



# PUBLIC NOTICE

Federal Communications Commission  
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DA 12-39

Release Date: January 11, 2012

**THE TELECOMMUNICATIONS ACCESS POLICY DIVISION  
OF THE WIRELINE COMPETITION BUREAU  
GRANTS PETITIONS REQUESTING WAIVER OF VARIOUS  
HIGH-COST UNIVERSAL SERVICE FILING DEADLINES**

**WC Docket No. 08-71**

The Telecommunications Access Policy Division (Division) of the Wireline Competition Bureau has found that there is good cause to grant three petitions for waiver of Commission rules setting forth deadlines that eligible telecommunications carriers (ETCs) must meet to be eligible to receive certain forms of high-cost universal service support.<sup>1</sup> The Division has found that there is good cause to grant the requested waivers because the missed deadlines were the result of minor ministerial, clerical, or procedural errors. The Division also notes that all of the petitions were unopposed.<sup>2</sup> These petitions and related information are listed below:

<sup>1</sup> Generally, the Commission's rules may be waived if good cause is shown. 47 C.F.R. § 1.3. The Commission may exercise its discretion to waive a rule where the particular facts make strict compliance inconsistent with the public interest. *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) (*Northeast Cellular*). In addition, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis. *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular*, 897 F.2d at 1166. Waiver of the Commission's rules is appropriate only if both (i) special circumstances warrant a deviation from the general rule, and (ii) such deviation will serve the public interest. *NetworkIP, LLC v. FCC*, 548 F.3d 116, 125-128 (D.C. Cir. 2008); *Northeast Cellular*, 897 F.2d at 1166.

<sup>2</sup> The Wireline Competition Bureau sought comment on each of these petitions. *Wireline Competition Bureau Seeks Comment on Telenational Communications, Inc. Petition for Waiver of a Universal Service High-Cost Filing Deadline*, WC Docket No. 08-71, Public Notice, 26 FCC Rcd 12881 (Wireline Comp. Bur. 2011); *The Wireline Competition Bureau Seeks Comment on Windstream Communications, Inc. Petition for Waiver of a Universal Service High-Cost Filing Deadline*, WC Docket No. 08-71, Public Notice, 26 FCC Rcd 5989 (Wireline Comp. Bur. 2011); *Comment Sought on the Twin Valley Telephone, Inc. Petition for Waiver of a Universal Service High-Cost Filing Deadline*, WC Docket No. 08-71, Public Notice, 25 FCC Rcd 12270 (Wireline Comp. Bur. 2010). As noted above, all of these petitions were unopposed. One comment and one ex parte letter were filed in support of the Twin Valley Telephone, Inc. petition. See Letter from Tracey Sattenberger, NECA, to Marlene Dortch, FCC, WC Docket No. 08-71 (filed Sept. 28, 2010); Comments of National Telecommunications Cooperative Association, Organization for the Promotion and Advancement of Small Telecommunications Companies, and Western Telecommunications Alliance, WC Docket No. 08-71 (filed Sept. 21, 2010).

<b>Petitioner</b>	<b>Rule(s) Waived</b>	<b>Date Petition Filed</b>
Telenational Communications, Inc.	54.307(c) <sup>3</sup>	8/30/11
Windstream Communications, Inc.	54.903(a) <sup>4</sup>	4/13/11
Twin Valley Telephone, Inc.	36.612(a)(3) 54.305(d)(1) <sup>5</sup>	8/9/10

Filings and comments are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone: (202) 488-5300, fax: (202) 488-5563, or via e-mail [www.bcpiweb.com](http://www.bcpiweb.com).

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For further information, please contact Abdel Eqab, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-7400 or TTY (202) 418-0484.

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<sup>3</sup> Section 54.307(c) sets forth the deadlines for a competitive ETC to file line count data to be eligible to receive high-cost universal service support. 47 C.F.R § 54.307(c).

<sup>4</sup> Section 54.903(a) sets forth deadlines for rate-of-return carriers to file certain line count data to be eligible to receive Interstate Common Line Support. 47 C.F.R § 54.903(a).

<sup>5</sup> Sections 36.612(a)(3) and 54.305(d)(1) set forth deadlines for filing loop-related expense data to be eligible to receive safety valve support. 47 C.F.R §§ 36.612(a)(3), 54.305(d)(1).