

FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

December 7, 2012

Alex Hunt
Chief, Information Policy Branch
Office of Information and Regulatory Affairs
Office of Management and Budget
Washington, D. C. 20503

Dear Mr. Hunt:

The Federal Communications Commission (FCC) requests OMB approval to submit the information collection described herein under the “emergency processing” provisions of the Paperwork Reduction Act (PRA) of 1995 (5 CFR 1320.13). The FCC is requesting clearance for a new information collection entitled: *Study Area Boundary Data Reporting in Esri Shapefile Format*. We respectfully request OMB approval for this collection by January 11, 2013.

On November 11, 2011, the FCC comprehensively reformed universal service funding for high-cost areas with the release of the Report and Order and Further Notice of Proposed Rulemaking (*USF/ICC Transformation Order*), WC Docket Nos. 10-90, 07-135, 05-337, 03-109, CC Docket Nos. 01-92, 96-45, GN Docket No. 09-51, WT Docket No. 10-208, FCC 11-161. In order to implement several components of those reforms, the FCC requires accurate data on the “study area” boundaries – the geographic area that a carrier serves within a state – of incumbent local exchange carriers (LECs). Therefore, on November 6, 2012, the FCC’s Wireline Competition Bureau released a Report and Order (*Study Area Boundary R&O*), WC Docket Nos. 10-90, 05-337, DA 12-1777, requiring incumbent LECs to submit certified study area boundary data to the FCC in an esri shapefile format.

Accurate and accessible geographic data on study area boundaries are essential to the accurate distribution of universal service support to LECs that operate in high-cost, often rural, areas. One of the reforms adopted by the Commission is intended to impose reasonable limits on the expenses of rate-of-return companies with very high costs compared to their similarly situated peers. As stated in the *Study Area Boundary R&O*, as part of implementing this benchmarking rule, the FCC will use the data as an essential input in an analysis that limits the level of high-cost loop support that rate-of-return carriers can receive. All of the geographic variables used in this analysis that affect cost and hence the level of support – including road miles, road crossings, density, depth of bedrock, soil difficulty, climate, and the percentage of land that is tribal, park and urban – are predicated on knowing the specific study area boundaries of each carrier. Refining and updating this analysis is an on-going process, and the FCC must rely on the most accurate data available to it. The interim data source used by the FCC, TeleAtlas wire center boundaries, has been the subject of concerns that it misstates some rate-of-return study areas. Some LECs have filed waivers to correct errors on an *ad-hoc* basis, but addressing such piecemeal requests is a time consuming task and an imperfect substitute for accurate information on an industry-wide basis.

Therefore, in order to incorporate the most accurate data into our analysis as soon as possible, and thereby establish the appropriate level of high-cost loop support that carriers can receive, we request emergency processing and approval of the *Study Area Boundary Data Reporting in Esri Shapefile Format* collection. Due to the emergency nature of this request, the FCC cannot wait 120 days to notify the public and potential applicants of our intent to collect this information and is seeking a waiver of the requirement of

a notice and comment period in the Federal Register. The FCC will conduct all the necessary regular submission requirements under the PRA after approval of this emergency request.

FCC staff will provide your PRA Desk Officer with any additional requested information needed to assure OMB's approval of this emergency request by January 11, 2013.

Sincerely,



Mindy Ginsburg
Deputy Managing Director
Office of Managing Director
Federal Communications Commission