



# PUBLIC NOTICE

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## WIRELINE COMPETITION BUREAU SEEKS COMMENT ON PETITION OF RCC MINNESOTA, INC. FOR WAIVER OF CERTAIN FILING DEADLINES FOR RECEIPT OF UNIVERSAL SERVICE SUPPORT

CC Docket No. 96-45

**Comment Date: September 18, 2003**

**Reply Comment Date: September 25, 2003**

On July 11, 2003, RCC Minnesota, Inc. (RCC), a competitive eligible telecommunications carrier (ETC), filed a petition seeking a waiver of the deadlines set forth in sections 54.313 and 54.314 of the Commission's rules for the Washington Utilities and Transportation Commission to file an annual certification by April 1, 2001 with the Universal Service Administrator Company (USAC) and the Commission stating that all universal service high-cost support received by RCC will be used "only for the provision, maintenance, and upgrading of facilities and services for which support is intended."<sup>1</sup> In addition, RCC requests a waiver of the line-count filing deadlines set forth in sections 54.307(c), 54.802(a), and 54.903(a)(2) of the Commission's rules.<sup>2</sup> The filing deadlines relate to RCC's receipt of universal service support for its service provided in the State of Washington. RCC contends that, without a waiver of these filings deadlines, it would not receive universal service support for the services it provided between August 14, 2002, the date of its ETC designation, and December 31, 2002.<sup>3</sup> RCC argues that granting a waiver of these filing deadlines would be consistent with the Commission goals of competitive neutrality and of preserving and advancing universal service, in addition to serving the public interest.<sup>4</sup> RCC, therefore, requests that the Commission grant its waiver requests so that RCC can receive universal service support for the services it provided from August 14, 2002, the date it received ETC designation, to December 31, 2002.

We invite comment on RCC's waiver requests. Pursuant to applicable procedures set forth in sections 1.415 and 1.419 of the Commission's rules, interested parties may file comments on or before **September 18, 2003**, and reply comments on or before **September 25, 2003**. All filings should refer to

<sup>1</sup> *RCC Minnesota, Inc. Petition for Waiver of Sections 54.313 and 54.314 of the Commission's Rules*, filed July 11, 2003 (*RCC Petition*). 47 C.F.R. §§ 54.313(d)(3)(iii) and 54.314(d)(3) (the April 1st deadline is for receipt of high-cost support for the third and fourth quarters of that year).

<sup>2</sup> *RCC Minnesota, Inc. Supplement and Erratum to Petition for Waiver*, filed on August 19, 2003 (*RCC Supplement*). 47 C.F.R. §§ 54.307(c), 54.802(a), and 54.903(a)(2)

<sup>3</sup> *RCC Petition* at 3; *RCC Supplement* at 7

<sup>4</sup> *RCC Petition* at 4; *RCC Supplement* at 4-5, 7.

CC Docket No. 96-45. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.

Comments filed through ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket number, which in this instance is CC Docket No. 96-45. Parties may also submit an electronic comment by Internet e-mail. To receive filing instructions for e-mail comments, commenters should send an e-mail to [ecfs@fcc.gov](mailto: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.

Parties who choose to file by paper must file an original and four copies of each filing. Parties who hand-deliver paper filings for the Commission's Secretary must do so only with the Commission's contractor, Vistronix, Inc. at 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. 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 Secretary: Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Suite TW-A325, Washington, DC, 20554.

If you are sending this type of document or using this delivery method. .	It should be addressed for delivery to...
Hand-delivered or messenger-delivered paper filings for the Commission's Secretary	236 Massachusetts Avenue, NE, Suite 110 Washington, DC 20002 (8:00 a.m. to 7:00 p.m.)
Other messenger-delivered documents, including documents sent by overnight mail (other than United States Postal Service Express Mail and Priority Mail)	9300 East Hampton Drive Capitol Heights, MD 20743 (8:00 a.m. to 5:30 p.m.)
United States Postal Service first-class mail, Express Mail, and Priority Mail	445 12th Street, SW Washington, DC 20554

Parties who choose to file by paper should also submit their comments on diskette to Sheryl Todd, Telecommunications Access Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, SW, Room 5-B540, Washington, DC, 20554. Such a submission should be on a 3.5 inch diskette formatted in an IBM compatible format using Microsoft Word 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 labeled with the commenter's name, CC Docket No. 96-45, type of pleading (comment or reply comment), date of submission, and the name of the electronic file on the diskette. The label should also include the following phrase "Disk Copy - Not an Original." Each diskette should contain only one party's pleading, preferably in a single electronic file. In addition, commenters must send diskette copies to the Commission's copy contractor, Qualex International, Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554.

Regardless of whether parties choose to file electronically or by paper, parties should also file one

copy of any documents filed in this docket with the Commission's copy contractor, Qualex International, Inc., Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554. Comments and reply comments will be available for public inspection during regular business hours in the FCC Reference Center, Room CY-A257, 445 12th Street, SW, Washington, DC, 20554. In addition, the full text of this document 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. This document may also be purchased from the Commission's copy 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](mailto:qualexint@aol.com).

Comments and reply comments must include a short and concise summary of the substantive arguments raised in the pleading. Comments and reply comments must also comply with section 1.49 and all other applicable sections of the Commission's rules. 47 C.F.R. § 1.49. We direct all interested parties to include the name of the filing party and the date of the filing on each page of their comments and reply comments. All parties are encouraged to utilize a table of contents, regardless of the length of their submission.

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 Scott A. Mackoul, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-7400, TTY (202) 418-0484.