



# PUBLIC NOTICE

Federal Communications Commission  
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Washington, D.C. 20554

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## WIRELINE COMPETITION BUREAU SEEKS COMMENT ON PROPOSED SAMPLE RESELLER CERTIFICATION LANGUAGE FOR FCC FORM 499-A INSTRUCTIONS

WC Docket No. 06-122

**Comment Date: September 6, 2013**

**Reply Comment Date: September 13, 2013**

The Wireline Competition Bureau (Bureau) seeks comment on a proposal filed by a group of 8 industry participants regarding revisions to sample reseller certification language and accompanying sections of the FCC Form 499-A instructions.<sup>1</sup> The FCC Form 499-A is used by contributors to the Universal Service Fund to report their revenues to the administrator of the Fund. In the 2012 *Wholesaler-Reseller Clarification Order*, the Commission directed the Bureau to revise the sample language in the Form 499-A to reflect the clarifications provided in the *Wholesaler-Reseller Clarification Order* and allowed contributors to rely on existing sample language until December 31, 2013.<sup>2</sup> The Bureau seeks comment on the proposed revisions submitted by the industry participants, including whether they should be included in the 2014 FCC Form 499-A instructions.

Pursuant to sections 1.415 and 1.419 of the Commission's rules,<sup>3</sup> interested parties may file **comments on or before September 6, 2013 and reply comments on or before September 13, 2013**. All pleadings are to reference **WC Docket 06-122**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.<sup>4</sup>

- *Electronic Filers*: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.

<sup>1</sup> Letter from AT&T Services, Inc., BCE Nexxia, BT Americas Inc., CenturyLink, Orange Business Services U.S., Inc., Sprint Corporation, Verizon, and XO Communications, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 06-122 (filed July 26, 2013).

<sup>2</sup> *Universal Service Contribution Methodology, Application for Review of the Decision of the Universal Service Administrator and Emergency Petition for Stay by U.S. TelePacific Corp. d/b/a TelePacific Communications, XO Communications Services, Inc. Request for Review of Decision of the Universal Service Administrator, Universal Service Administrative Company Request for Guidance*, WC Docket No. 06-122, Order, 27 FCC Rcd 13780, 13798, para. 41 (2012) (*Wholesaler-Reseller Clarification Order*).

<sup>3</sup> 47 C.F.R. §§ 1.415, 1.419.

<sup>4</sup> See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1999).

- *Paper Filers:* Parties who choose to file by paper must file an original and one copy of each filing. 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 12<sup>th</sup> 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 12<sup>th</sup> 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](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

**Additional Copies.** In addition, we request that you send one copy of each pleading to each of the following:

- Carol Pomponio, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-A360, Washington, D.C. 20554; e-mail: [Carol.Pomponio@fcc.gov](mailto:Carol.Pomponio@fcc.gov); and
- 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](mailto:Charles.Tyler@fcc.gov).

**Ex Parte Rules.** The proceeding this Notice initiates shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.<sup>5</sup> 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 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

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<sup>5</sup> 47 C.F.R. §§ 1.1200 *et seq.*

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 Carol Pomponio, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-7400 or TTY (202) 418-0484, or [Carol.Pomponio@fcc.gov](mailto:Carol.Pomponio@fcc.gov).