

**Congress of the United States**  
**Washington, DC 20515**

November 24, 2009

The Honorable Julius Genachowski  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

**1909**

Dear Chairman Genachowski,

We write today to reiterate Hopi Telecommunications, Inc's request for a report from the Commission regarding the status of the petition filed by Hopi Telecommunications on October 30, 2008, for waiver of the October 1, 2008, filing deadline for its annual Section 254(e) certification of the appropriate usage of its federal high-cost support. The petition was placed on Public Notice by the Commission on December 3, 2008 (Public Notice, DA 08-2639, WC Docket No. 08-71, released December 3, 2008). Until the petition is acted upon by the Commission, Hopi Telecommunications is unable to receive approximately \$101,454 of urgently needed federal high-cost support.

Hopi Telecommunications was formed by the Hopi Tribe in order to bring quality telecommunications services, jobs and economic development to long unserved and underserved portions of the Hopi Reservation. Since 2006, Hopi Telecommunications has been serving three high-cost rural exchanges on the Hopi Reservation and a portion of Navajo Nation.

As a tribal entity, Hopi Telecommunications is not subject to the jurisdiction of the Arizona Corporation Commission and therefore required to file its own separate Section 254(e) certification. In 2008, Hopi Telecommunications inadvertently confused the Section 254(e) certification with a related Universal Service progress report due the same day. When the mistake was discovered only days later, Hopi Telecommunications promptly filed its Section 254(e) certification on October 6, 2008. It proceeded to file the subject petition when it learned that its minimal three business day delay would preclude it from receiving any federal high-cost support for the First Quarter of 2009 unless it obtained a waiver from the Commission.

At this stage of its development, Hopi Telecommunications has not been able to accumulate a substantial financial cushion and needs to continue investing significant sums to upgrade and extend its telecommunications facilities and services. The loss of approximately \$101,454 of expected revenue during the first quarter of 2009 has resulted in major hardship for the Company, and this hardship is continually exacerbated by each additional day of delay while its waiver petition remains pending.

We urge the Commission to act on Hopi Telecommunications' petition as soon as possible, and to inform us when such action can be expected.

Sincerely,



Ann Kirkpatrick



Trent Franks