

Project No. 24481

DESIGNATION OF COMMON
CARRIERS AS ELIGIBLE
TELECOMMUNICATIONS CARRIERS
TO RECEIVE FEDERAL UNIVERSAL
SERVICE FUNDS

§
§
§
§
§

RECEIVED
2015 OCT -1 PM 2:11
PUBLIC UTILITY COMMISSION
OF TEXAS
FILING CLERK

**COMMISSION STAFF'S SECOND SUPPLEMENTAL
RESPONSE TO ORDER NO. 43 AND REQUEST TO MODIFY ORDER NO. 44**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Second Supplemental Response to Order No. 43 and Request to Modify Order No. 44. In support thereof, Staff shows the following:

I. BACKGROUND

Pursuant to § 254(e) of the Federal Telecommunications Act (FTA),¹ 47 C.F.R. § 54.314 and 16 Tex. Admin. Code § 26.418(k) the Public Utility Commission of Texas (Commission) annually certifies that all federal high-cost support provided to carriers in Texas will be used only for "the provision, maintenance, and upgrading of facilities and services for which the support is intended."² The Commission must file its 2015 certifications with the Federal Communications Commission (FCC) and the Universal Service Administrative Company (USAC) by October 1 each year in order for ETCs to receive federal high-cost support. Without certification, carriers will not receive federal high-cost support.

On August 6, 2015, Order No. 43 was issued requiring Staff to file a recommendation regarding the certification process. On September 18, 2015, Staff filed its recommendation and summary of the eighty-six affidavits that were timely filed. On September 25, 2015, Staff filed a supplemental recommendation and summary to include one late-filed affidavit. On September 28, 2015, Order No. 44 was entered, certifying the eligibility of the eighty-seven carriers whose annual affidavits have been received and who met the criteria under FTA § 254(e), as eligible to receive federal universal service support.

¹ Federal Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996) (codified in scattered sections of 15 and 47 U.S.C.).

² 47 C.F.R. §§ 54.313(a), (c) and 54.314(a), (c).

II. SUPPLEMENTAL RECOMMENDATION

Staff files this supplemental recommendation to address the revised affidavit of Nexus Communications, Inc., which was filed on September 30, 2015. The revised affidavit indicates an additional study area code of 449038, while the originally filed affidavit indicates a study area code of 449080.

In addition, Staff's supplemental recommendation addresses an error in the reporting of one of the study area codes for Texas 10, LLC d/b/a Cellular One (Texas 10, LLC). Specifically, the correct Study Area Code of 449067 was incorrectly listed as 499067 in Staff's original recommendation.

As supported by the attached letter of Scott Smyth, Staff recommends correction to Order No. 44 to update the correct Study Area Code for Texas 10, LLC.

III. CONCLUSION

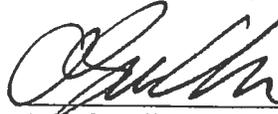
Staff respectfully requests the entry of an order consistent with the above recommendation.

Date: October 1, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director- Legal Division

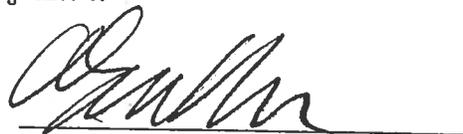
Stephen Mack
Managing Attorney-Legal Division



A. J. Smullen
Attorney-Legal Division
State Bar No. 24083881
(512) 936-7289
(512) 936-7268 (facsimile)
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on October 1, 2015 in accordance with 16 Tex. Admin. Code § 22.74.

A handwritten signature in black ink, appearing to read "A. J. Smullen", is written over a horizontal line.

A. J. Smullen

Donna L. Nelson
Chairman

Kenneth W. Anderson, Jr.
Commissioner

Brandy Marty Marquez
Commissioner

Brian H. Lloyd
Executive Director



Greg Abbott
Governor

Public Utility Commission of Texas

October 1, 2015

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

Karen Majcher
Vice President, High Cost & Low Income Division
Universal Service Administrative Company
2000 L Street, NW, Suite 200
Washington, DC 20036

RE: CC Docket No. 96-45/WC Docket No. 10-90, Annual State Certification of Federal High-Cost Support for Eligible Telecommunications Carriers Pursuant to 47 C.F.R. § 54.314

SUPPLEMENTAL ETC FILING FOR CORRECTION TO SEPTEMBER 29, 2015 ETC FILING AND LATE-FILED AFFIDAVIT

To the Filing Representatives:

On September 29, 2015, the Public Utility Commission of Texas (PUC) filed a letter dated September 18, 2015 certifying certain telecommunications carriers as eligible to receive federal high-cost support. This letter corrects two errors reflected in Staff's original letter.

