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

In the Matter of

Rural Broadband Experiments

WC Docket No. 14-259

ELECTRIC POWER BOARD OF CHATTANOOGA
PETITION FOR LIMITED WAIVER OF DEADLINE
TO SUBMIT ETC DESIGNATION DOCUMENTATION
FOR RURAL BROADBAND EXPERIMENTS

The Electric Power Board of Chattanooga, an independent board of the City of Chattanooga (“EPB”), by its attorneys and pursuant to Section 1.3 of the Rules and Regulations of the Federal Communications Commission (“FCC”), respectfully requests a limited waiver and extension of the June 2, 2015 deadline to provide documentation of designation as an eligible telecommunications carrier (“ETC”) in all areas for which EPB will receive rural broadband experiments funding.

I. Background

On March 4, the Commission identified EPB as a provisionally selected bidder for a project totaling $710,147.00. Since that time, EPB obtained and submitted the required documentation from Regions Bank showing EPB’s creditworthiness and the commitment to provide a letter of credit for the full amount of the project funding. EPB is in the process of preparing an Application for ETC Designation to submit to the Tennessee Regulatory Authority (“TRA”) and expects to be able to provide the necessary documentation to the FCC within a reasonable time. EPB is ready, willing and able to meet all of the TRA’s requirements for ETC

II. Grant of the Limited Waiver is Justified and Will Serve the Public Interest

Pursuant to 47 C.F.R. §1.3, the Commission may waive its rules for good cause shown, where special circumstances warrant a deviation, where strict compliance with the rule would be inconsistent with the public interest, when the requested relief would not undermine the policy objective of the rule in question, and the deviation will serve the public interest. There is good cause to waive the requirement for EPB to submit documentation of its ETC designation by June 2, 2015, and a waiver would serve the public interest.

The Commission anticipated that circumstances might occur in which bidders would need additional time to obtain ETC designation from state authorities. EPB is acting and will continue to act in good faith towards obtaining the ETC designation from the Tennessee Regulatory Authority. Extending the deadline for EPB will not have an adverse impact upon the Commission’s Rural Broadband Experiment schedule or hamper the Commission’s efforts to expand broadband into unserved areas. If the Commission declined to grant the waiver, EPB’s project would no longer be eligible for consideration, and therefore, the areas EPB proposes to serve using Rural Broadband Experiment funding are likely to continue being unserved. For this reason, the Commission’s purposes would actually be frustrated by not granting a short deadline extension.

III. Conclusion

EPB has demonstrated good cause for grant of a limited waiver of the June 2 deadline to obtain ETC designation. EPB expects to file an Application for ETC designation with the Tennessee Regulatory Authority no later than June 15 and commits to keep the Commission apprised of any and all developments throughout the application process at the TRA.

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2 See March 4 Public Notice, footnote 8.
fully apprised of the status of EPB’s Application. Granting a limited waiver as requested serves the public interest by allowing Rural Broadband Experiment funding to be used for the purposes the Commission intended in order to meet the Commission’s broadband expansion goals.

Respectfully submitted,

ELECTRIC POWER BOARD OF CHATTANOOGA

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