



PUBLIC NOTICE

Federal Communications Commission
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WIRELINE COMPETITION BUREAU SEEKS COMMENT ON WINDSTREAM PETITION FOR LIMITED WAIVER OF THE COMMISSION'S INTERCARRIER COMPENSATION REVENUE RECOVERY RULES FOR PRICE CAP CARRIERS

CC Docket No. 01-92; WC Docket No. 10-90

Comment Date: October 21, 2015

Reply Comment: November 5, 2015

On September 1, 2015, Windstream Services, LLC (Windstream), on behalf of twenty-four incumbent local exchange carrier subsidiaries (Windstream ILECs), filed a joint petition for limited waiver of section 51.915(c) and (d) of the Commission's rules.¹ Specifically, the Windstream ILECs seek a waiver "of the relevant portions of Section 51.915(c) and (d) insofar as such requirements would prevent the Windstream ILECs from including in their Intrastate Access Reduction calculations uncollectible intrastate access charges billed to Halo Wireless, Inc. ("Halo") during Fiscal Year (FY) 2011."²

Pursuant to section 1.419 of the Commission's rules, 47 C.F.R. § 1.419, interested parties may file comments on or before the date indicated above. Comments may be filed by paper copies or by using the Commission's Electronic Comment Filing System (ECFS). See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. Because more than one docket number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket 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.

¹ Petition of Windstream for Limited Waiver of Relevant Portions of 47 C.F.R. § 51.915(c) and (d) of the Commission's Rules, WC Docket No. 10-90, CC Docket No. 01-92 at 1 (filed September 1, 2015) (Windstream Petition). The title of the petition mistakenly cites to 51.917 (c) and (d), whereas the text of the petition makes clear that the correct rule for which a waiver is sought is 51.915(c) and (d). *Id.*; 47 C.F.R. § 51.915(c) and (d).

² *Id.* at 1-2.

- All hand-delivered or messenger-delivered paper filings for the Commission’s Secretary must be delivered to FCC Headquarters at 445 12th Street, 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) or (202) 418-0432 (tty).

In order to develop a complete record on the issues presented in the waiver petition, this matter shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.³ 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 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 Victoria Goldberg, Pricing Policy Division, Wireline Competition Bureau, at (202) 418-1520 or via e-mail at Victoria.Goldberg@fcc.gov.

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³ 47 C.F.R. § 1.1200 *et seq.*