission, and the name of the electronic file on the diskette. Each diskette should contain only one party's pleadings, preferably in a single electronic file. Electronic submissions are in addition to and not a substitute for the formal filing requirements addressed above.

Pursuant to section 1.1206 of the Commission's Rules, 47 C.F.R. § 1.1206, this proceeding will be conducted as a permit-but-disclose proceeding in which *ex parte* communications are permitted subject to disclosure.

For further information, contact Linda P. Armstrong, Accounting Policy Division, Common Carrier Bureau at (202) 418-7400 or via e-mail: larmstro@fcc.gov.

-- Action by Accounting Policy Division --