First, the PUC reported an incorrect study area codes for Texas 10, LLC d/b/a Cellular One (Texas 10, LLC). Specifically, the correct Study Area Code of 449067 was incorrectly listed as 499067.

Second, on September 30, 2015, Nexus Communications Inc. (Nexus) filed a supplemental affidavit with the PUC for an additional Texas study area code (SAC), 449038, certifying that the Company would use the funds received in 2014 and the funds that it will receive in 2016 only for the provision, maintenance, and upgrading of facilities and services for which the support is



paper

Printed on recycled

An Equal Opportunity Employer

intended. The following list of all Texas carriers filing affidavits have been updated to include the correction to Texas 10, LLC's study area codes and the additional study area code for Nexus.

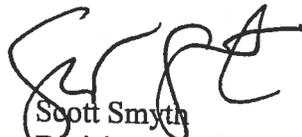
Pursuant to the requirements of 47 C.F.R. § 54.314,¹ the PUCT hereby certifies to the Federal Communications Commission (FCC) and the Universal Service Administrative Company (USAC) that the telecommunications carriers² listed below are eligible to receive federal high-cost support for the program years cited.

The PUCT certifies for the carriers listed below all federal high-cost support provided to such carriers within Texas was used in the preceding calendar year (2014) and will be used in the coming calendar year (2016) only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.³

The rural and non-rural carriers certified by the Texas PUC pursuant to 47 C.F.R. § 54.314 are identified in Attachment A. Included in this list is the correct study area codes for Texas 10, LLC and the study area code for Nexus.

If you have any questions regarding this compliance filing, please contact James Kelsaw at 512-936-7338 in our Competitive Markets Division.

Respectfully submitted,



Scott Smyth
Division Director
Competitive Markets Division

¹ See Federal Communications Commission's (FCC's) *Fourteenth Report and Order, Twenty Second Order on Reconsideration, and Further Notice of Proposed Rulemaking* in CC Docket No. 96-45, and *Report and Order* in CC Docket No. 00-256 (May 23, 2001).

² This list includes each carrier's study code, if available, assigned by the National Exchange Carriers Association (NECA).

³ 47 C.F.R. § 54.314(a) – "Certification. States that desire eligible telecommunications carriers to receive support pursuant to the high-cost program just file an annual certification with the Administrator and the Commission stating that all federal high-cost support provided to such carriers within that State was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. High-cost support shall only be provided to the extent that the State has filed the requisite certification pursuant to this section."

ATTACHMENT A

TEXAS CARRIERS FILING AFFIDAVITS IN 2015

	CARRIER	STUDY AREA CODE	RURAL, NON- RURAL OR BOTH	CARRIER TYPE
1	Alenco Communications, Inc.	442090	R	ILEC
2	AMA Tectel Communications	449020	B	CLEC
3	AT&T *	445216	N	ILEC
4	Big Bend Telephone Co., Inc.	442039	R	ILEC
5	Blossom Telephone Co., Inc.	442038	R	ILEC
6	Border to Border Communications	442073	R	ILEC
7	Brazoria Telephone Co.	442040	R	ILEC
8	Brazos Telephone Coop., Inc.	442041	R	ILEC
9	Cameron Telephone Co.	440425	R	ILEC
10	Cap Rock Telephone Coop.	442046	R	ILEC
11	Central Telephone Co. of Texas, Inc. d/b/a CenturyLink	442114	R	ILEC
12	Central Texas Telephone Coop., Inc	442052	R	ILEC
13	Century Telephone-Lake Dallas, Inc. d/b/a CenturyLink	442101	R	ILEC
14	Century Telephone-NW Louisiana, Inc.	270431	R	ILEC
15	Century Telephone-Port Aransas, Inc. d/b/a/ CenturyLink	442117	R	ILEC
16	Century Telephone-San Marcos, Inc. d/b/a Century Link	442140	R	ILEC
17	CGKC&H #2 L.P. d/b/a West Central Wireless & d/b/a Right Wireless	449043	B	CMRS
18	Coleman County Telephone Coop.	442057	R	ILEC
19	Colorado Valley Telephone Coop., Inc.	442059	R	ILEC
20	Community Telephone Co.	442061	R	ILEC
21	ConNEXTions Telcom	449009	B	CLEC
22	Consolidated Communications	442072	R	ILEC
23	Consolidated Communications of Texas	442109	R	ILEC

