



PUBLIC NOTICE

Federal Communications Commission
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DA 04-1410
Released: May 28, 2004

**AMENDMENT TO RATE INTEGRATION PLAN FILED BY AMERICAN SAMOA
TELECOMMUNICATIONS AUTHORITY**
CC Docket No. 96-61

COMMENTS: June 17, 2004
REPLY COMMENTS: June 28, 2004

Section 254(g) of the Communications Act, as amended (the Act), states that “a provider of interstate interexchange telecommunications services shall provide services to its subscribers in each State at rates no higher than the rates charged to its subscribers in any other State.”¹ In the *1996 Rate Averaging and Rate Integration Report and Order*, the Commission adopted a rate integration rule that mirrors the text of section 254(g).² The Commission determined that this rule should apply to all United States territories and possessions, including those offshore points such as American Samoa.³ Subsequently, as part of the *1997 Rate Integration Order*, the Common Carrier Bureau (Bureau) found that American Samoa could implement several measures to facilitate the ability of interexchange carriers to integrate their service offerings to American Samoa with their service offerings to the United States and other offshore points.⁴ The Bureau further found that the record was incomplete as to the plans of American Samoa to take these steps. Therefore, the Bureau encouraged American Samoa to file a rate integration plan. In response, on October 1, 1997, the American Samoa Government and the American Samoa Office of Communications jointly filed a rate integration plan.⁵

¹ 47 U.S.C. § 254(g).

² *Policy and Rules Concerning the Interstate, Interexchange Marketplace, Implementation of Section 254(g) of the Communications Act of 1934, as amended*, Report and Order, 11 FCC Rcd 9564 (1996) (*1996 Rate Averaging and Rate Integration Report and Order*), *aff'd on recon.*, First Memorandum Opinion and Order on Reconsideration, 12 FCC Rcd 11812 (1997).

³ *1996 Rate Averaging and Rate Integration Report and Order*, 11 FCC Rcd at 9588.

⁴ *Policy and Rules Concerning the Interstate, Interexchange Marketplace, Implementation of Section 254(g) of the Communications Act of 1934*, Memorandum Opinion and Order, 12 FCC Rcd 11548, 11557-58 (Com. Car. Bur. 1997) (*1997 Rate Integration Order*).

⁵ Letter from David L. Sieradzki, Counsel for the American Samoa Office of Communications and the American Samoa Government, to William F. Caton, Federal Communications Commission (filed October 1, 1997) (*1997 American Samoa Rate Integration Plan*).

On May 3, 2004, the American Samoa Telecommunications Authority (ASTA) filed an amendment to the *1997 American Samoa Rate Integration Plan* submitted by its predecessor, the American Samoa Office of Communications, and the American Samoa Government.⁶ In its amendment, the ASTA asserts that it has achieved several of the steps outlined in the *1997 Rate Integration Order* and requests that the Commission resolve the proceeding. By this public notice, the Wireline Competition Bureau solicits comments on this recent amendment to the *1997 American Samoa Rate Integration Plan*. Interested parties may file comments no later than **June 17, 2004**. Reply comments may be filed no later than **June 28, 2004**.

This matter shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules. See 47 C.F.R. §§ 1.1200, 1.1206. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one- or two-sentence description of the views and arguments presented generally is required. See 47 C.F.R. § 1.1206(b). Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission's rules, 47 C.F.R. § 1.1206(b).

Filing Procedures. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed. Reg. 24121 (1998). Comments filed through ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters 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 Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form." A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appear in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail,

⁶ Letter from David L. Sieradzki, Counsel for the American Samoa Telecommunications Authority, to Marlene H. Dortch, Federal Communications Commission (filed May 3, 2004).

Express Mail, and Priority Mail should be addressed to 445 12th Street SW., Washington, DC 20554.

All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th St. SW., Suite TW-A325, Washington, DC 20554. Two (2) copies of the comments and reply comments should also be sent to the Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, SW., Room 5-A221, Washington, DC 20554. Parties are also requested to send a courtesy copy via e-mail to Joi Nolen, Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission, at joi.nolen@fcc.gov. Parties shall also serve one copy with Best Copy and Printing, Inc. (BCPI) Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, 1-800-378-3160, or via email to WWW.BCPIWEB.COM.

Filings and comments are also available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC, 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc. (BCPI) 445 12th Street, SW, Room CY-B402, Washington, DC, 20554. Customers may contact BCPI at their web site: WWW.BCPIWEB.COM or call 1-800-378-3160.

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