

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

In the Matter of

Federal-State Joint Board on  
Universal Service

CC Docket No. 96-45

**BELLSOUTH REPLY COMMENTS**

BellSouth Corporation, on behalf of itself and its wholly owned subsidiaries (“BellSouth”), hereby submits its reply comments in the above-captioned proceeding.<sup>1</sup>

**I. THERE IS OVERWHELMING SUPPORT FOR THE ADOPTION OF A MORE STRINGENT PUBLIC INTEREST ANALYSIS FOR DESIGNATING ETCs IN BOTH RURAL AND NON-RURAL AREAS.**

The theme repeated throughout the comments is that the Commission and the states are obligated to ensure that the public interest analyses required by Sections 214(e)(2) and (6) of the Telecommunications Act of 1996 (“1996 Act”) are undertaken in a “consistent, equitable, and sufficiently rigorous manner and in accordance with universal service principles.”<sup>2</sup> To accomplish these objectives, an overwhelming majority of the parties support the adoption of a set of minimum requirements that a carrier must satisfy in order to obtain status as an eligible

---

<sup>1</sup> *Federal-State Joint Board on Universal Service Seeks Comment on Certain of the Commission’s Rules Relating to High-Cost Universal Service Support and the ETC Designation Process*, CC Docket No. 96-45, *Public Notice*, FCC 03J-1 (rel. Feb. 7, 2003) (“*Public Notice*”).

<sup>2</sup> Alaska Telephone Association (“ATA”) Comments at 3.

telecommunications carrier (“ETC”).<sup>3</sup> These qualification requirements would guide the Commission and the states in their consideration of whether the designation of a carrier as an ETC would serve the public interest.

Only a few parties object to establishing a framework to assist the Commission and states in conducting the statutorily mandated public interest analysis.<sup>4</sup> This small segment of dissenters argues that guidelines are unnecessary and that the current regulations provide sufficient guidance to enable the Commission and the states to make ETC designations.<sup>5</sup> This argument is without merit. This assertion ignores the dramatic changes that have occurred in the telecommunications marketplace as well as the growing pressure on the universal service fund.

These dissenters also claim that federal guidelines would infringe on a state’s ability to make individualized public interest determinations.<sup>6</sup> Again, this argument fails. Rather than usurp states’ authority, a set of clearly defined guidelines would assist state commissions in evaluating whether the designation of a carrier as an ETC satisfies the public interest mandate of Section 214(e). Moreover, as a number of commenters point out, states would retain the

---

<sup>3</sup> See, e.g., ACS of Fairbanks, Inc. Comments at 21; ATA Comments at 2-5, 9-10; CenturyTel, Inc. (“CenturyTel”) Comments at 16-20; Dobson Communications Corp. Comments at 15; GVNW Consulting, Inc. (“GVNW”) Comments at 10-13; Montana Universal Task Force Comments at 38; National Association of State Utility Consumer Advocates (“NASUCA”) Comments at 8-11; National Telecommunications Cooperative Association (“NTCA”) Comments at 19-24; Organization for the Promotion and Advancement of Small Telecommunications Companies (“OPASTCO”) Comments at 39-51; TCA, Inc.-Telecom Consulting Associates (“TCA”) Comments at 3; United States Telecom Association (“USTA”) Comments at 13-14; Washington Independent Telephone Association (“WITA”) Comments at 20-23; WorldCom, Inc. d/b/a MCI (“WorldCom”) Comments at 7.

<sup>4</sup> Cellular Telecommunications & Internet Association (“CTIA”) Comments at 9-10. Washington Utilities and Transportation Commission Comments at 20.

<sup>5</sup> *Id.*

<sup>6</sup> See, e.g., CTIA Comments at 10.

flexibility to add qualification requirements beyond those established by the Commission.<sup>7</sup>

Thus, there is no danger that states will lose the authority to make ETC determinations that best satisfy their local needs and conditions.

Although the Idaho Telephone Association (“ITA”) states that it opposes national guidelines, its comments call for state commissions to conduct detailed cost-benefit analyses that consider, at a minimum, the following: (1) the effect of multiple ETCs on prices; (2) the introduction of new or improved service; (3) improved service quality; (4) specific plans to increase coverage to provide service to the entire study area; and (5) the willingness and ability to assume carrier of last resort obligations.<sup>8</sup> In addition, ITA proposes the creation of accountability standards and reporting requirements once a carrier obtains ETC status.<sup>9</sup> These recommendations as set forth by ITA are fully consistent with the qualification criteria and guidelines proposed by a number of parties. Thus, even though ITA purports to oppose federal guidelines, its endorsement of a consistent set of eligibility criteria for ETC designation is in line with the position of the majority of commenters.

