

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

In the Matter of)	
)	
Federal-State Joint Board on)	WC 09-197
Universal Service)	
)	
Petition for Forbearance)	
of Line Up, LLC)	

COMMENTS OF NENA

The National Emergency Number Association (“NENA”) responds to the Commission’s invitation to comment on the captioned petition for forbearance.¹ Line Up relies on previous grants of forbearance to TracFone and Virgin Mobile, and it proposes to abide by the several conditions the FCC imposed on those carriers with respect to customer access to 9-1-1 and E9-1-1 services. One of those conditions, however, is not discussed. This is the requirement that TracFone and Virgin Mobile self-certify “full compliance with any applicable [state] 911/E911 obligations, including obligations relating to the provision, and support, of 911 and E911 service.”²

We ask that any grant of forbearance to Line Up be conditioned in the same manner. For both TracFone and Virgin Mobile, the requirement was applied to ETC applications for particular states. Although Line Up has yet to seek from the Commission ETC status in any state, we believe the condition of compliance with “applicable 911/E911 obligations” can and should be imposed on the prior grant of forbearance and therefore run with any later ETC authorizations.

¹ Public Notice, DA 10-1040, released June 7, 2010. Line Up requests forbearance from the requirement of Section 214 (e) that only facilities-based providers may partake of Universal Service Fund support.

² See, respectively, 23 FCC Rcd 6206, 6213 (2008), ¶16; and Order, FCC 09-18, ¶39.

Respectfully submitted,

NENA

By _____
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June 18, 2010

ITS ATTORNEY

Certificate of Service

The foregoing Comments of NENA were served today by regular mail upon:

Carl S. Schwartz
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June 18, 2010

James R. Hobson