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FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET, S.W.
WASHINGTON, D.C. 20554

DA 02-375

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NORWAY RURAL TELEPHONE COMPANY AND IOWA TELECOMMUNICATIONS SERVICES, INC. D/B/A IOWA TELECOM SEEK A WAIVER OF THE DEFINITION OF "STUDY AREA" IN PART 36 OF THE COMMISSION'S RULES AND WAIVER OF SECTION 69.3(e)(11) AND SECTION 69.605(c) OF THE COMMISSION'S RULES

PLEADING CYCLE ESTABLISHED

CC Docket No. 96-45

Release Date: February 19, 2002

Comment Date: March 21, 2002
Reply Comment Date: April 5, 2002

On January 28, 2002, Norway Rural Telephone Company (Norway) and Iowa Telecommunications Services, Inc. d/b/a Iowa Telecom (Iowa Telecom) filed a joint petition for waiver of the definition of "study area" as set forth in Part 36 of the Commission's rules. That definition constitutes a rule freezing all study area boundaries. Norway is acquiring Iowa Telecom's Corwith, Iowa and Klemme, Iowa exchanges, including approximately 300 and 500 access lines, respectively. The requested waiver would permit Iowa Telecom to alter the boundaries of its existing Iowa study area in order to remove those lines. This waiver would also permit Norway to expand its current Iowa study area to include the exchanges acquired from Iowa Telecom.

Norway also seeks waiver, to the extent necessary, of the definition of "average schedule company" in section 69.605(c) of the Commission's rules, 47 C.F.R. § 69.605(c). Section 69.605(c) defines an average schedule company as being a telephone company that was participating in average schedule settlements on December 1, 1982. The requested waiver would permit Norway to maintain average schedule status after acquiring the Iowa Telecom exchanges that are currently under price cap regulation. Finally, Norway seeks waiver of section 69.3(e)(11) of the Commission's rules, 47 C.F.R. § 69.3(e)(11), so that it can incorporate the acquired access lines in the NECA carrier common line tariff upon the closing of the transaction.

Pursuant to section 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments on or before **March 21, 2002** and

reply comments on or before **April 5, 2002**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See* Electronic Filing of Documents in Rulemaking Proceedings, 13 FCC Rcd 11322, 11326 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit electronic comments by Internet e-mail. To receive filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply. Or you may obtain a copy of the ASCII Electronic Transmittal From (FORM-ET) at <www.fcc.gov/e-file/email.html> .

Parties who choose to file by paper must file an original and four copies of each filing. Filings must be mailed to the Commission's Acting Secretary, William F. Caton, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554. Parties also should send three paper copies of their filing to Sheryl Todd, Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554.

Parties are hereby notified that effective December 18, 2001, the Commission's contractor, Vistronix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at a new location in downtown Washington, DC. The address is 236 Massachusetts Avenue, NE, Suite 110, Washington, DC 20002. The filing hours at this location will be 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.

This facility is the only location where hand-delivered or messenger-delivered paper filings for the Commission's Secretary will be accepted. Accordingly, the Commission will no longer accept these filings at 9300 East Hampton Drive, Capitol Heights, MD 20743. In addition, this is a reminder that, effective October 18, 2001, the Commission discontinued receiving hand-delivered or messenger-delivered filings for the Secretary at its headquarters location at 445 12th Street, SW, Washington, DC 20554.

Other messenger-delivered documents, including documents sent by overnight mail (other than United States Postal Service (USPS) Express Mail and Priority Mail), must be addressed to 9300 East Hampton Drive, Capitol Heights, MD 20743. This location will be open 8:00 a.m. to 5:30 p.m. The USPS first-class mail, Express Mail, and Priority Mail should continue to be addressed to the Commission's headquarters at 445 12th Street, SW, Washington, DC 20554. The USPS mail addressed to the Commission's headquarters actually goes to our Capitol Heights facility for screening prior to delivery at the Commission.

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United States Postal Service first-class mail, Express Mail, and Priority Mail	445 12th Street, SW Washington, DC 20554

The full text of this document and the supplemental submission is available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC 20554. The supplemental submission may also be viewed at http://izzy.fcc.gov/prod/ecfs/s_a/, by typing **[DOCKET NO.]** in the Proceeding box and **[DATE]** in the date box. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail qualexint@aol.com. Alternative formats (computer diskette, large print, audio cassette and Braille) are available to persons with disabilities by contacting Brian Millin at (202) 418-7426, TTY (202) 418-7365, or at bmillin@fcc.gov.

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, please contact Jennifer Schneider, Accounting Policy Division, Common Carrier Bureau, at (202) 418-7400, TTY (202) 418-0484.