Clearly, the record overwhelmingly supports the creation of a well-defined public interest standard that satisfies the multiple roles of ensuring that qualified carriers obtain ETC status, the fund size remains reasonable and sufficient, and consumers are not harmed. Accordingly, BellSouth urges the Commission to establish a set of minimum requirements that carriers seeking ETC status in both rural and non-rural areas must satisfy in order to meet the public interest standard of Section 214(e). Both the Commission and the states should use the

---

<sup>7</sup> See, e.g., BellSouth Comments at 2, 4; ATA Comments at 10.

<sup>8</sup> Idaho Telephone Association (“ITA”) Comments at 11.

<sup>9</sup> *Id.*

requirements to assist them in evaluating whether or not it serves the public interest to designate multiple ETCs in a given area.

The record sets forth various proposed ETC qualification requirements, including a cost-benefit analysis. A number of parties, including BellSouth, recommend that the ETC designation process involve, at a minimum, a mandatory showing that the benefits of supporting multiple carriers in a high-cost area exceed the costs.<sup>10</sup> BellSouth further urges the Commission to evaluate the suitability of the other eligibility requirements proposed by various parties.<sup>11</sup> Whatever the final list, the ultimate goal is to establish a clear set of requirements that will help standardize the process for evaluating whether an ETC designation will serve the public interest.

## **II. THE COMMISSION SHOULD ADOPT A CERTIFICATION REQUIREMENT FOR WIRELESS CARRIERS SEEKING ETC STATUS.**

In its initial comments, BellSouth proposed that the Commission modify the current approach to determining the location of a line served by a wireless provider.<sup>12</sup> Under the current rules, wireless providers use the customer's "billing address" to identify the service of that customer.<sup>13</sup> Commenters such as the Washington Independent Telephone Association ("WITA") have demonstrated the flaws inherent in the use of the billing address as the basis of support for wireless carriers.<sup>14</sup> For example, WITA demonstrated that some areas are served solely through

---

<sup>10</sup> See, e.g., BellSouth Comments at 5-6; ATA Comments at 3; GVNW Comments at 11-12; ITA Comments at 11; USTA Comments at 13.

<sup>11</sup> See OPASTCO Comments at 43-51; NTCA Comments at 23-25; NASUCA Comments at 8-11.

<sup>12</sup> See *Public Notice*, ¶ 25.

<sup>13</sup> 47 C.F.R. § 54.307(b).

<sup>14</sup> See, e.g., WITA Comments at 9-13. The Public Utility Commission of Texas ("Texas PUC") explained that it requires a wireless carrier to provide a wireless access unit ("WAU") to

Footnote Continued

the use of post office boxes. Consequently, there are no billing addresses.<sup>15</sup> Under the current rules, in the absence of billing addresses, the wireless carrier could not report the associated lines.

BellSouth previously proposed that a wireless provider be required to demonstrate that it, in fact, is providing a signal to the customer at the customer's billing address. This demonstration could take the form of a customer certification that service at the billing address is available, working, and adequate.<sup>16</sup> WITA proposes an alternative certification process in which the wireless carrier would "be required to certify that at least fifty percent of the calls originated on that service originated in a cell site within the exchange for which the line is to be designated as a supported line."<sup>17</sup> BellSouth does not object to this alternative as another form of certification and urges the Commission to modify its rules to adopt a certification requirement for wireless carriers seeking ETC status. The certification can take the form of a customer certification as proposed above by BellSouth or a carrier certification as suggested by WITA.

### **III. CONCLUSION**

For all of the foregoing reasons, BellSouth urges the Commission to take the actions requested herein.

---

determine the location of a line. Because the Texas PUC does not define a WAU in its comments, it is unclear whether this alternative to the use of the billing address is sufficient to ensure that universal service support is being used appropriately by the wireless provider. Texas PUC Comments at 12.

<sup>15</sup> WITA Comments at 13-14.

<sup>16</sup> BellSouth Comments at 11.

<sup>17</sup> WITA Comments at 14.

Respectfully submitted,

**BELLSOUTH CORPORATION**

By: /s/ Angela N. Brown  
Angela N. Brown

Its Attorney

Suite 4300  
675 West Peachtree Street, N. E.  
Atlanta, Georgia 30375-0001  
(404) 335-0724

Date: June 3, 2003

**CERTIFICATE OF SERVICE**

I do hereby certify that I have this 3<sup>rd</sup> day of June 2003 served the following parties to this action with a copy of the foregoing **BELLSOUTH REPLY COMMENTS** by electronic filing and/or by placing a copy of the same in the United States Mail, addressed to the parties listed on the attached service list.

