



# PUBLIC NOTICE

Federal Communications Commission  
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## QUIET PERIOD ANNOUNCED FOR THE USTELECOM FORBEARANCE PETITION

WC Docket No. 12-61

**Quiet Period Begins: 5:00 PM (EDT) on May 3, 2013**

On February 16, 2012, USTelecom filed a petition pursuant to section 10 of the Communications Act of 1934, as amended (the Act), requesting that the Commission forbear from enforcing certain “legacy telecommunications regulations.”<sup>1</sup> USTelecom seeks forbearance from a variety of statutory provisions and regulations that USTelecom characterizes as falling into one of 17 categories.<sup>2</sup> The statutory date on which USTelecom’s forbearance petition shall be deemed granted, in the absence of a Commission denial of the petition, is May 17, 2013.<sup>3</sup>

The Commission has implemented procedural rules governing forbearance petitions under section 10 of the Act.<sup>4</sup> Section 1.58 of the Commission’s rules provide for a two-week quiet period before the statutory deadline for Commission action in forbearance proceedings.<sup>5</sup> Section 1.58 extends the prohibition in section 1.1203(a) (governing contacts with decision makers concerning matters listed in the Sunshine Agenda) to petitions for forbearance “for a period of 14 days prior to the statutory deadline.”<sup>6</sup> This public notice announces the beginning of the two-week quiet period.<sup>7</sup> The quiet period for this

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<sup>1</sup> *Petition of United States Telecom Association for Forbearance Pursuant to 47 U.S.C. § 160(c)*, WC Docket No. 12-61 (filed Feb. 16, 2012).

<sup>2</sup> *Id.*

<sup>3</sup> Pursuant to section 10(c) of the Act, the Wireline Competition Bureau extended the initial one-year statutory period by an additional 90 days, to May 17, 2013. See *Petition of USTelecom for Forbearance from Enforcement of Certain Legacy Telecommunications Regulations*, WC Docket No. 12-61, Order, 28 FCC Rcd 1077 (Wireline Comp. Bur. 2012).

<sup>4</sup> *Petition to Establish Procedural Requirements to Govern Proceedings for Forbearance Under Section 10 of the Communications Act of 1934, as amended*, WC Docket No. 07-267, Report and Order, 24 FCC Rcd 9543 (2009) (*Forbearance Procedures Order*).

<sup>5</sup> 47 C.F.R. § 1.58 (stating that “[t]he prohibition in § 1.1203(a) on contacts with decision makers concerning matters listed in the Sunshine Agenda shall also apply to a petition for forbearance for a period of 14 days prior to the statutory deadline under 47 U.S.C. § 160(c) or as announced by the Commission”); 47 C.F.R. § 1.1203.

<sup>6</sup> *Forbearance Procedures Order*, 24 FCC Rcd at 9561, para. 33 n.110; 47 C.F.R. §§ 1.58, 1.1203.

<sup>7</sup> *Forbearance Procedures Order*, 24 FCC Rcd at 9560-61, para. 33.

proceeding begins at 5:00 pm (EDT) on May 3, 2013.<sup>8</sup> Accordingly, all presentations to decision makers concerning the USTelecom Petition, whether *ex parte* or not, are prohibited beginning at 5:00 pm (EDT) on May 3, 2013.<sup>9</sup>

For further information, please contact Jennifer Prime, Competition Policy Division, Wireline Competition Bureau at (202) 418-2403 or TTY (202) 418-0484.

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<sup>8</sup> “Absent unusual circumstances, this quiet period will end with the release of a Commission order addressing the forbearance petition[s], or if approved by the Commission, withdrawal of the petition by the petitioner.” *Forbearance Procedures Order*, 24 FCC Rcd at 9561, para. 34.

<sup>9</sup> 47 C.F.R. §§ 1.58, 1.1203. In accordance with the purpose of section 1.58 of the Commission’s rules, comments submitted on any Commission blog pages during the quiet period will not be considered by the Commission in finalizing the item under consideration.