

ERRATA Filed December 7, 2009

Before
the
Federal Communications Commission
Washington, DC 20554

In the Matter of)
)
Requests for Review of Decisions of the)
Universal Service Administrator by)
Hancock County School District) File Nos. SLD-459271, *et al.*
New Cumberland, West Virginia, *et al.*)
)
)
Schools and Libraries Universal Service) CC Docket No. 02-6
Support Mechanism)

ERRATA PETITION FOR RECONSIDERATION, or ALTERNATIVELY A WAIVER

**Changes-
Page 2:**

From: Since the Order denies Petitioners from benefiting from competition for discounted telecommunications services under the schools and libraries universal support mechanism the Order violates the Act.

To: Since the Order denies Petitioners from benefiting from competition for discounted telecommunications services under the schools and libraries universal support mechanism, **the** Order violates the Act.

Page 4:

From: Petitioners fit the definition of "Telecommunications Carriers" as under the Act; actually, the Act states that a "telecommunications carrier" shall be treated as common carrier;

To: **Petitioners' vendors** fit the definition of "Telecommunications Carriers" as under the Act; actually, the Act states that a "telecommunications carrier" shall be treated **as a** common carrier;

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From: The FCC'S position on whether schools and libraries may purchase cellular/paging telecommunications services, like the ones that sold

telecommunications services to Petitioners, is set forth in its *Report and Order, FCC 97-157, Rel May 8, 1997*.

To: The FCC'S position on whether schools and libraries may purchase cellular/paging telecommunications services, like the telecommunications services vendors sold to Petitioners, is set forth in its *Report and Order, FCC 97-157, Rel May 8, 1997*.

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From: While the Order places great emphases on the lack of Common Carrier status of the Petitioners, the term common carrier has been so severely eviscerated by the FCC's own policies that it is meaningless in the context of the Order.

To: While the Order places great emphases on the lack of Common Carrier status of the Petitioners' vendors, the term common carrier has been so severely eviscerated by the FCC's own policies that it is meaningless in the context of the Order.

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From: If the term common carrier, as used in the Order, means the absence of regulation [*via* filed tariffs] of Petitioners by the FCC, the Order is unreasonable because "it has long been recognized that "[a]s a practical matter, ***if AT&T were regulated, no one else could charge more and stay in the market, so, in effect all were regulated. *Communications Law and Practice, Hamburg and Bratman, Section 4-04[2][b]*

To: If the term common carrier, as used in the Order, means the absence of regulation [*via* filed tariffs] of Petitioners' vendors by the FCC, the Order is unreasonable because "it has long been recognized that "[a]s a practical matter, ***if AT&T were regulated, no one else could charge more and stay in the market, so, in effect all were regulated. *Communications Law and Practice, Hamburg and Bratman, Section 4-04[2][b]*

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From: Said differently, if major common carriers of cellular/paging services are regulated no one else could charge more and stay in the market, then Petitioners are regulated. *Id.* It is the FCC's stated position to

encourage competition in the "wireless" telecommunications marketplace. <http://wireless.fcc.gov/index.htm?job=scpd>

To: Said differently, if major common carriers of cellular/paging services are regulated no one else could charge more and stay in the market, then **if Petitioners' vendors** are regulated. *Id.* It is the FCC's stated position to encourage competition in the "wireless" telecommunications marketplace. <http://wireless.fcc.gov/index.htm?job=scpd>

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From: At the time, the Commission planned to license only one non wireline per market In 1981, however, ***

To: At the time, the Commission planned to license only one non wireline per **market. In 1981**, however,***

Respectfully submitted,

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Cc: Hancock County School District, Holgate School District, Mel Blount Youth Home, Pleasants County School District