

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

<b>In the Matter of</b>	)	
	)	
<b>Federal-State Joint Board on Universal Service</b>	)	
	)	
<b>Commonwealth of Pennsylvania</b>	)	<b>CC Docket No. 96-45</b>
	)	
<b>Petition for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Pennsylvania</b>	)	

**WITHDRAWAL OF PETITION TO REJECT**

On January 29, 2009, the Pennsylvania Emergency Management Agency (“PEMA”), as an executive agency of the Commonwealth of Pennsylvania, filed a Petition to Reject the self-certification by TracFone Wireless, Inc. (“TracFone”) that TracFone is in full compliance with applicable Commonwealth of Pennsylvania 911 and enhanced 911 (“E-911”) obligations, including obligations relating to the provision and support of 911 and E-911 service pursuant to paragraph sixteen (16) of Federal Communications Commission (“FCC”) Order 08-100.

PEMA filed its Petition to Reject to note an ongoing dispute between PEMA and TracFone with regard to the obligations imposed upon prepaid wireless carriers under Pennsylvania’s Public Safety Emergency Telephone Act (“PSETA”), 35 P.S. §§ 7011, *et seq.*, as amended. PEMA and TracFone have, however, resolved the dispute and TracFone is in compliance with the PSETA. Accordingly, PEMA hereby withdraws its Petition to Reject.

**WHEREFORE**, the Petition to Reject filed by the Pennsylvania Emergency Management Agency should be deemed withdrawn.

Respectfully submitted,

**THOMAS W. CORBETT, JR.**  
Attorney General

**OFFICE OF ATTORNEY GENERAL**  
**Litigation Section**  
**15th Floor, Strawberry Square**  
**Harrisburg, PA 17120**  
**Direct: (717) 783-3146**  
**Fax: (717) 772-4526**

By: s/ *Patrick S. Cawley*  
**PATRICK S. CAWLEY**  
Deputy Attorney General  
PA 85575

**SUSAN J. FORNEY**  
Chief Deputy Attorney General  
Chief, Litigation Section

**Date: December 7, 2009**

**CERTIFICATE OF SERVICE**

I, Patrick S. Cawley, Deputy Attorney General for the Commonwealth of Pennsylvania, hereby certify that on December 7, 2009 I caused to be served a true and correct copy of the foregoing "Withdrawal of Petition to Reject" by U.S. Mail, first-class postage prepaid and addressed to the following individuals:

Mitchell F. Brecher, Esquire  
Greenberg Traurig, LLP  
2101 L Street, NW  
Suite 1000  
Washington, DC 20037

*s/ Patrick S. Cawley*  
\_\_\_\_\_  
**PATRICK S. CAWLEY**  
**Deputy Attorney General**

**Date: December 7, 2009**