



PUBLIC NOTICE

Federal Communications Commission
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DA 14-997
July 14, 2014

WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON PETITION FILED BY NTCH, INC. TO RESCIND FORBEARANCE AND INITIATE RULEMAKING TO MAKE INTER-PROVIDER ROAMING RATES AVAILABLE

RM-11723; WT Docket No. 05-265

Comment Date: August 18, 2014
Reply Comment Date: September 15, 2014

On July 2, 2014, NTCH, Inc. (Petitioner), filed a petition seeking Commission action to “rescind the blanket forbearance of the rate publication requirement for roaming rates offered by CMRS carriers” and to “[a]mend Section 20.15(b) of the rules to delete the CMRS exemption from filing roaming rates, whether for data roaming or voice roaming.”¹ Petitioner also asks the Commission to “[a]dopt a rule requiring CMRS providers and Commercial Mobile Data Service providers to make their roaming rates publicly and openly available on line” and to “[p]rohibit CMRS and Commercial Mobile Data Service providers from entering into or enforcing agreements that prevent disclosure of roaming rates.”² In this Public Notice, we seek comment on the Petition.

Interested parties may file comments and reply comments on the above Petition on or before the dates listed on this Public Notice. All pleadings must reference RM-11723 and WT Docket No. 05-265. Parties may file comments using (1) the Commission’s Electronic Comment Filing System (ECFS), (2) the Federal Government’s eRulemaking Portal, or (3) by filing paper copies.³

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.

¹ Petition of NTCH, Inc. to Rescind Forbearance and Initiate Rulemaking, WT Dkt No. 93-252 (filed July 11, 2014) (Petition). We note that this Petition replaces the petition filed on November 22, 2013 by the NTCH on the same issue, thus rendering the previous petition moot. *See* Petition of NTCH, Inc. to Rescind Forbearance from Application of Section 211 of the Communications Act of 1934, WT Docket No. 93-252 (filed Nov. 22, 2013).

² *Id.*

³ *See* Electronic Filing of Documents in Rulemaking Proceedings, *Report and Order*, GC Docket No. 97-113, 13 FCC Rcd 11322 (1998).

- When completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, “get form.” A sample form and direction will be sent in response.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing.
- Send filings by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. Address filings to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.
- Deliver hand-delivered or messenger-delivered paper filings to FCC Headquarters at 445 12th St., S.W., Room TW-A325, Washington, D.C. 20554 between 8:00 AM and 7:00 PM. Use rubber bands or fasteners to hold deliveries together. Dispose of all envelopes before entering the building.
- Send commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) to 9300 East Hampton Drive, Capitol Heights, M.D. 20743.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington D.C. 20554.

Parties are requested to send one copy of their comments and reply comments to Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, (800) 378-3160, e-mail FCC@BCPIWEB.com.

The Petition, and comments and reply comments filed in response to this Public Notice are available for viewing via the ECFS, <http://www.fcc.gov/cgb/ecfs>, by entering RM-11723. The documents also will be available for public inspection and copying during business hours in 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 Best Copy and Printing, Inc., telephone (800) 378-3160, facsimile (202) 488-5563, TTY (202) 488-5562, e-mail FCC@BCPIWEB.com.

Alternate formats of this Public Notice (computer diskette, large print, audio recording, and Braille) are available to persons with disabilities by contacting the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY), or send an e-mail to fcc504@fcc.gov.

This proceeding has been designated as a “permit-but-disclose” proceeding in accordance with the Commission’s ex parte rules. 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 presenter’s 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 rule 1.1206(b). In proceedings governed by rule 1.49(f) 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). Participants in this proceeding should familiarize themselves with the Commission's ex parte rules.

For further information, please contact William Beckwith, Wireless Telecommunications Bureau, Spectrum and Competition Policy Division, at (202) 418-0134 or *via* email at William.Beckwith@fcc.gov.

Action by the Wireless Telecommunications Bureau.

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