Your business is our business.

7852 Walker Drive, Suite 200
Greenbelt, Maryland 20770
phone: 301-459-7590, fax: 301-577-5575
internet: www.jsitel.com, e-mail: jsi@jsitel.com

**REDACTED – FOR PUBLIC INSPECTION**

June 29, 2015

***Via Hand Delivery***

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

**Re: WC Docket No. 14-58**
**2015 ETC Annual Report of Lancaster Telephone Company**
**Study Area Code 240531**

Dear Ms. Dortch:

On behalf of Lancaster Telephone Company ("Lancaster"), JSI files the attached confidential and redacted versions of the FCC Form 481 ETC annual reporting information pursuant to sections 54.313 and 54.422 of the Commission's rules.[1] Lancaster seeks confidential treatment under Protective Order for section 54.313(f)(2) financial information.[2] The redacted version is also being filed this date via the FCC's Electronic Comment Filing System. In addition, attached is a letter requesting confidential treatment under Sections 0.457 and 0.459 of its Progress Report on its Five-Year Service Quality Improvement Plan as required by Section 54.313(a)(1).[3]

Please direct any questions regarding the filing to the undersigned.

Sincerely,

John Kuykendall
JSI Vice President
301-459-7590
jkuykendall@jsitel.com

cc: Charles Tyler, Telecommunications Access Policy Division (two copies, confidential)

---

[1] 47 C.F.R. §§ 54.313, 54.422.
[2] *Connect America Fund et al.*, WC Docket No. 10-90 *et al.*, Protective Order, DA 15-712 rel. June 17, 2015 (Protective Order). 47 C.F.R. § 54.313(f)(2).
[3] 47 C.F.R. §§ 0.457, 0.459, 54.313(a)(1).

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**REDACTED – FOR PUBLIC INSPECTION**

June 29, 2015

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

**Re: WC Docket No. 14-58**
**2015 ETC Annual Report of Lancaster Telephone Company**
**Study Area Code 240531**
**Request for Confidentiality**

Dear Ms. Dortch:

John Staurulakis, Inc. ("JSI"), on behalf of its client Lancaster Telephone Company ("Company") hereby requests, pursuant to Sections 0.457 and 0.459 of the Commission's rules,[1] withholding from public inspection certain information contained in an attachment to the above referenced reporting requirement. The Company provides the following in support of its request, numbered consistent with the subparagraphs of Section 0.459(b).[2]

1. The information for which the Company is seeking confidential treatment is an attachment to the Company's annual reporting information pursuant to Sections 54.313 and 54.422 of the Commission's rules ("Report").[3]

2. Pursuant to Section 54.313(a)(1), Rate-of-Return Eligible Telecommunications Carriers ("ETCs") must file with the Commission a Progress Report on its Five-Year Service Quality Improvement Plan ("Progress Report") which is contained in the attachment to the 2015 Report.[4]

3. The information contained in attachment for which the Company seeks the withholding from public inspection is the entirety of data pertaining to the Company's Five-Year Plan provided at FCC Form 481 Line 112 attachment. Information of this nature is confidential commercial information routinely withheld from public inspection.

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[1] 47 C.F.R. §§ 0.457, 0.459.
[2] 47 C.F.R. § 0.459(b)(1) through (9).
[3] 47 C.F.R. §§ 54.313, 54.422.
[4] 47 C.F.R. §§ 54.313(a)(1).

4. With respect to identifying the degree to which the subject attachment concerns a service that is subject to competition, the information is of a financial and competitive nature regarding the provision of telecommunications services. The Line 112 attachment contains competitively sensitive information related to proposed improvements or upgrades and maintenance the Company's network.

   In its *March 5, 2013 Order*, the FCC. The FCC specified that for rate-of-return carriers, the five-year plans "should describe the carrier's network improvement plan, which should provide greater visibility into current plans to extend broadband service to unserved locations in rate-of-return service territories."[5] The Company's Progress Report updates this information as well as provides maps and detailed information as to whether or not network improvement objectives were achieved at the wire center level. Accordingly, because the Company is a rate-of-return carrier, it must file Progress Reports which contain proprietary, competitively sensitive information related to the Company's existing network including the specific locations of customers as well as describe proposed improvements or upgrades and maintenance of its network throughout its service area. Specifically, this information sets forth services provided by the Company over its existing network including specific locations of customers as well as planned network improvement and maintenance for the years 2015 through 2019 including project start and completion dates, population that will be impacted by the improvements and upgrades at the wire center level and projected capital costs associated with the improvements and upgrades and operating costs associated with maintaining the network including depreciation for investments that have already been made. As such, this information contains competitively sensitive information related to the Company's existing network as well as detailed plans at the wire center level for network upgrades and maintenance projected for the years 2015 through 2019.

5. With respect to identifying possible exposure to competitive harm, the information contained in the Line 112 attachment is information that is not customarily released to the public. This information is proprietary to the Company, is unique to the Company's serving territory and is only known to the Company and its authorized agents. If the Information is not protected, it would have economic value to potential competitors who would be able to target their marketing to specific customers. In a competitive telecommunications marketplace, this type of information is highly sensitive. If publicly disclosed, it would enable competitors to craft business plans that capitalize on their knowledge of the locations of the Company's customers which would place the Company at a competitive disadvantage.

[5] *See Connect America Fund et al.*, WC Docket 10-90 *et al*., Order, DA 13-332 (rel. Mar. 5, 2013) ("*March 5, 2013 Order*") at para 9 *citing* Section 54.202(a) (1) (ii).

6. With respect to steps the Company has taken to ensure against unauthorized disclosure of the information contained in the attachment, the Company is filing the attachment under seal. The Company uses the information contained in the Five-Year Plan to ensure that its customers continue to receive state-of-the-art high quality telecommunications and broadband services that the Company has been providing to them for many years as well as to satisfy mandatory reporting requirements and does not share the information for which protection is sought. The Company protects the secrecy of this information with a security protocol that ensures the information is not inadvertently disclosed or disseminated. Only directors, managers and employees with a direct need to know are authorized to access the information.

7. Any previous versions of this information are not publicly available.

8. Because the information is not routinely available, a need exists for maintaining the confidentiality of this information permanently.

9. Not applicable.

Based on the preceding, JSI respectfully requests on behalf of the Company that the Commission grant confidential treatment under Section 0.459 to Company's Five-Year Plan provided at FCC Form 481 Line 112 attachment.

Please contact the undersigned with any questions regarding this request.

