



PUBLIC NOTICE

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DA 98-2137
Released: October 26, 1998

U.S. NETWORK INC.
PETITION FOR WAIVER OF UNIVERSAL SERVICE CONTRIBUTION

LDC TELECOMMUNICATIONS, INC.
PETITION FOR WAIVER OR RECONSIDERATION OF REQUIREMENTS

PLEADING CYCLE ESTABLISHED

CC Docket No. 96-45

Comment Date: November 9, 1998

Reply Comment Date: November 19, 1998

In the May 8, 1997 *Universal Service Order*, the Commission directed all interstate telecommunications carriers, and others which provide interstate telecommunications service for a fee to contribute to the Universal Service Funds.¹ Contributions to the universal service

¹ *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, 12 FCC Rcd 8776, 9175 (1997) (*Universal Service Order*), as corrected by *Federal-State Joint Board on Universal Service, Errata*, CC Docket No. 96-45, FCC 97-157 (rel. June 4, 1997), *consolidated appeal pending sub nom Texas Office of Public Utility Counsel v. FCC and USA*, No. 97-60421 (5th Cir. 1997); *Federal-State Joint Board on Universal Service*, Order on Reconsideration, CC Docket No. 96-45, 12 FCC Rcd 10095 (rel. July 10, 1997); *Changes to the Board of Directors of the National Exchange Carrier Association Inc.*, *Federal-State Joint Board on Universal Service*, CC Docket Nos. 97-21, 96-45, Report and Order and Second Order on Reconsideration, 12 FCC Rcd 18400 (1997), as corrected by *Federal-State Joint Board on Universal Service, Errata*, CC Docket No. 96-45, DA 97-2477 (rel. Dec. 3, 1997); *Changes to the Board of Directors of the National Exchange Carrier Association Inc.*, *Federal-State Joint Board on Universal Service*, CC Docket Nos. 97-21, 96-45, Order on Reconsideration, Second Report and Order and Further Notice of Proposed Rulemaking, 12 FCC Rcd 12444 (1997); *Federal-State Joint Board on Universal Service*, CC Docket Nos. 96-45, 97-160, Third Report and Order, 12 FCC Rcd 22485 (1997), as corrected by *Federal-State Joint Board on Universal Service, Erratum*, CC Docket Nos. 96-45 and 97-160 (rel. Oct. 15, 1997); *Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, *Federal-State Joint Board on Universal Service*, CC Docket No. 97-21, Report and Order and Second Order on Reconsideration in CC Docket 97-21, 12 FCC Rcd 22423 (1997); *Federal-State Joint Board on Universal Service*, CC Docket No. 96-24, Third Order on Reconsideration, 12 FCC Rcd 22801 (1997); *Federal-State Joint Board on Universal Service, Access Charge Reform, Price Cap Performance Review for*

support mechanisms must be based in part on contributors' end-user telecommunications revenues from the previous year.² U.S. Network, Inc. and LDC Telecommunications, Inc. are both interstate telecommunications carriers which have experienced reductions in their end-user revenues. As a result they filed petitions requesting authority to calculate their contributions based on current revenues.³ LDC Telecommunications, Inc. requests, in the alternative, that the Commission reconsider the requirement to use prior year revenues to calculate the contribution amount.

Parties wishing to comment on these petitions are directed to file the comments in accordance with the procedures set forth below.

Procedure for Filing

Pursuant to applicable procedures set forth in Sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments in support of or in opposition to these petitions on or before **November 9, 1998**, and reply comments on or before **November 19, 1998**. All filings should refer to U.S. Network Inc. Petition for Waiver of Universal Service Contribution, LDC Telecommunications, Inc. Petition for Waiver or Reconsideration of the Requirements, CC Docket No. 96-45, and DA 98-2137. One original and six copies of all filings must be sent to the Commission's Secretary, Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 1919 M Street, N.W., Room 222, 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. Copies of documents filed with the Commission, may be obtained from the International Transcription Service, 1231 20th St., N.W., Washington, D.C., (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 comments electronically via the Internet at: <<http://www.fcc.gov/e-file/ecfs.html>>. Only one copy of an electronic submission must be submitted. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the lead docket number for this proceeding, which is Docket No. 96-45. Parties not submitting their comments via the Internet are also asked to

Local Exchange Carriers, Transport Rate Structure and Pricing, End User Common Line Charge, CC Docket Nos. 96-45, 96-262, 94-1, 91-213, 95-72, Fourth Order on Reconsideration, 13 FCC Rcd 5318 (1997), as corrected by *Federal-State Joint Board on Universal Service, Errata*, CC Docket Nos. 96-45, 96-262, 94-1, 91-213, 95-72, DA 98-158 (rel. Jan 29, 1998), *appeal pending in Alenco Communications, Inc., et al. v. FCC and USA*, No. 98-60213 (5th Cir. 1998); *Federal-State Joint Board on Universal Service, Fifth Order on Reconsideration and Fourth Report and Order* in CC Docket No. 96-45, FCC 98-120 (rel. June 22, 1998); *Federal-State Joint Board on Universal Service, Order and Order on Reconsideration*, CC Docket No. 96-45, FCC 98-160 (rel. July 17, 1998).

² 47 C.F.R. §§ 54.709, 54.711.

³ U.S. Network Inc. Petition for Waiver of Universal Service Contribution (filed Sept. 28, 1998); LDC Telecommunications, Inc. Petition for Waiver or Reconsideration of the Requirements (filed Oct. 22, 1998).

submit their comments on diskette. Parties submitting diskettes should submit them to Sheryl Todd, Accounting Policy Division, 2100 M Street, N.W., Room 8601, Washington, D.C. 20554. 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 (including the lead docket number in this case, Docket No. 96-45, 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. In addition, parties must send copies to the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, N.W., Washington, D.C. 20036.

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 Sheryl Todd or Linda P. Armstrong, Accounting Policy Division, Common Carrier Bureau at (202) 418-7400, TTY (202) 418-0484, or via e-mail: stodd@fcc.gov or larmstro@fcc.gov.

-- Action by Accounting Policy Division --