



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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DA 12-1079

Release Date: July 5, 2012

**WIRELINE COMPETITION BUREAU SEEKS COMMENT ON
PETITION BY THE COLORADO PUBLIC UTILITIES COMMISSION FOR AGREEMENT IN
REDEFINING THE SERVICE AREA OF A RURAL TELEPHONE COMPANY**

**CC Docket No. 96-45
WC Docket No. 09-197**

**Comment Date: July 19, 2012
Reply Comment Date: July 26, 2012**

The Wireline Competition Bureau seeks comment on a petition filed on June 18, 2012 by the Colorado Public Utilities Commission (Colorado PUC) pursuant to section 54.207 of the Commission's rules.¹ In its petition, the Colorado PUC requests the Commission's agreement to redefine the service area of Nucla-Naturita Telephone Company.²

Section 54.207 of the Commission's rules, which implements section 214(e)(5) of the Communications Act of 1934, as amended (the Act), provides that a rural telephone company's service area will be its study area "unless and until the Commission and the states, after taking into account the recommendations of a Federal-State Joint Board instituted under section 410(c) of the Act, establish a different definition of service area for such company."³

This public notice is required by section 54.207(c)(2) of the Commission's rules.⁴ If the Commission initiates a proceeding to consider the Petition, it must do so within 90 days of the release date of this public notice, pursuant to the Commission's rules.⁵ If the Commission does not act on the Petition by **October 3, 2012**, the definition proposed by the Colorado Public Utilities Commission will be deemed approved by the Commission and shall take effect in accordance with state procedures.⁶

Interested parties may file **comments on or before July 19, 2012**, and **reply comments on or before July 26, 2012**. All pleadings are to reference **WC Docket No. 09-197**. Pursuant to sections 1.415

¹ Petition by the Colorado Public Utilities Commission, Pursuant to 47 CFR § 54.207(c), for the Federal Communications Commission Agreement in Redefining the Rural Telephone Company Service Area of Nucla-Naturita Telephone Company, CC Docket No. 96-45 (filed June 18, 2012) (Petition); 47 C.F.R. § 54.207.

² Petition at 1.

³ 47 C.F.R. § 54.207(b); 47 U.S.C. § 214(e)(5).

⁴ 47 C.F.R. § 54.207(c)(2).

⁵ 47 C.F.R. § 54.207(c)(3).

⁶ See 47 C.F.R. § 54.207(c)(3)(ii).

and 1.419 of the Commission's rules, interested parties may file comments on or before the dates indicated on the first page of this document.⁷ Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).⁸

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy 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.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes 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 must 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).

In addition, one copy of each pleading must be sent to each of the following:

- (1) Charles Tyler, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-A452, Washington, D.C. 20554; e-mail: Charles.Tyler@fcc.gov.
- (2) Alexander Minard, Telecommunications Access Policy Division, Wireless Telecommunications Bureau, 445 12th Street, S.W., 5-A334, Washington, D.C. 20554; e-mail: Alexander.Minard@fcc.gov.

The proceeding this Notice initiates shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁹ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments

⁷ 47 C.F.R. §§ 1.415, 1.419.

⁸ See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322 (1998).

⁹ 47 C.F.R. §§ 1.1200 *et seq.*

already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

For further information, please contact Alex Minard, Telecommunications Access Policy Division, Wireless Telecommunications Bureau at (202) 418-7400 or TTY (202) 418-0484.

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