Sincerely,

John Kuykendall
JSI Vice President
301-459-7590
jkuykendall@jsitel.com

# FCC Form 481 - Carrier Annual Reporting Data Collection Form

REDACTED FOR PUBLIC INSPECTION

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

| | | |
|---|---|---|
| <010> | Study Area Code | 240531 |
| <015> | Study Area Name | LANCASTER TEL CO |
| <020> | Program Year | 2016 |
| <030> | Contact Name: Person USAC should contact with questions about this data | Chris Moody |
| <035> | Contact Telephone Number: Number of the person identified in data line <030> | 8033267255 ext. |
| <039> | Contact Email Address: Email of the person identified in data line <030> | chris.moody@comporium.com |

## ANNUAL REPORTING FOR ALL CARRIERS

| | | | 54.313 Completion Required | 54.422 Completion Required |
|---|---|---|---|---|
| | | | (check box when complete) | |
| <100> | Service Quality Improvement Reporting | (complete attached worksheet) | ✓ | |
| <200> | Outage Reporting (voice) | (complete attached worksheet) | ✓ | ✓ |
| <210> | ✓ <-- check box if no outages to report | | ✓ | |
| <300> | Unfulfilled Service Requests (voice) | 0 | | |
| <310> | Detail on Attempts (voice) | (attach descriptive document) | | |
| <320> | Unfulfilled Service Requests (broadband) | 1 | ✓ | |
| <330> | Detail on Attempts (broadband) | 240531sc320.pdf (attach descriptive document) | ✓ | |
| <400> | Number of Complaints per 1,000 customers (voice) | | | |
| <410> | Fixed | 0.0 | ✓ | ✓ |
| <420> | Mobile | 0.0 | | |
| <430> | Number of Complaints per 1,000 customers (broadband) | | ✓ | |
| <440> | Fixed | 0.0 | | |
| <450> | Mobile | 0.0 | | |
| <500> | Service Quality Standards & Consumer Protection Rules Compliance | (check to indicate certification) | ✓ | ✓ |
| <510> | 240531sc510.pdf | (attached descriptive document) | ✓ | ✓ |
| <600> | Functionality in Emergency Situations | (check to indicate certification) | ✓ | ✓ |
| <610> | 240531sc610.pdf | (attached descriptive document) | ✓ | ✓ |
| <700> | Company Price Offerings (voice) | (complete attached worksheet) | ✓ | |
| <710> | Company Price Offerings (broadband) | (complete attached worksheet) | ✓ | |
| <800> | Operating Companies and Affiliates | (complete attached worksheet) | ✓ | ✓ |
| <900> | Tribal Land Offerings (Y/N)? ○ ● | (if yes, complete attached worksheet) | ✓ | |
| <1000> | Voice Services Rate Comparability Certification | Yes | ✓ | |
| <1010> | | (attach descriptive document) | | |
| <1100> | Certify whether terrestrial backhaul options exist (Yes or No) ● ○ | (if not, check to indicate certification) | ✓ | |
| <1110> | | (complete attached worksheet) | | |
| <1200> | Terms and Condition for Lifeline Customers | (complete attached worksheet) | | ✓ |

**Price Cap Carriers, Proceed to Price Cap Additional Documentation Worksheet**

*Including Rate-of-Return Carriers affiliated with Price Cap Local Exchange Carriers*

| | | | | |
|---|---|---|---|---|
| <2000> | | (check to indicate certification) | | |
| <2005> | | (complete attached worksheet) | | |

**Rate of Return Carriers, Proceed to ROR Additional Documentation Worksheet**

| | | | | |
|---|---|---|---|---|
| <3000> | | (check to indicate certification) | ✓ | |
| <3005> | | (complete attached worksheet) | ✓ | |

**(100) Service Quality Improvement Reporting**
**Data Collection Form**

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

| | | |
|---|---|---|
| <010> | Study Area Code | 240531 |
| <015> | Study Area Name | LANCASTER TEL CO |
| <020> | Program Year | 2016 |
| <030> | Contact Name - Person USAC should contact regarding this data | Chris Moody |
| <035> | Contact Telephone Number - Number of person identified in data line <030> | 8033267255 ext. |
| <039> | Contact Email Address - Email Address of person identified in data line <030> | chris.moody@comporium.com |

| | | |
|---|---|---|
| <110> | Has your company received its ETC certification from the FCC? | (yes / no ) ○ ● |
| <111> | If your answer to Line <110> is yes, do you have an existing §54.202(a) "5 year plan" filed with the FCC? | (yes / no ) ○ ○ |

If your answer to Line <111> is yes, then you are required to file a progress report, on line <112> delineating the status of your company's existing § 54.202(a) "5 year plan" on file with the FCC, as it relates to your provision of voice telephony service.

<112> Attach Five-Year Service Quality Improvement Plan or, in subsequent years, your annual progress report filed pursuant to 47 C.F.R. § 54.313(a)(1). If your company is a CETC which only receives frozen support, your progress report is only required to address voice telephony service.

240531sc112.pdf

Name of Attached Document

Please select the appropriate responses below (Yes, No, Not Applicable) to confirm that the attached document(s), on line 112, contains a progress report on its five-year service quality improvement plan pursuant to §54.202(a). The information shall be submitted at the wire center level or census block as appropriate.

| | | |
|---|---|---|
| <113> | Maps detailing progress towards meeting plan targets | Yes |
| <114> | Report how much universal service (USF) support was received | Yes |
| <115> | How much (USF) was used to improve service quality and how support was used to improve service quality | Yes |
| <116> | How much (USF) was used to improve service coverage and how support was used to improve service coverage | Yes |
| <117> | How much (USF) was used to improve service capacity and how support was used to improve service capacity | Yes |
| <118> | Provide an explanation of network improvement targets not met in the prior calendar year. | Not Applicable |

REDACTED FOR PUBLIC INSPECTION

**(200) Service Outage Reporting (Voice)**
**Data Collection Form**

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

| | | |
|---|---|---|
| <010> | Study Area Code | 240531 |
| <015> | Study Area Name | LANCASTER TEL CO |
| <020> | Program Year | 2016 |
| <030> | Contact Name - Person USAC should contact regarding this data | Chris Moody |
| <035> | Contact Telephone Number - Number of person identified in data line <030> | 8033267255 ext. |
| <039> | Contact Email Address - Email Address of person identified in data line <030> | chris.moody@comporium.com |

<220>

| <a> NORS Reference Number | <b1> Outage Start Date | <b2> Outage Start Time | <b3> Outage End Date | <b4> Outage End Time | <c1> Number of Customers Affected | <c2> Total Number of Customers | <d> 911 Facilities Affected (Yes / No) | <e> Service Outage Description (Check all that apply) | <f> Did This Outage Affect Multiple Study Areas (Yes / No) | <g> Service Outage Resolution | <h> Preventative Procedures |
|---|---|---|---|---|---|---|---|---|---|---|---|
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**(700) Price Offerings including Voice Rate Data**
**Data Collection Form**

