

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of
Universal Service Contribution Methodology
Corporate Telecomm Request for Waiver
WC Docket No. 06-122

ORDER

Adopted: August 27, 2012

Released: August 27, 2012

By the Deputy Chief, Telecommunications Access Policy Division, Wireline Competition Bureau:

1. In this order, we deny a request for waiver filed by Corporate Telecomm (CT) on August 29, 2011. CT acknowledges that it missed the filing deadline for the FCC Form 499-A, but requests a waiver of any late filing fees because CT claims that it is experiencing financial difficulties.

2. We conclude that CT has failed to demonstrate that there is good cause to waive the applicable sections of the Commission's rules. Generally, the Commission's rules may be waived if good cause is shown. The Commission may exercise its discretion to waive a rule where the particular facts make strict compliance inconsistent with the public interest. In addition, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis. Waiver of the Commission's rules is appropriate only if both (i) special circumstances warrant a deviation from the general rule, and (ii) such deviation will serve the public interest. We find that there is no evidence to substantiate CT's claims. CT's statements are merely cursory and it has not presented specific information as to the rule(s) for which it seeks waiver, the reason that such waiver would be appropriate, the special circumstances that warrant a deviation from the general rule, nor why such deviation would serve the public interest. Accordingly, we deny CT's request for waiver.

3. IT IS ORDERED that, pursuant to the authority contained in sections 4(i) and 254(d) of the Communications Act, 47 U.S.C. §§ 4(i), 254(d), and the authority delegated by sections 0.91, 0.291, and 1.3 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.3, the request for waiver filed by Corporate Telecomm on August 29, 2011, IS DENIED.

4. IT IS FURTHER ORDERED that, pursuant to section 1.102(b)(1) of the Commission's rules, 47 C.F.R. § 1.102(b)(1), this order SHALL BE effective upon release.

FEDERAL COMMUNICATIONS COMMISSION

Vickie S. Robinson
Deputy Chief
Telecommunications Access Policy Division
Wireline Competition Bureau

1 Letter from Leslie Dela Cruz, Corporate Telecomm, to Office of the Secretary, FCC, WC Docket No. 06-122 (filed Aug. 29, 2011).

2 See generally 47 C.F.R. §§ 54.706, 54.711 (universal service contribution and reporting requirements).

3 47 C.F.R. § 1.3.

4 Northeast Cellular Telephone Co. v. FCC, 897 F.2d 1164, 1166 (D.C. Cir. 1990) (Northeast Cellular).

5 WAIT Radio v. FCC, 418 F.2d 1153, 1159 (D.C. Cir. 1969); Northeast Cellular, 897 F.2d at 1166.

6 NetworkIP, LLC v. FCC, 548 F.3d 116, 125-128 (D.C. Cir. 2008); Northeast Cellular, 897 F.2d at 1166.