



PUBLIC NOTICE

Federal Communications Commission
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DA 24-25

Released: January 10, 2024

WIRELINE COMPETITION BUREAU SEEKS COMMENT ON THE CHEYENNE RIVER SIOUX TRIBE TELEPHONE AUTHORITY'S PETITION FOR DECLARATORY RULING FOR RECOGNITION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER

WC Docket No. 09-197

Comment Date: February 12, 2024

Reply Comment Date: February 26, 2024

The Wireline Competition Bureau (Bureau) seeks comment on the petition filed by the Cheyenne River Sioux Tribe Telephone Authority (CRSTTA) seeking a declaratory ruling from the Federal Communications Commission (Commission) that CRSTTA may “cease ETC participation [in universal service programs] under Section 214(e)(2) [of the Communications Act of 1934, as amended],” submit a request to be redesignated as an ETC by the Commission under section 214(e)(6), and once designated, “carry out all required regulatory compliance common to other Commission-designated ETCs through the USAC 54.314 electronic filing system.”¹

Filing Requirements. Interested parties may file comments on or before the dates indicated above.² All filings must refer to Cheyenne River Sioux Tribe Telephone Authority Petition for Declaratory Ruling and must be submitted to **WC Docket No. 09-197**. Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS).³

- Electronic Filers: Comments may be filed electronically using the Internet by accessing ECFS: <https://www.fcc.gov/ecfs/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing.
 - Filings can be sent 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.
 - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701. U.S. Postal Service

¹ Petition for Declaratory Ruling of the Cheyenne River Tribe Telephone Authority, WC Docket No. 09-197 at 1, 4, 18 (filed Dec. 15, 2023), <https://www.fcc.gov/ecfs/document/121531322182/1> (Declaration Petition); 47 CFR § 54.314 (annual reports must be filed by either states on behalf of state-designated ETCs or by ETCs directly if designated by the Commission).

² See 47 CFR §§ 1.2, 1.405, and 1.419.

³ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24121 (1998).

first-class, Express, and Priority mail must be addressed to 45 L Street, NE, Washington DC 20554.

- Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19.⁴

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 & Government Affairs Bureau at (202) 418-0530.

Ex Parte Rules. This proceeding shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.⁵ 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 presenters 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 section 1.1206(b) of the Commission’s rules. In proceedings governed by section 1.49(f) of the rules 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).⁶ Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

For further information regarding this proceeding, please contact Nissa Laughner, Telecommunications Access Policy Division, Wireline Competition Bureau at Nissa.Laughner@fcc.gov.

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⁴ See *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, 35 FCC Rcd 2788 (Mar. 19, 2020), <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.

⁵ See 47 CFR §§ 1.1200 *et seq.*

⁶ *Id.* § 1.1206(b).