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

| | | |
|---|---|---|
| <010> | Study Area Code | 240531 |
| <015> | Study Area Name | LANCASTER TEL CO |
| <020> | Program Year | 2016 |
| <030> | Contact Name - Person USAC should contact regarding this data | Chris Moody |
| <035> | Contact Telephone Number - Number of person identified in data line <030> | 8033267255 ext. |
| <039> | Contact Email Address - Email Address of person identified in data line <030> | chris.moody@comporium.com |

| | | |
|---|---|---|
| <701> | Residential Local Service Charge Effective Date | 1/1/2015 |
| <702> | Single State-wide Residential Local Service Charge | |

<703>

| <a1> | <a2> | <a3> | <b1> | <b2> | <b3> | <b4> | <b5> | <c> |
|---|---|---|---|---|---|---|---|---|
| **State** | **Exchange (ILEC)** | **SAC (CETC)** | **Rate Type** | **Residential Local Service Rate** | **State Subscriber Line Charge** | **State Universal Service Fee** | **Mandatory Extended Area Service Charge** | **Total per line Rates and Fees** |

-- See attached worksheet --

**(710) Broadband Price Offerings**
**Data Collection Form**

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

| | | |
|---|---|---|
| <010> | Study Area Code | 240531 |
| <015> | Study Area Name | LANCASTER TEL CO |
| <020> | Program Year | 2016 |
| <030> | Contact Name - Person USAC should contact regarding this data | Chris Moody |
| <035> | Contact Telephone Number - Number of person identified in data line <030> | 8033267255 ext. |
| <039> | Contact Email Address - Email Address of person identified in data line <030> | chris.moody@comporium.com |

<711>

| <a1> | <a2> | <b1> | <b2> | <c> | <d1> | <d2> | <d3> | <d4> |
|---|---|---|---|---|---|---|---|---|
| **State** | **Exchange (ILEC)** | **Residential Rate** | **State Regulated Fees** | **Total Rate and Fees** | **Broadband Service - Download Speed (Mbps)** | **Broadband Service - Upload Speed (Mbps)** | **Usage Allowance (GB)** | **Usage Allowance Action Taken When Limit Reached {*select*}** |
| | | | | | | | | |
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-- See attached worksheet --

**(800) Operating Companies**
**Data Collection Form**

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

| | | |
|---|---|---|
| <010> | Study Area Code | 240531 |
| <015> | Study Area Name | LANCASTER TEL CO |
| <020> | Program Year | 2016 |
| <030> | Contact Name - Person USAC should contact regarding this data | Chris Moody |
| <035> | Contact Telephone Number - Number of person identified in data line <030> | 8033267255 ext. |
| <039> | Contact Email Address - Email Address of person identified in data line <030> | chris.moody@comporium.com |

| | | |
|---|---|---|
| <810> | Reporting Carrier | Lancaster Telephone Company |
| <811> | Holding Company | Comporium, Inc. |
| <812> | Operating Company | Lancaster Telephone Company d/b/a Comporium |

**<813>**

| <a1> | <a2> | <a3> |
|---|---|---|
| **Affiliates** | **SAC** | **Doing Business As Company or Brand Designation** |

-- See attached worksheet --

**(900) Tribal Lands Reporting**
**Data Collection Form**

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

| | | |
|---|---|---|
| <010> | Study Area Code | 240531 |
| <015> | Study Area Name | LANCASTER TEL CO |
| <020> | Program Year | 2016 |
| <030> | Contact Name - Person USAC should contact regarding this data | Chris Moody |
| <035> | Contact Telephone Number - Number of person identified in data line <030> | 8033267255 ext. |
| <039> | Contact Email Address - Email Address of person identified in data line <030> | chris.moody@comporium.com |

<910> Tribal Land(s) on which ETC Serves

<920> Tribal Government Engagement Obligation

Name of Attached Document

If your company serves Tribal lands, please select (Yes,No, NA) for each these boxes to confirm the status described on the attached document(s), on line 920, demonstrates coordination with the Tribal government pursuant to § 54.313(a)(9) includes:

| | | Select Yes or No or Not Applicable |
|---|---|---|
| <921> | Needs assessment and deployment planning with a focus on Tribal community anchor institutions. | |
| <922> | Feasibility and sustainability planning; | |
| <923> | Marketing services in a culturally sensitive manner; | |
| <924> | Compliance with Rights of way processes | |
| <925> | Compliance with Land Use permitting requirements | |
| <926> | Compliance with Facilities Siting rules | |
| <927> | Compliance with Environmental Review processes | |
| <928> | Compliance with Cultural Preservation review processes | |
| <929> | Compliance with Tribal Business and Licensing requirements. | |

**(1100) No Terrestrial Backhaul Reporting Data Collection Form**

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

| | | |
|---|---|---|
| <010> | Study Area Code | 240531 |
| <015> | Study Area Name | LANCASTER TEL CO |
| <020> | Program Year | 2016 |
| <030> | Contact Name - Person USAC should contact regarding this data | Chris Moody |
| <035> | Contact Telephone Number - Number of person identified in data line <030> | 8033267255 ext. |
| <039> | Contact Email Address - Email Address of person identified in data line <030> | chris.moody@comporium.com |

<1120> Please confirm whether terrestrial backhaul options exist within the supported area pursuant to § 54.313(g) (Yes, No).

<1130> Please select the appropriate response (Yes, No, Not Applicable) to confirm the reporting carrier offers broadband service of at least 1 Mbps downstream and 256 kbps upstream within the supported area pursuant to § 54.313(g).

**(1200) Terms and Condition for Lifeline Customers**
**Lifeline**
**Data Collection Form**

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

| | | |
|---|---|---|
| <010> | Study Area Code | 240531 |
| <015> | Study Area Name | LANCASTER TEL CO |
| <020> | Program Year | 2016 |
| <030> | Contact Name - Person USAC should contact regarding this data | Chris Moody |
| <035> | Contact Telephone Number - Number of person identified in data line <030> | 8033267255 ext. |
| <039> | Contact Email Address - Email Address of person identified in data line <030> | chris.moody@comporium.com |

<1210> Terms & Conditions of Voice Telephony Lifeline Plans

Name of Attached Document

<1220> Link to Public Website HTTP www.comporium.com/29732/residential-home-phone-local-telephone-lifeline-link-up-programs/

"Please check these boxes below to confirm that the attached document(s), on line 1210, or the website listed, on line 1220, contains the required information pursuant to § 54.422(a)(2) annual reporting for ETCs receiving low-income support, carriers must annually report:

<1221> Information describing the terms and conditions of any voice telephony service plans offered to Lifeline subscribers, ✓

<1222> Details on the number of minutes provided as part of the plan, ✓

<1223> Additional charges for toll calls, and rates for each such plan. ✓

**(2000) Price Cap Carrier Additional Documentation**
**Data Collection Form**
*Including Rate-of-Return Carriers affiliated with Price Cap Local Exchange Carriers*

