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March 18, 2003

Application No. 15

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
Washington, D.C. 20554

Attention: Wireline Competition Bureau

Application is hereby made by John Staurulakis, Inc. (JSI) for Special Permission for a limited waiver of Sections 61.58, 61.59 and 61.68 of the Commission's rules. A grant of this application with respect to limited waiver of Sections 61.58 and 61.68 will allow the filing made by JSI for JSI Tariff F.C.C. No. 1 under Transmittal No. 79 on behalf of Interstate Telephone Company (Interstate) and Warwick Valley Telephone Company (Warwick Valley) to become effective on April 1, 2003 as indicated on the revised tariff pages notwithstanding having been filed on only 14 day's notice. Additionally, a grant of this application with respect to Sections 61.58 and 61.59 will allow JSI to make revisions to the Centrex and multi-line business FUSC rates filed for Interstate under Transmittal No. 79.

In Transmittal No. 79, JSI filed revisions respecting the Federal Universal Service Charge (FUSC) on behalf of Interstate and Warwick Valley to effect compliance with revised Section 54.712, effective April 1, 2003 as adopted by the Commission in the *Contribution Methodology Order*.<sup>1</sup> Interstate and Warwick are not members of the NECA Common Line Pool and file their own rates for both Traffic Sensitive and Common Line in JSI Tariff F.C.C. No. 1.

On March 14, the Commission adopted, inter alia, an interim waiver of Section 54.712 (*Interim Waiver*) to permit carriers to continue to recover through a Federal Universal Service line item certain contribution costs associated with Centrex customers on a per-line basis from multi-line business customers, pending action on petitions for

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<sup>1</sup> See Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Report and Order and Second Further Notice of Proposed Rulemaking, FCC 02-329 (rel. December 13, 2002) (*Contribution Methodology Order*).

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reconsideration of this rule.<sup>2</sup> JSI required time to gather line count data from its clients and develop a template for calculating multi-line business and Centrex FUSC rates. Accordingly, JSI did not initiate an Electronic Tariff Filing System (ETFS) session until 6:45 p.m. on March 17, 2003. Unfortunately, in the middle of the ETFS filing session, the computer being used for the filing froze, causing termination of the ETFS filing session. By the time JSI was able to successfully reboot the computer and log on to the ETFS, it was after the Commission's 7:00 p.m. closing time. Thus, the filing date for JSI Transmittal No. 79 was March 18, 2003 instead of March 17, 2003 as indicated on the revised tariff pages.

JSI recognizes that the filing made under Transmittal No. 79 should have been made on 15 day's notice. However, because of circumstances outlined above, and the carriers' desire to have an April 1 effective date, we believe a waiver of Section 61.58 of the Commission's rules is warranted. The issuing carriers are aware that the filing will not be deemed lawful.

Waiver of Section 61.68 will allow tariff pages filed under Transmittal No. 79 to go into effect on April 1, 2003 as filed without the need to refile the pages with the notations regarding any Special Permission the Commission may grant in response to this application.

In addition, JSI requests waiver of Sections 61.58 and 61.59 of the Commission's rules to file changes in Interstate's Centrex and multi-line business FUSC rates. As filed under Transmittal No. 79, the multi-line business FUSC rates for Interstate reflect application of the interim waiver of Section 54.712. Because JSI was unable to complete calculation of the multi-line business FUSC rates under the *Interim Waiver* until after 5:00 p.m. on March 17, Interstate did not have an opportunity to review the impact of application of the *Interim Waiver* on multi-line business rates until the morning of March 18, 2003. Because of the extreme impact of application of the *Interim Waiver* on multi-line business FUSC rates, raising the Interstate Telephone Company multi-line business FUSC rate from \$0.74 per line to \$1.15 per line, JSI respectfully requests on behalf of Interstate that it be allowed to revise the filing under JSI Transmittal No. 79 to apply the 9.1% FUSC percentage factor (as rounded up) to Centrex and multi-line business charges in calculation of FUSC charges.

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<sup>2</sup> See Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Order and Second Order on Reconsideration, FCC 03-58 (rel. March 14, 2003) (*Interim Waiver*).

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Granting of this application will allow Interstate and Warwick Valley to implement billing in compliance with the Commission's *Contribution Methodology Order*, including revised Section 54.712, by the April 1, 2003 effective date.

Pursuant to Section 61.17 of the Commission's Rules, the original of this letter, Form 159, and a check for \$695.00 have been sent via overnight delivery to the Mellon Bank, Pittsburgh, Pennsylvania, as of this date. Questions may be addressed to the undersigned.

Sincerely,



Scott Duncan  
Staff Director-Regulatory Affairs

**JSI Interstate Access Tariff FCC No. 1**  
**FCC Registration Numbers (FRNs)**  
**March 18, 2003**

John Staurulakis, Inc. FRN 0003-7481-42

**JSI ISSUING CARRIER**

**FRN**

Warwick Valley Telephone Company	0005-5691-99
Concord Telephone Company	0003-7620-10
Atlantic Telephone Membership Corporation	0004-0615-86
Coastal Utilities, Inc.	0004-3336-88
Farmers Telephone Cooperative, Inc.	0001-8870-25
Hargray Telephone Company, Inc.	0001-8867-04
Horry Telephone Cooperative, Inc.	0001-8869-44
Millington Telephone Company, Inc.	0004-3095-48
Mt. Horeb Telephone Company	0002-7190-45
Pineland Telephone Cooperative, Inc.	0001-8566-73
Rock Hill Telephone Company	0001-8887-18
Lancaster Telephone Company	0001-8892-45
Fort Mill Telephone Company	0001-8896-17
Home Telephone Company	0001-8868-45
Star Telephone Membership Corporation	0001-9609-62
Fort Bend Telephone Company	0001-6880-27
Guadalupe Valley Telephone Cooperative, Inc.	0004-2514-19
Interstate Telephone Company	0003-7335-81