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Federal Communications Commission
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Released: January 3, 2008

COMMENT SOUGHT ON CONSOLIDATED COMMUNICATIONS HOLDINGS, INC., PETITION FOR CONVERSION TO PRICE CAP REGULATION AND FOR LIMITED WAIVER OF PRICING AND UNIVERSAL SERVICE RULES

WC Docket No. 07-291

COMMENTS DUE: February 4, 2008

REPLY COMMENTS DUE: February 19, 2008

On December 4, 2007, Consolidated Communications Holdings, Inc. (Consolidated) filed a petition in which it “requests authority to convert its rate-of-return (‘ROR’) cost study areas to price cap regulation no later than July 1, 2008.”¹ Consolidated also requests “to the extent necessary, limited waivers of the applicable universal service high-cost support mechanisms.”² Specifically, Consolidated proposes that the price cap regulatory structure that would apply to its converted operations “would be based on the structural rules established in the *CALLS Order*, but Consolidated would not ‘join’ the universal service regime applied to price cap carriers in the *CALLS Order*.”³ According to Consolidated, “for those converted study areas with average traffic sensitive (ATS) rates ... higher than the carrier target under the *CALLS Order* of \$0.0065 per minute, [Consolidated] will reduce those ATS rates to that target level using a transition process consistent with other *CALLS* companies.”⁴ For special access services, Consolidated proposes to “initialize its price cap rates for special access services in the converted study areas at current ROR levels.”⁵ For universal service support, Consolidated proposes to “continue to receive interstate common line support (‘ICLS’) for the converted study areas, but the level of support will be calculated like [Interstate Access Support] IAS and set at a per line amount.”⁶ Consolidated notes that under its proposal, its “total IAS-like support will be less than the total ICLS funding it would otherwise have received as a ROR carrier.”⁷ Consolidated also notes that “unlike ICLS support under

¹ Consolidated Communications Petition for Conversion to Price Cap Regulation and for Limited Waiver Relief, WC Docket No. 07-291 (filed Dec. 4, 2007) at 1.

² *Id.*

³ *Id.* at 8.

⁴ *Id.*

⁵ *Id.* at 9.

⁶ *Id.*

⁷ *Id.*

ROR regulation, the IAS-like support Consolidated will receive for a given access line will be lost entirely when it loses a line.”⁸

Interested parties may file comments on the Consolidated petition for conversion and limited waiver on or before **February 4, 2008** and reply comments on or before **February 19, 2008** pursuant to sections 1.415 and 1.419 of the Commission’s rules.⁹ Filings in this proceeding should be captioned “In the Matter of Consolidated Communications Petition for Conversion and Limited Waiver” and filed in WC Docket No. 07-291.

All filings must 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. Two courtesy copies must be delivered to Lynne Hewitt Engledow, Federal Communications Commission, Wireline Competition Bureau, Pricing Policy Division, 445 12th Street, SW, Room 5-A361, Washington, DC 20554. One copy must also be sent to Best Copy and Printing, Inc., Portals II, 445 12th Street SW, Suite CY-B402, Washington, DC 20554, telephone 202-488-5300, facsimile 202-488-5563, or via e-mail at fcc@bcpiweb.com.

Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS) or by filing paper copies.

- **Electronic Filers:** Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided on the website for submitting comments.
 - For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov and include the following words in the body of the message: get form <your email address>. A sample form and directions will be sent in response.
- **Paper Filers:** Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number. **Parties are strongly encouraged to file comments electronically using the Commission’s ECFS.**

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission’s Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission.

- The Commission’s contractor will receive hand-delivered or messenger-delivered paper filings for the Commission’s Secretary at 236 Massachusetts Avenue, NE, Suite 110, Washington, DC 20002. The filing hours at this location are 8 a.m. to 7 p.m. All hand

⁸ *Id.*

⁹ 47 C.F.R. §§ 1.415, 1.419.

deliveries must be held together with rubber bands or fasteners. Any envelopes 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 should 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), 202-418-0432 (tty).

Filings and comments are also 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. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone 202-488-5300, facsimile 202-488-5563, or via e-mail at fcc@bcpiweb.com.

This Public Notice establishes certain procedural requirements relating to consideration of the Consolidated petition. This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.¹⁰ Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one- or two-sentence description of the views and arguments presented generally is required.¹¹ Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission's rules.¹²

For further information regarding this proceeding, contact Lynne Hewitt Engledow, Pricing Policy Division, Wireline Competition Bureau, 202-418-1520, or via e-mail at lynne.engledow@fcc.gov.

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¹⁰ See 47 C.F.R. §§ 1.1200, 1.1206.

¹¹ See 47 C.F.R. § 1.1206(b).

¹² 47 C.F.R. § 1.1206(b).