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

| | | |
|---|---|---|
| <010> | Study Area Code | 240531 |
| <015> | Study Area Name | LANCASTER TEL CO |
| <020> | Program Year | 2016 |
| <030> | Contact Name - Person USAC should contact regarding this data | Chris Moody |
| <035> | Contact Telephone Number - Number of person identified in data line <030> | 8033267255 ext. |
| <039> | Contact Email Address - Email Address of person identified in data line <030> | chris.moody@comporium.com |

**Select the appropriate responses below (Yes, No, Not Applicable) to note compliance as a recipient of Incremental Connect America Phase I support, frozen High Cost support, High Cost support to offset access charge reductions, and Connect America Phase II support as set forth in 47 CFR § 54.313(b),(c),(d),(e). The information reported on this form and in the documents attached below is accurate.**

**Incremental Connect America Phase I reporting**

<2010> 2nd Year Certification {47 CFR § 54.313(b)(1)i}

<2011a> 3rd Year Certification {47 CFR § 54.313(b)(1)ii}

<2011b> Attachment {47 CFR § 54.313(b)(1)ii}

Name of Attached Document(s) Listing Required Information

**Price Cap Carrier Receiving Frozen Support Certification {47 CFR § 54.312(a)}**

<2012> 2013 Frozen Support Calculation {47 CFR § 54.313(c)(1)}

<2013> 2014 Frozen Support Calculation {47 CFR § 54.313(c)(2)}

<2014> 2015 Frozen Support Calculation {47 CFR § 54.313(c)(3)}

<2015> 2016 and future Frozen Support Calculation {47 CFR § 54.313(c)(4)}

**Price Cap Carrier Connect America ICC Support {47 CFR § 54.313(d)}**

<2016> Certification Support Used to Build Broadband

**Connect America Phase II Reporting {47 CFR § 54.313(e)}**

<2017> 3rd year Broadband Service Certification

<2018> 5th year Broadband Service Certification

<2019> Interim Progress Certification

<2020> Please check the box to confirm that the attached document(s), on line 2021,contains the required information pursuant to § 54.313 (e)(3)(ii), as a recipient of CAF Phase II support shall provide the number, names, and addresses of community anchor institutions to which began providing access to broadband service in the preceding calendar year.

<2021> Interim Progress Community Anchor Institutions

Name of Attached Document(s) Listing Required Information

REDACTED FOR PUBLIC INSPECTION

**(3000) Rate Of Return Carrier Additional Documentation**

**Data Collection Form**

FCC Form 481

OMB Control No. 3060-0986/OMB Control No. 3060-0819

July 2013

| | | |
|---|---|---|
| <010> | Study Area Code | 240531 |
| <015> | Study Area Name | LANCASTER TEL CO |
| <020> | Program Year | 2016 |
| <030> | Contact Name - Person USAC should contact regarding this data | Chris Moody |
| <035> | Contact Telephone Number - Number of person identified in data line <030> | 8033267255 ext. |
| <039> | Contact Email Address - Email Address of person identified in data line <030> | chris.moody@comporium.com |

**CHECK the boxes below to note compliance on its five year service quality plan (pursuant to 47 CFR § 54.202(a)) and, for privately held carriers, ensuring compliance with the financial reporting requirements set forth in 47 CFR § 54.313(f)(2). I further certify that the information reported on this form and in the documents attached below is accurate.**

(3010) **Progress Report on 5 Year Plan**
Milestone Certification {47 CFR § 54.313(f)(1)(i)}

240531sc3010.pdf

Name of Attached Document Listing Required Information

(3011) Please check this box to confirm that the attached document(s), on line 3012 contains the required information pursuant to § 54.313 (f)(1)(ii), the carrier shall provide the number, names, and addresses of community anchor institutions to which began providing access to broadband service in the preceding calendar year. ✓

(3012) Community Anchor Institutions {47 CFR § 54.313(f)(1)(ii)}

240531sc3012.pdf

Name of Attached Document Listing Required Information

(3013) Is your company a Privately Held ROR Carrier {47 CFR § 54.313(f)(2)} (Yes/No) ● ○

(3014) If yes, does your company file the RUS annual report (Yes/No) ○ ●

Please check these boxes to confirm that the attached document(s), on line 3017, contains the required information pursuant to § 54.313(f)(2) compliance requires:

(3015) Electronic copy of their annual RUS reports (Operating Report for Telecommunications Borrowers) ☐

(3016) Document(s) for Balance Sheet, Income Statement and Statement of Cash Flows ☐

(3017) If the response is yes on line 3014, attach your company's RUS annual report and all required documentation

Name of Attached Document Listing Required Information

(3018) If the response is no on line 3014, Is your company audited? (Yes/No) ● ○

If the response is yes on line 3018, please check the boxes below to confirm your submission, on line 3026 pursuant to § 54.313(f)(2), contains

(3019) Either a copy of their audited financial statement; or (2) a financial report in a format comparable to RUS Operating Report for Telecommunications ✓

(3020) Document(s) for Balance Sheet, Income Statement and Statement of Cash Flows ✓

(3021) Management letter and audit opinion issued by the independent certified public accountant that performed the company's financial audit ✓

If the response is no on line 3018, please check the boxes below to confirm your submission, on line 3026 pursuant to § 54.313(f)(2), contains:

(3022) Copy of their financial statement which has been subject to review by an independent certified public accountant; or 2) a financial report in a format comparable to RUS Operating Report for Telecommunications Borrowers, ☐

(3023) Underlying information subjected to a review by an independent certified public accountant ☐

(3024) Underlying information subjected to an officer certification. ☐

(3025) Document(s) for Balance Sheet, Income Statement and Statement of Cash Flows

(3026) Attach the worksheet listing required information

240531sc3026.pdf

Name of Attached Document Listing Required Information

REDACTED FOR PUBLIC INSPECTION

**(3000) Rate Of Return Carrier Additional Documentation (Continued)**

**Data Collection Form**

FCC Form 481

OMB Control No. 3060-0986/OMB Control No. 3060-0819

July 2013

| | | |
|---|---|---|
| <010> | Study Area Code | 240531 |
| <015> | Study Area Name | LANCASTER TEL CO |
| <020> | Program Year | 2016 |
| <030> | Contact Name - Person USAC should contact regarding this data | Chris Moody |
| <035> | Contact Telephone Number - Number of person identified in data line <030> | 8033267255 ext. |
| <039> | Contact Email Address - Email Address of person identified in data line <030> | chris.moody@comporium.com |

**Financial Data Summary**

| | |
|---|---|
| (3027) Revenue | [redacted] |
| (3028) Operating Expenses | [redacted] |
| (3029) Net Income | [redacted] |
| (3030) Telephone Plant In Service(TPIS) | [redacted] |
| (3031) Total Assets | [redacted] |
| (3032) Total Debt | [redacted] |
| (3033) Total Equity | [redacted] |
| (3034) Dividends | [redacted] |

