



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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DA 09-2619

Release Date: December 22, 2009

**COMMENT SOUGHT ON PETITION OF MILLENNIUM TELECOM
TO APPEAL A DECISION OF THE UNIVERSAL SERVICE ADMINISTRATIVE
COMPANY AND TO WAIVE CERTAIN CONTRIBUTION PENALTIES**

WC Docket No. 06-122

Comment Date: January 21, 2010

Reply Comment Date: February 5, 2010

Millennium Telecom (Millennium) filed a petition on November 18, 2009, appealing a decision of the Universal Service Administrative Company (USAC) and asking that the Commission waive certain contribution deadlines and penalties.¹ Millennium requests relief from the application of late fees and penalties USAC assessed on Millennium arising from the company's inadvertent overstatement of its interstate telecommunications revenues on its February 2009 FCC Form 499-Q filing and misstatement of its contact information on its 2008 FCC Form 499-A filing.

Interested parties may file **comments on or before January 21, 2010**, and **reply comments on or before February 5, 2010**. All pleadings are to reference **WC Docket No. 06-122**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.²

- 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 four copies 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.

Effective December 28, 2009, 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, D.C. 20554. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. **PLEASE NOTE:** Through December 24, 2009, the Commission's contractor will receive hand-delivered or messenger-delivered paper filings for

¹ Letter from Dan Mack, President, Millennium Telecom, to Office of the Secretary, FCC, CC Docket No. 96-45 (filed Nov. 18, 2009).

² See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322 (1998).

the Commission's Secretary at 236 Massachusetts Avenue, NE, Suite 110, Washington, DC 20002. This filing location will be permanently closed after December 24, 2009. The filing hours at both locations are 8:00 a.m. to 7:00 p.m. 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, S.W., Washington D.C. 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) The Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, www.bcpweb.com; phone: (202) 488-5300 fax: (202) 488-5563;
- (2) Nicholas A. Degani, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-B442, Washington, D.C. 20554; e-mail: Nicholas.Degani@fcc.gov; and
- (3) 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.

Filings and comments are also available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone: (202) 488-5300, fax: (202) 488-5563, or via e-mail www.bcpweb.com.

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.³ Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentation and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented generally is required.⁴ Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission's rules.⁵

For further information, please contact Nicholas A. Degani, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-7400 or TTY (202) 418-0484.

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³ 47 C.F.R. §§ 1.1200 *et seq.*

⁴ *See* 47 C.F.R. § 1.1206(b)(2).

⁵ 47 C.F.R. § 1.1206(b).