PUBLIC NOTICE

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

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WIRELINE COMPETITION BUREAU SEEKS COMMENT ON FAIRPOINT PETITION FOR LIMITED WAIVER OF THE COMMISSION'S INTERCARRIER COMPENSATION REVENUE RECOVERY RULES FOR RATE-OF-RETURN CARRIERS

CC Docket No. 01-92; WC Docket No. 10-90

Comment Date: April 17, 2015
Reply Comment: April 27, 2015

On March 17, 2015, FairPoint Communications, Inc. (FairPoint) filed a petition for limited waiver of section 51.917(b) of the Commission's rules.[1] Specifically, FairPoint "seeks to include in its BPR calculations…revenues associated with intrastate access traffic terminated by [Halo Wireless, Inc.] during Fiscal Year 2011."[2]

Pursuant to section 1.419 of the Commission's rules, 47 C.F.R. § 1.419, interested parties may file comments on or before the date indicated above. Comments may be filed by paper copies or by using the Commission's Electronic Comment Filing System (ECFS). *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- 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. Because more than one docket number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket number. Filings can be sent by hand or messenger delivery, 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.

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[1] Petition of FairPoint Communications, Inc. for Limited Waiver of 47 C.F.R. § 51.917(b) of the Commission's Rules, WC Docket No. 10-90, CC Docket No. 01-92 at 1 (filed March 17, 2015) (FairPoint Petition); Letter of Karen Brinkmann, Principal, Karen Brinkmann PLCC, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-90, CC Docket No. 01-92 (filed March 20, 2017) (correcting an error concerning the rule number which FairPoint seeks waiver of).

[2] FairPoint Petition at 1 (internal citations omitted).

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

- 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 & Governmental Affairs Bureau at (202) 418-0530 (voice) or (202) 418-0432 (tty).

In order to develop a complete record on the issues presented in the waiver petition, this matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.[3] 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 presenter's 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 rule 1.1206(b). In proceedings governed by rule 1.49(f) 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). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

For further information, please contact Gregory Haledjian, Pricing Policy Division, Wireline Competition Bureau, at (202) 418-1520 or via e-mail at Gregory.Haledjian@fcc.gov.

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[3] 47 C.F.R. § 1.1200 *et seq*.