Name of Attached Document Listing Required Information

| **Certification - Reporting Carrier Data Collection Form** | FCC Form 481<br>OMB Control No. 3060-0986/OMB Control No. 3060-0819<br>July 2013 |
|---|---|

| | | |
|---|---|---|
| <010> | Study Area Code | 240531 |
| <015> | Study Area Name | LANCASTER TEL CO |
| <020> | Program Year | 2016 |
| <030> | Contact Name - Person USAC should contact regarding this data | Chris Moody |
| <035> | Contact Telephone Number - Number of person identified in data line <030> | 8033267255 ext. |
| <039> | Contact Email Address - Email Address of person identified in data line <030> | chris.moody@comporium.com |

**TO BE COMPLETED BY THE REPORTING CARRIER, IF THE REPORTING CARRIER IS FILING ANNUAL REPORTING ON ITS OWN BEHALF:**

**Certification of Officer as to the Accuracy of the Data Reported for the Annual Reporting for CAF or LI Recipients**

**I certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the annual reporting requirements for universal service support recipients; and, to the best of my knowledge, the information reported on this form and in any attachments is accurate.**

Name of Reporting Carrier:

Signature of Authorized Officer: Date

Printed name of Authorized Officer:

Title or position of Authorized Officer:

Telephone number of Authorized Officer:

Study Area Code of Reporting Carrier: Filing Due Date for this form:

Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.

**Certification - Agent / Carrier**
**Data Collection Form**

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

| | | |
|---|---|---|
| <010> | Study Area Code | 240531 |
| <015> | Study Area Name | LANCASTER TEL CO |
| <020> | Program Year | 2016 |
| <030> | Contact Name - Person USAC should contact regarding this data | Chris Moody |
| <035> | Contact Telephone Number - Number of person identified in data line <030> | 8033267255 ext. |
| <039> | Contact Email Address - Email Address of person identified in data line <030> | chris.moody@comporium.com |

**TO BE COMPLETED BY THE REPORTING CARRIER, IF AN AGENT IS FILING ANNUAL REPORTS ON THE CARRIER'S BEHALF:**

**Certification of Officer to Authorize an Agent to File Annual Reports for CAF or LI Recipients on Behalf of Reporting Carrier**

**I certify that (Name of Agent)** John Staurulakis, Inc. **is authorized to submit the information reported on behalf of the reporting carrier. I also certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the annual data reporting requirements provided to the authorized agent; and, to the best of my knowledge, the reports and data provided to the authorized agent is accurate.**

Name of Authorized Agent: John Staurulakis, Inc.

Name of Reporting Carrier: LANCASTER TEL CO

Signature of Authorized Officer: CERTIFIED ONLINE Date: 06/26/2015

Printed name of Authorized Officer: Matthew Dosch

Title or position of Authorized Officer: Executive Vice President

Telephone number of Authorized Officer: 8033267287 ext.

Study Area Code of Reporting Carrier: 240531 Filing Due Date for this form: 07/01/2015

Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.

**TO BE COMPLETED BY THE AUTHORIZED AGENT:**

**Certification of Agent Authorized to File Annual Reports for CAF or LI Recipients on Behalf of Reporting Carrier**

**I, as agent for the reporting carrier, certify that I am authorized to submit the annual reports for universal service support recipients on behalf of the reporting carrier; I have provided the data reported herein based on data provided by the reporting carrier; and, to the best of my knowledge, the information reported herein is accurate.**

Name of Reporting Carrier: LANCASTER TEL CO

Name of Authorized Agent or Employee of Agent: JSI

Signature of Authorized Agent or Employee of Agent: CERTIFIED ONLINE Date: 06/26/2015

Printed name of Authorized Agent or Employee of Agent: Cassandra Heyne

Title or position of Authorized Agent or Employee of Agent Consultant

Telephone number of Authorized Agent or Employee of Agent: 3014597590 ext.

Study Area Code of Reporting Carrier: 240531 Filing Due Date for this form: 07/01/2015

Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.

# Attachments

**REDACTED – FOR PUBLIC INSPECTION**

**ATTACHMENT - LINE 112**

# Five-Year Network Improvement Plan and Progress Report

**ATTACHMENT REDACTED IN ENTIRETY**

**Lancaster Telephone Company Unfulfilled Request Explanation**

- Lancaster Telephone Company had one unfulfilled request for broadband in 2014.
- Lancaster Telephone Company did not have equipment to provide internet services in this area at time of request.
- The customer requested internet service and were placed on a DSL waiting list because Cable Modem and FTTP were not available to them at the time.
- The general location of the customers is Lancaster, South Carolina.

**Lancaster Telephone Company's Demonstration of Compliance with Applicable Service Quality Standards and Consumer Protection Rules**

In establishing this certification in its *2005 ETC Order*,[1] the FCC found that an ETC must make "a specific commitment to objective measures to protect consumers."[2] The FCC found that for wireless ETCs, compliance with CTIA's Consumer Code for Wireless Service would satisfy this requirement and that the sufficiency of other commitments would be considered on a case-by-case basis.[3] In this context, the FCC stated, "to the extent a wireline or wireless ETC applicant is subject to consumer protection obligations under state law, compliance with such laws may meet our requirement."[4]

Lancaster Telephone Company ("Company") hereby certifies that it is in compliance with applicable service quality standards and consumer protection rules. The Company is subject to consumer protection obligations under both federal and South Carolina state law. These obligations include, but are not limited to, the following: (1) filing a Local Exchange Tariff pursuant to the requirements of the Public Service Commission of South Carolina which disclose rates, and terms and conditions of service to customers (Section 103-612.2.1 of the South Carolina Code of Regulations); (2) adherence to state consumer protection requirements governing telephone providers

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[1] *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, FCC 05-46 (rel. Mar. 17, 2005) ("*2005 ETC Order*").
[2] *Id.* at para. 28.
[3] *Id.* The FCC noted that under the CTIA Consumer Code, wireless carriers agree to: "(1) disclose rates and terms of service to customers; (2) make available maps showing where service is generally available; (3) provide contract terms to customers and confirm changes in service; (4) allow a trial period for new service; (5) provide specific disclosures in advertising; (6) separately identify carrier charges from taxes on billing statements; (7) provide customers the right to terminate service for changes to contract terms; (8) provide ready access to customer service; (9) promptly respond to consumer inquiries and complaints received from government agencies; and (10) abide by policies for protection of consumer privacy." *Id.* at n. 71.
[4] *Id.* at n. 72.

which govern Standards and Quality of Service (Sections 103-661, 103-662, and 103-663 of the South Carolina Code of Regulations); Customer Relations, including billing, deposits, discontinuance and termination of service (Sections 103-620 through 103-633 of the South Carolina Code of Regulations); Engineering and Safety Standards (Sections 103-640 through 103-646 and 103-670 through 103-672 of the South Carolina Code of Regulations); Inspections and Tests (Sections 103-650 through 103-653 of the South Carolina Code of Regulations); Records and Reports (Sections 103-610 through 103-619 of the South Carolina Code of Regulations) and Customer Complaints (Section 103-628 of the South Carolina Code of Regulations); (3) truth-in-billing requirements (Section 103-622.1 of the South Carolina Code of Regulations); and (4) CPNI, Red Flag Rules and other applicable federal and state requirements governing the protection of customers' privacy.

