

Congress of the United States  
House of Representatives

March 15, 2011

The Honorable Julius Genachowski  
Chairman, Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Dear Chairman Genachowski:

**I am writing to request the Federal Communications Commission's (FCC) assistance in resolving CC Docket No 96.45.**

Several residents of Michigan's First Congressional District have been waiting to receive telecommunication services for years. These people live in "unassigned" areas, meaning they are unable to access 911 services, basic telephone systems, and have been disenfranchised from participating in the digital economy. The reason for the delay appears to be rooted in the FCC's failure to resolve a docket that was initiated more than three years ago.

CC Docket 96-45: In the Matter of Osirus Communications, Inc. Petition for Waivers of the Commission's Rules to Participate in NECA Pools and Tariffs and to Obtain Accelerated Universal Service Fund Support involves three companies that have requested to serve all, or part, of the unassigned areas. Based on my office's research, it appears that all of these companies are prepared to bring service to these homes and are waiting for the FCC's to assign an **incumbent local exchange carrier (ILEC)** to these areas.

It is imperative that CC Docket No. 96.45 not be allowed to languish any longer, regardless of the company chosen. The households being denied access to even the most basic telephone services have waited long enough. **I respectfully request that you direct your staff to bring this docket to a conclusion without further delay.** If you have any questions regarding this request, please do not hesitate to contact Thom Hadfield at [thomas.hadfield@mail.house.gov](mailto:thomas.hadfield@mail.house.gov).

Sincerely,



Dan Benishek M.D.  
Member of Congress  
Michigan's First District