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June 22, 2015

VIA ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Attention: Wireline Competition Bureau

**Re: Petition for Limited Waiver of § 54.313(f)(2)(ii)
Comporium Companies
ETC Annual Reports and Certifications, WC Docket No. 14-58**

Dear Ms. Dortch:

On behalf of Comporium, Inc. fka Rock Hill Telephone Company, Lancaster Telephone Company, Fort Mill Telephone Company, Citizens Telephone Company and PBT Telecom, Inc. (collectively, the "Comporium Companies"), JSI respectfully submits the above-referenced Petition for Limited Waiver. The Comporium Companies seek a limited waiver of Federal Communications Commission rules Section 54.313(f)(2)(ii) which requires privately held rate-of-return carriers that are not recipients of loans from the Rural Utilities Service to file a copy of their audited financial statement with their ETC Annual Report.

Please direct inquiries regarding this Petition for Limited Waiver to the undersigned consultant for the Comporium Companies.

Sincerely,

John Kuykendall
Vice President

Enclosure

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
ETC Annual Reports and)	WC Docket No. 14-58
Certifications)	

**PETITION OF THE COMPORIUM COMPANIES FOR LIMITED WAIVER OF
SECTION 54.313(f)(2)(ii)**

Comporium, Inc. fka Rock Hill Telephone Company, Lancaster Telephone Company, Fort Mill Telephone Company, Citizens Telephone Company and PBT Telecom, Inc. (collectively the “Comporium Companies” or the “Companies”) pursuant to Section 1.3 of the Federal Communications Commission’s (“FCC” or “Commission”) Rules¹ request a limited waiver of the requirement specified in Section 54.313(f)(2)(ii).² This rule requires privately held rate-of-return carriers that are not recipients of loans from the Rural Utilities Service (“RUS”) whose financial statements are audited in the ordinary course of business to file a copy of their audited financial statement with their ETC Annual Report (otherwise known as the “Form 481”).³

As demonstrated herein, “good cause” exists to allow the Comporium Companies a two-month limited waiver to submit the finalized version of their annual consolidated financial audit report after the July 1, 2015 deadline to submit their Form 481. Due to delays caused by obtaining necessary financial information from an entity in which one of the Comporium

¹ 47 C.F.R. §1.3

² 47 C.F.R. § 54.313 (f)(2)(ii).

³ *Id.* Alternatively, the carrier may file “a financial report in a format comparable to RUS Operating Report for Telecommunications Borrowers, accompanied by a copy of a management letter issued by the independent certified public accountant that performed the company's financial audit.” *Id.*

Companies has a joint investment, the final audited version of the Companies' consolidated audit report will not be available by the July 1 deadline. However, the Comporium Companies will be submitting a draft version of the report in their Form 481s and will populate the Lines 3027 – 3034 with the required financial data. Accordingly, the public interest would be served by allowing the Companies additional time to supplement their Form 481s with the finalized version of the consolidated audit report.

I. Background

The Comporium Companies are privately held rate-of-return carriers that are not recipients of loans from RUS and have financial statements that are audited in the ordinary course of business. Each year, the Companies' external auditors, KPMG, LLP ("KPMG"), prepare a consolidated audit report for the Comporium Companies. In its *Fifth Order on Reconsideration*, the FCC clarified that companies that have study areas that are under common ownership or control and prepare a consolidated audit report "may file financial reports on a consolidated basis" in their FCC Form 481s.⁴ Accordingly, in compliance with Section 54.313(f)(2)(ii), each year in their Form 481 filings, each of the Comporium Companies submit the consolidated audit report prepared by KPMG.

II. Grant of this Waiver is Warranted

Generally, the Commission's rules may be waived for good cause shown.⁵ Furthermore, the Commission may exercise its discretion to waive a rule where the particular facts make strict

⁴ *Connect America Fund et al*, WC Docket No. 10-90 *et al.*, Fifth Order on Reconsideration, 27 FCC 14549, 14554, para. 14 (2012) ("*Fifth Order on Reconsideration*").

⁵ 47 C.F.R. § 1.3.

compliance inconsistent with the public interest.⁶ As demonstrated herein, grant of this petition is warranted.

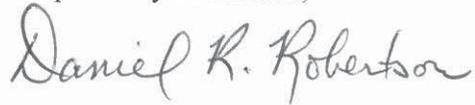
The Comporium Companies and KPMG have been working diligently in preparing the consolidated audit report for 2014. However, the finalized version of the report will not be completed until after the July 1, 2015 deadline due to delays in obtaining audited financial statements from Tide Mobility, LLC (“Tide”). Tide Mobility is a joint investment of Comporium, Horry Telephone Cooperative, and AT&T Mobility. Comporium contributed its wireless assets in exchange for an interest in Tide Mobility. Tide Mobility is audited by another audit firm. Accordingly, KPMG must rely on the other audit firm to provide the necessary financial information pertaining to Tide in order to complete the audit for the Comporium Companies. The other audit firm, however, did not provide the required financial information to KPMG in sufficient time for KPMG to finalize the audit by the July 1 deadline. Attached hereto is a letter from KPMG agreeing with the stated reasons as to why KPMG has been unable to complete its audit by the filing deadline.

Although the finalized version of the consolidated audit report will not be completed until after July 1, the Companies have been provided with a draft version of the report. Accordingly, the Companies will submit this draft version in their FCC Form 481 filing. Further, because the financial data in the draft version has been finalized, the Companies will populate that data in Lines 3027 – 3034 of their respective Form 481s. Accordingly, waiver of Section 54.313(f)(2)(ii) is sought only to be able to supplement the Form 481s within two months after the filing deadline so that the finalized version of the consolidated audit report can replace the draft versions. Such a limited waiver would further the public interest as strict compliance with

⁶ Northeast Cellular Telephone co. v. FCC, 897 F.2d 1164, 1166 (D.C. Cir. 1990) (Northeast Cellular).

this rule could result in each of the Companies having their high cost universal service support reduced on a pro-rata daily basis equivalent to the period of non-compliance,⁷ an extremely harsh penalty for these rural rate-of-return carriers.

Respectfully submitted,



The Comporium Companies

By: /s/ Daniel R. Robertson

Daniel R. Robertson
Executive Vice President – Chief Financial Officer
and Treasurer
The Comporium Companies
330 East Black Street
Rock Hill, South Carolina 29730

June 17, 2015

⁷ See 47 C.F.R. § 54.313(j).



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June 22, 2015

Comporium, Inc.
Attn: Mr. Dan Robertson
330 E Black Street
Rock Hill, SC 29731

Mr. Robertson:

Pursuant to Section 1.3 of the Federal Communications Companies Rules, we inform you that we have been furnished a copy of a petition of the Comporium, Inc. for Limited Waiver of Section 54.313(f)(2)(ii) to be filed by Comporium, Inc. (the Company) on or about June 22, 2015, which contains notification of the Company's inability to file its audited financial statements prepared in accordance with the requirement specified in Section 54.313(f)(2)(ii). This rule requires privately held rate-of-return carriers that are not recipients of loans from RUS whose financial statements are audited in the ordinary course of business to file a copy of their audited financial statement with their ETC Annual Report (otherwise known as the "Form 481") prescribed or permitted by the June 30, 2015. We have read the Company's statements contained therein and we agree with the stated reasons as to why we have been unable to complete our audit and report on the Company's financial statements for the year ended December 31, 2014 by that date.

Very truly yours,

KPMG LLP

Susanne P. Dixon
Partner