The Company is subject to consumer protection obligations for broadband services under federal law. These obligations include, but are not limited to, the following: public disclosure of accurate information regarding network management practices, performance, and commercial terms of broadband internet access services; as a means of providing sufficient information for consumers to make informed choices regarding use of such services, and for content, application, service and device providers to develop, market, and maintain internet offerings as specified in F.C.C. 47 C.F.R. Part 8 §8.3. The Company furthermore will comply with all requirements set forth in the *2015 Open Internet Order* when it becomes effective.

**Lancaster Telephone Company's Demonstration of Ability to Function in Emergency Situations**

Lancaster Telephone Company ("Company") hereby certifies that it is able to function in emergency situations as set forth in 47 C.F.R. § 54.202(a)(2)[1] and Section 103-646 of the South Carolina Code of Regulations. The Company's voice and broadband network is designed to remain functional in emergency situations without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations as required by Section 54.202(a)(2) and Section 103-646 of the South Carolina Code of Regulations. The Company can change call routing translations as needed to reroute traffic around damaged facilities. Changing call routing translations will also allow the Company to manage traffic spikes throughout its network, as emergency situations require.

Specifically, each central office building is supplied with standby generators and battery back-up that enable the central office to keep running until power is restored so long as fuel is available, or until system changes are made to reroute traffic. The Company has battery backup at all office locations and in its electronic equipment sites. Length of run time is determined by the equipment serving the area and the number of customers working out of the equipment. Generators are installed at all Central Office locations. They will continue to run as long as the Company has access to fuel.

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[1] Section 54.202(a)(2) requires ETCs that are designated by the Commission to "demonstrate its ability to remain functional in emergency situations, including a demonstration that it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations."

REDACTED FOR PUBLIC INSPECTION

**(700) Price Offerings including Voice Rate Data**
**Data Collection Form**

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

| | | |
|---|---|---|
| <010> | Study Area Code | 240531 |
| <015> | Study Area Name | LANCASTER TEL CO |
| <020> | Program Year | 2016 |
| <030> | Contact Name - Person USAC should contact regarding this data | Chris Moody |
| <035> | Contact Telephone Number - Number of person identified in data line <030> | 8033267255 ext. |
| <039> | Contact Email Address - Email Address of person identified in data line <030> | chris.moody@comporium.com |

| | | |
|---|---|---|
| <701> | Residential Local Service Charge Effective Date | 1/1/2015 |
| <702> | Single State-wide Residential Local Service Charge | |

<703>

| <a1> | <a2> | <a3> | <b1> | <b2> | <b3> | <b4> | <b5> | <c> |
|---|---|---|---|---|---|---|---|---|
| **State** | **Exchange (ILEC)** | **SAC (CETC)** | **Rate Type** | **Residential Local Service Rate** | **State Subscriber Line Charge** | **State Universal Service Fee** | **Mandatory Extended Area Service Charge** | **Total per line Rates and Fees** |
| SC | Lancaster | | FR | 15.62 | 0.0 | 0.41530456 | 0.0 | 16.04 |
| SC | Fort Lawn | | FR | 15.62 | 0.0 | 0.41530456 | 0.0 | 16.04 |
| SC | Heath Springs | | FR | 15.62 | 0.0 | 0.41530456 | 5.0 | 21.04 |

REDACTED FOR PUBLIC INSPECTION

**(710) Broadband Price Offerings**
**Data Collection Form**

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

| | | |
|---|---|---|
| <010> | Study Area Code | 240531 |
| <015> | Study Area Name | LANCASTER TEL CO |
| <020> | Program Year | 2016 |
| <030> | Contact Name - Person USAC should contact regarding this data | Chris Moody |
| <035> | Contact Telephone Number - Number of person identified in data line <030> | 8033267255 ext. |
| <039> | Contact Email Address - Email Address of person identified in data line <030> | chris.moody@comporium.com |

<711>

| <a1> State | <a2> Exchange (ILEC) | <b1> Residential Rate | <b2> State Regulated Fees | <c> Total Rates and Fees | <d1> Broadband Service - Download Speed (Mbps) | <d2> Broadband Service -Upload Speed (Mbps) | <d3> Usage Allowance (GB) | <d4> Usage Allowance Action Taken When Limit Reached {select} |
|---|---|---|---|---|---|---|---|---|
| SC | Lancaster | 48.45 | 0.0 | 48.45 | 7.0 | 0.512 | 310.0 | Other, Warning Letter 1mo / $10 per 50Gb overage |
| SC | Lancaster | 59.95 | 0.0 | 59.95 | 9.0 | 0.768 | 395.0 | Other, Warning Letter 1mo / $10 per 50Gb overage |
| SC | Lancaster | 74.95 | 0.0 | 74.95 | 11.0 | 1.0 | 465.0 | Other, Warning Letter 1mo / $10 per 50Gb overage |
| SC | Lancaster | 49.95 | 0.0 | 49.95 | 12.0 | 1.5 | 375.0 | Other, Warning Letter 1mo / $10 per 50Gb overage |
| SC | Lancaster | 59.95 | 0.0 | 59.95 | 25.0 | 3.0 | 475.0 | Other, Warning Letter 1mo / $10 per 50Gb overage |
| SC | Lancaster | 74.95 | 0.0 | 74.95 | 50.0 | 5.0 | 575.0 | Other, Warning Letter 1mo / $10 per 50Gb overage |
| SC | Lancaster | 49.95 | 0.0 | 49.95 | 30.0 | 15.0 | 500.0 | Other, Warning Letter 1mo / $10 per 50Gb overage |
| SC | Lancaster | 59.95 | 0.0 | 59.95 | 60.0 | 20.0 | 600.0 | Other, Warning Letter 1mo / $10 per 50Gb overage |
| SC | Lancaster | 74.95 | 0.0 | 74.95 | 100.0 | 30.0 | 700.0 | Other, Warning Letter 1mo / $10 per 50Gb overage |
| SC | Lancaster | 99.95 | 0.0 | 99.95 | 1024.0 | 1024.0 | 4000.0 | Other, Warning Letter 1mo / $10 per 50Gb overage |
| SC | Fort Lawn | 48.45 | 0.0 | 48.45 | 7.0 | 0.512 | 310.0 | Other, Warning Letter 1mo / $10 per 50Gb overage |
| SC | Fort Lawn | 59.95 | 0.0 | 59.95 | 9.0 | 0.768 | 395.0 | Other, Warning Letter 1mo / $10 per 50Gb overage |
| SC | Fort Lawn | 74.95 | 0.0 | 74.95 | 11.0 | 1.0 | 465.0 | Other, Warning Letter 1mo / $10 per 50Gb overage |
| SC | Fort Lawn | 49.95 | 0.0 | 49.95 | 12.0 | 1.5 | 375.0 | Other, Warning Letter 1mo / $10 per 50Gb overage |
| SC | Fort Lawn | 59.95 | 0.0 | 59.95 | 25.0 | 3.0 | 475.0 | Other, Warning Letter 1mo / $10 per 50Gb overage |
| SC | Fort Lawn | 74.95 | 0.0 | 74.95 | 50.0 | 5.0 | 575.0 | Other, Warning Letter 1mo / $10 per 50Gb overage |
| SC | Heath Springs | 48.45 | 0.0 | 48.45 | 7.0 | 0.512 | 310.0 | Other, Warning Letter 1mo / $10 per 50Gb overage |
| SC | Heath Springs | 59.95 | 0.0 | 59.95 | 9.0 | 0.768 | 395.0 | Other, Warning Letter 1mo / $10 per 50Gb overage |
| SC | Heath Springs | 74.95 | 0.0 | 74.95 | 11.0 | 1.0 | 465.0 | Other, Warning Letter 1mo / $10 per 50Gb overage |
| SC | Heath Springs | 49.95 | 0.0 | 49.95 | 12.0 | 1.5 | 375.0 | Other, Warning Letter 1mo / $10 per 50Gb overage |
| SC | Heath Springs | 59.95 | 0.0 | 59.95 | 25.0 | 3.0 | 475.0 | Other, Warning Letter 1mo / $10 per 50Gb overage |