24	CT Cube L.P.	449018	B	CMRS
25	Cumby Telephone Coop., Inc.	442065	R	ILEC
26	Cumby Telephone Coop., Inc. CLEC	449004	B	CLEC
27	Dell Telephone Coop., Inc.	442066	R	ILEC
28	DTS - Dialtone Services (MSS)	449030	B	CMRS/MSS
29	Eastex Telephone Coop., Inc.	442068	R	ILEC
30	Electra Telephone Co.	442069	R	ILEC
31	ENMR Telephone Coop., Inc.	442262	R	ILEC
32	ETEX Telephone Coop., Inc.	442070	R	ILEC
33	ETS Telephone Company d/b/a EnTouch	442091	R	ILEC
34	Five Area Telephone Coop., Inc.	442071	R	ILEC
35	Ganado Telephone Co., Inc.	442076	R	ILEC
36	GCEC Technologies	449012	N	CLEC
37	Guadalupe Valley Telephone Coop.	442083	R	ILEC
38	Hill Country Telephone Coop.	442086	R	ILEC
39	Industry Telephone Co.	442093	R	ILEC
40	La Ward Telephone Exchange	442103	R	ILEC
41	Lake Livingston Telephone Co.	442104	R	ILEC
42	Leaco Rural Telephone Coop., Inc.	492264	R	ILEC
43	Lipan Telephone Co.	442105	R	ILEC
44	Livingston Telephone Co.	442107	R	ILEC
45	Mid Plains Rural Telephone Coop., Inc.	442112	R	ILEC
46	Mid-Tex Cellular, Ltd.	449026	B	CMRS
47	Nexus Communications, Inc.d/b/a ReachOut Wireless	449038, 449080	N	CMRS
48	New Cingular Wireless PCS, LLC d/b/a AT&T Mobility	449022	B	CMRS
49	Nortex Communications	442116	R	ILEC
50	North Texas Telephone Company	442043	R	ILEC
51	NTS Communications, Inc.	449024	N	CLEC
52	NTS Telephone (dba NTS of Levelland)	449052	B	CLEC

53	Panhandle Telephone Coop., Inc.	432016	R	ILEC
54	Peoples Telephone Coop., Inc.	442130	R	ILEC
55	Plateau Telecom (Texas RSA 3 Ltd. Partnership)	449037	R	CMRS
56	Poka Lambro Telephone Cooperative, Inc.	442131	R	ILEC
57	PTCI	449019	R	CLEC
58	Riviera Telephone Co., Inc.	442134	R	ILEC
59	Santa Rosa Telephone Coop., Inc.	442141	R	ILEC
60	Santa Rosa Telephone Coop., Inc. - CLEC	449006	R	CLEC
61	South Plains Telephone Coop., Inc.	442143	R	ILEC
62	Southwest Arkansas Telephone Coop., Inc.	401724	R	ILEC
63	Southwest Texas Telephone Co.	442135	R	ILEC
64	Tatum Telephone Co.	442150	R	ILEC
65	Taylor Telephone Coop., Inc.	442151	R	ILEC
66	Texas 10, LLC d/b/a Cellular One	449067, 448002, 448006, 448007, 448008, 448009, 448010, 448011, 448012, 448013, 448014, 448015, 448016, 448017, 448018, 448019, 448020, 448022, 448023, 448024, 448025, 448026, 448028, 448029, 448030, 448031, 448032, 448033,	B	CMRS

		448034, 448035, 448036, 448037, 448038, 448039, 448040, 448041 & 440842		
67	T-Mobile Corp	449066, 448051, 448052, 448053, 448054, 448055, 448056 & 448057	B	CMRS
68	Texas RSA 15B2 L.P. d/b/a Five Star Wireless and d/b/a Right Wireless	449046	B	CMRS
69	Texas RSA 7B3, L.P. d/b/a Peoples Wireless Services	449048	R	CMRS
70	Texas Windstream	442153	R	ILEC
71	Totalcom Communications, LLC	442060	R	ILEC
72	United Telephone Co. (Sprint/United) d/b/a CenturyLink	442084	R	ILEC
73	USFon	449053	N	CLEC
74	Valley Telephone Coop., Inc.	442159	R	ILEC
75	Verizon Southwest (f/k/a GTE Southwest & Contel)	442154 & 442080	N	ILEC
76	VTX Telecom, L.P.	449050	N	CLEC
77	Web Fire Communications, LLC	449076	N	CLEC
78	Wes-Tex Telephone Coop., Inc.	442168	R	ILEC
79	West Plains Telecommunications, Inc.	442071	R	ILEC

80	West Texas Rural Telephone Coop., Inc.	442166	R	ILEC
81	Windstream Communications Kerrville (f/k/a/ Kerrville Telephone Co.)	442097	R	ILEC
82	Windstream Communications of the Southwest	441163	R	ILEC
83	Windstream Communications Sugarland	442147	R	ILEC
84	Worldcall Interconnect	449055	N	CMRS
85	W.T. Services, Inc.	449001	B	CLEC
86	XIT Rural Telephone Coop.	442170	R	ILEC
87	XIT Telecommunication & Technology, Ltd.	449002	B	CLEC
* AT&T indicated that the support will be used in the coming calendar year 2016; no support for 2014.				