REDACTED FOR PUBLIC INSPECTION

**(710) Broadband Price Offerings**
**Data Collection Form**

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

| | | |
|---|---|---|
| <010> | Study Area Code | 240531 |
| <015> | Study Area Name | LANCASTER TEL CO |
| <020> | Program Year | 2016 |
| <030> | Contact Name - Person USAC should contact regarding this data | Chris Moody |
| <035> | Contact Telephone Number - Number of person identified in data line <030> | 8033267255 ext. |
| <039> | Contact Email Address - Email Address of person identified in data line <030> | chris.moody@comporium.com |

<711>

| <a1> State | <a2> Exchange (ILEC) | <b1> Residential Rate | <b2> State Regulated Fees | <c> Total Rates and Fees | <d1> Broadband Service - Download Speed (Mbps) | <d2> Broadband Service -Upload Speed (Mbps) | <d3> Usage Allowance (GB) | <d4> Usage Allowance Action Taken When Limit Reached {select} |
|---|---|---|---|---|---|---|---|---|
| SC | Heath Springs | 74.95 | 0.0 | 74.95 | 50.0 | 5.0 | 575.0 | Other, Warning Letter 1mo / $10 per 50Gb overage |
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REDACTED FOR PUBLIC INSPECTION

**(800) Operating Companies**
**Data Collection Form**

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

| | | |
|---|---|---|
| <010> | Study Area Code | 240531 |
| <015> | Study Area Name | LANCASTER TEL CO |
| <020> | Program Year | 2016 |
| <030> | Contact Name - Person USAC should contact regarding this data | Chris Moody |
| <035> | Contact Telephone Number - Number of person identified in data line <030> | 8033267255 ext. |
| <039> | Contact Email Address - Email Address of person identified in data line <030> | chris.moody@comporium.com |

| | | |
|---|---|---|
| <810> | Reporting Carrier | Lancaster Telephone Company |
| <811> | Holding Company | Comporium, Inc. |
| <812> | Operating Company | Lancaster Telephone Company d/b/a Comporium |

<813>

| <a1> | <a2> | <a3> |
|---|---|---|
| **Affiliates** | **SAC** | **Doing Business As Company or Brand Designation** |
| Comporium, Inc. | 240542 | |
| Fort Mill Telephone Company | 240521 | Comporium |
| Citizens Telephone Company | 230473 | Comporium |
| PBT Telecom, Inc. | 240539 | Comporium |
| Home Telephone Company | 240527 | |

**Lancaster Telephone Company (SAC 240531)**

**Response to Line 3010 – Milestone Certification (47 CFR §54.313(f)(1)(i))**

Lancaster Telephone Company hereby certifies that throughout 2014, it took reasonable steps to provide upon reasonable request broadband service at actual speeds of at least 4 Mbps downstream/1 Mbps upstream, and currently, it is taking reasonable steps to provide upon reasonable request actual speeds of at least 10 Mbps downstream/1 Mbps upstream broadband service at with latency suitable for real-time applications, including Voice over Internet Protocol, and usage capacity that is reasonably comparable to comparable offerings in urban areas as determined in an annual survey, and that requests for such service are met within a reasonable amount of time.

**Lancaster Telephone Company (SAC 240531)**

**Response to Line 3012 - List of Community Anchor Institutions to Which the ETC Newly Began Providing Service**

The FCC's *USF/ICC Transformation Order* requires a listing of community anchor institutions to which the ETC newly began providing broadband service. Lancaster Telephone Company did not begin providing broadband service to any new anchor institutions in 2014.

REDACTED FOR PUBLIC INSPECTION

Your business is our business.

7852 Walker Drive, Suite 200
Greenbelt, Maryland 20770
phone: 301-459-7590, fax: 301-577-5575
internet: www.jsitel.com, e-mail: jsi@jsitel.com

June 22, 2015

*VIA ECFS*

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Attention: Wireline Competition Bureau

**Re: Petition for Limited Waiver of § 54.313(f)(2)(ii)**
**Comporium Companies**
***ETC Annual Reports and Certifications*, WC Docket No. 14-58**

Dear Ms. Dortch:

On behalf of Comporium, Inc. fka Rock Hill Telephone Company, Lancaster Telephone Company, Fort Mill Telephone Company, Citizens Telephone Company and PBT Telecom, Inc. (collectively, the "Comporium Companies"), JSI respectfully submits the above-referenced Petition for Limited Waiver. The Comporium Companies seek a limited waiver of Federal Communications Commission rules Section 54.313(f)(2)(ii) which requires privately held rate-of-return carriers that are not recipients of loans from the Rural Utilities Service to file a copy of their audited financial statement with their ETC Annual Report.

Please direct inquiries regarding this Petition for Limited Waiver to the undersigned consultant for the Comporium Companies.

Sincerely,

John Kuykendall
Vice President

Enclosure

Before the
**FEDERAL COMMUNICATIONS COMMISSION**
Washington, D.C. 20554

| | | |
|---|---|---|
| In the Matter of | ) | |
| | ) | |
| ETC Annual Reports and Certifications | ) | WC Docket No. 14-58 |
| | ) | |

**PETITION OF THE COMPORIUM COMPANIES FOR LIMITED WAIVER OF SECTION 54.313(f)(2)(ii)**

Comporium, Inc. fka Rock Hill Telephone Company, Lancaster Telephone Company, Fort Mill Telephone Company, Citizens Telephone Company and PBT Telecom, Inc. (collectively the "Comporium Companies" or the "Companies") pursuant to Section 1.3 of the Federal Communications Commission's ("FCC" or "Commission") Rules[1] request a limited waiver of the requirement specified in Section 54.313(f)(2)(ii).[2] This rule requires privately held rate-of-return carriers that are not recipients of loans from the Rural Utilities Service ("RUS") whose financial statements are audited in the ordinary course of business to file a copy of their audited financial statement with their ETC Annual Report (otherwise known as the "Form 481").[3]

As demonstrated herein, "good cause" exists to allow the Comporium Companies a two-month limited waiver to submit the finalized version of their annual consolidated financial audit report after the July 1, 2015 deadline to submit their Form 481. Due to delays caused by obtaining necessary financial information from an entity in which one of the Comporium

[1] 47 C.F.R. §1.3
[2] 47 C.F.R. § 54.313 (f)(2)(ii).
[3] *Id.* Alternatively, the carrier may file "a financial report in a format comparable to RUS Operating Report for Telecommunications Borrowers, accompanied by a copy of a management letter issued by the independent certified public accountant that performed the company's financial audit." *Id.*

Companies has a joint investment, the final audited version of the Companies' consolidated audit report will not be available by the July 1 deadline. However, the Comporium Companies will be submitting a draft version of the report in their Form 481s and will populate the Lines 3027 – 3034 with the required financial data. Accordingly, the public interest would be served by allowing the Companies additional time to supplement their Form 481s with the finalized version of the consolidated audit report.

## I. Background

The Comporium Companies are privately held rate-of-return carriers that are not recipients of loans from RUS and have financial statements that are audited in the ordinary course of business. Each year, the Companies' external auditors, KPMG, LLP ("KPMG"), prepare a consolidated audit report for the Comporium Companies. In its *Fifth Order on Reconsideration*, the FCC clarified that companies that have study areas that are under common ownership or control and prepare a consolidated audit report "may file financial reports on a consolidated basis" in their FCC Form 481s.[4] Accordingly, in compliance with Section 54.313(f)(2)(ii), each year in their Form 481 filings, each of the Comporium Companies submit the consolidated audit report prepared by KPMG.

## II. Grant of this Waiver is Warranted

Generally, the Commission's rules may be waived for good cause shown.[5] Furthermore, the Commission may exercise its discretion to waive a rule where the particular facts make strict

[4] *Connect America Fund et al*, WC Docket No. 10-90 *et al.*, Fifth Order on Reconsideration, 27 FCC 14549, 14554, para. 14 (2012) ("*Fifth Order on Reconsideration*").
[5] 47 C.F.R. § 1.3.

compliance inconsistent with the public interest.[6] As demonstrated herein, grant of this petition is warranted.

The Comporium Companies and KPMG have been working diligently in preparing the consolidated audit report for 2014. However, the finalized version of the report will not be completed until after the July 1, 2015 deadline due to delays in obtaining audited financial statements from Tide Mobility, LLC ("Tide"). Tide Mobility is a joint investment of Comporium, Horry Telephone Cooperative, and AT&T Mobility. Comporium contributed its wireless assets in exchange for an interest in Tide Mobility. Tide Mobility is audited by another audit firm. Accordingly, KPMG must rely on the other audit firm to provide the necessary financial information pertaining to Tide in order to complete the audit for the Comporium Companies. The other audit firm, however, did not provide the required financial information to KPMG in sufficient time for KPMG to finalize the audit by the July 1 deadline. Attached hereto is a letter from KPMG agreeing with the stated reasons as to why KPMG has been unable to complete its audit by the filing deadline.

Although the finalized version of the consolidated audit report will not be completed until after July 1, the Companies have been provided with a draft version of the report. Accordingly, the Companies will submit this draft version in their FCC Form 481 filing. Further, because the financial data in the draft version has been finalized, the Companies will populate that data in Lines 3027 – 3034 of their respective Form 481s. Accordingly, waiver of Section 54.313(f)(2)(ii) is sought only to be able to supplement the Form 481s within two months after the filing deadline so that the finalized version of the consolidated audit report can replace the draft versions. Such a limited waiver would further the public interest as strict compliance with

[6] Northeast Cellular Telephone co. v. FCC, 897 F.2d 1164, 1166 (D.C. Cir. 1990) (Northeast Cellular).

this rule could result in each of the Companies having their high cost universal service support reduced on a pro-rata daily basis equivalent to the period of non-compliance,[7] an extremely harsh penalty for these rural rate-of-return carriers.

Respectfully submitted,

Daniel R. Robertson

The Comporium Companies

By: /s/ Daniel R. Robertson

Daniel R. Robertson
Executive Vice President – Chief Financial Officer
and Treasurer
The Comporium Companies
330 East Black Street
Rock Hill, South Carolina 29730

June 17, 2015

[7] *See* 47 C.F.R. § 54.313(j).

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June 22, 2015

Comporium, Inc.
Attn: Mr. Dan Robertson
330 E Black Street
Rock Hill, SC 29731

Mr. Robertson:

Pursuant to Section 1.3 of the Federal Communications Companies Rules, we inform you that we have been furnished a copy of a petition of the Comporium, Inc. for Limited Waiver of Section 54.313(f)(2)(ii) to be filed by Comporium, Inc. (the Company) on or about June 22, 2015, which contains notification of the Company's inability to file its audited financial statements prepared in accordance with the requirement specified in Section 54.313(f)(2)(ii). This rule requires privately held rate-of-return carriers that are not recipients of loans from RUS whose financial statements are audited in the ordinary course of business to file a copy of their audited financial statement with their ETC Annual Report (otherwise known as the "Form 481") prescribed or permitted by the June 30, 2015. We have read the Company's statements contained therein and we agree with the stated reasons as to why we have been unable to complete our audit and report on the Company's financial statements for the year ended December 31, 2014 by that date.

Very truly yours,

KPMG LLP

Susanne P. Dixon

Susanne P. Dixon
*Partner*

KPMG LLP, a U.S. limited liability partnership, is the U.S. member firm of KPMG International, a Swiss cooperative.

**REDACTED – FOR PUBLIC INSPECTION**

**ATTACHMENT - LINE 3026**

**ATTACHMENT REDACTED IN ENTIRETY**