/s/ Juanita H. Lee \_\_\_\_\_  
Juanita H. Lee

**Service List CC Docket No. 96-45**

James Rowe  
Heather H. Grahame  
Alaska Telephone Association  
Dorsey & Whitney LLP  
1031 West 4<sup>th</sup> Avenue, Suite 600  
Anchorage, AK 99501

Leonard J. Cali  
Lawrence J. Lafaro  
Judy Sello  
AT&T Corporation  
One AT&T Way, Room 3A229  
Bedminster, N. J. 07921

John T. Nakahata  
Michael D. Nilsson  
AT&T Corporation  
Harris, Wiltshire & Grannis LLP  
1200 18<sup>th</sup> Street, NW  
Suite 1200  
Washington, D. C. 20036

Paul M. Hartman  
Beacon Telecommunications  
Advisors, LLC  
8801 South Yale Avenue, Suite 450  
Tulsa, OK 74137

Ronald L. Ripley, Esq.  
Vice President & Sr. Corporate Counsel  
Dobson Communications Corporation  
14201 Wireless Way  
Oklahoma City, OK 73134

Frederic G. Williamson  
President, Fred Williamson &  
Associates, Inc.  
2921 East 91<sup>st</sup> Street, Suite 200  
Tulsa, OK 74137-3355

Jeffrey H. Smith  
GVNW Consulting, Inc.  
PO Box 2330  
Tualatin, OR 97062

Jan F. Reimers  
President  
ICORE, Inc.  
326 S. 2<sup>nd</sup> Street  
Emmaus, PA 18049

Conley Ward  
Idaho Telephone Association  
Givens Pursley, LLP  
P. O. Box 2720  
Boise, Idaho 83701-2730

Geoffrey A. Feiss  
General Manager  
Montana Telecommunications Association  
208 North Montana Avenue, Suite 207  
Helena, Montana 59601

David A. Irwin  
Loretta J. Garcia  
Moultrie Independent  
Telephone Company  
Irwin Campbell & Tannenwald, PC  
1730 Rhode Island Avenue, NW  
Washington, D. C. 20036

Michael C. Strand  
Montana Universal Service  
Task Force  
P. O. Box 5237  
Helena, MT 59604-5237

Wayne R. Jortner  
Senior Counsel  
Maine Public Advocate  
112 State House Station  
Augusta, ME 04333

NASUCA  
8300 Colesville Road  
Suite 101  
Silver Spring, MD 20910

Leonard J. Kennedy  
Lawrence R. Krevor  
Nextel Communications, Inc.  
2001 Edmund Halley Drive  
Reston, Virginia 20191

Donald J. Manning  
Brent G. Eilefson  
Nextel Partners, Inc.  
4500 Carillon Point  
Kirkland, WA 98033

Laura H. Phillips  
Laura S. Gallagher  
Nextel Communications, Inc.  
Nextel Partners, Inc.  
Drinker Biddle & Reath LLP  
1500 K Street, N. W., Suite 1100  
Washington, D. C. 20005-1209

L. Marie Guillory  
Daniel Mitchell  
Jill Canfield  
National Telecommunications  
Cooperative Association  
4121 Wilson Boulevard, 10<sup>th</sup> Floor  
Arlington, VA 22203

Paul M. Schudel, No. 13723  
James A. Overcash, No. 18627  
The Nebraska Rural  
Independent Companies  
Woods & Aitken LLP  
301 South 13<sup>th</sup> Street, Suite 500  
Lincoln, Nebraska 68508

Stuart Polikoff  
OPASTCO  
21 Dupont Circle NW  
Suite 700  
Washington, DC 20036

David Cosson  
Clifford C. Rohde  
Rural Independent Competitive Alliance  
Kraskin, Lesse & Cosson, LLC  
2120 L Street, N. W., Suite 520  
Washington, D. C. 20037

Henry I. Buchanan, III  
Vice President of Industry Affairs  
Rural Telephone Finance Cooperative  
2201 Cooperative Way  
Herndon, Virginia 22071

Christopher M. Heimann  
Gary L Phillips  
Paul K. Mancini  
SBC Communications, Inc.  
1401 Eye Street, N. W., Suite 400  
Washington, D. C. 20005

Jean Langkop  
Director – Regulatory Services  
CHR Solutions, Inc.  
3721 Executive Center Drive  
Suite 200  
Austin, TX 78731

Luisa L. Lancetti  
Vice President, PCS Regulatory Affairs  
Roger C. Sherman, Senior Attorney  
Sprint  
401 9<sup>th</sup> Street, N. W., Suite 400  
Washington, D. C. 20004

TCA, Inc.-Telcom Consulting Associates  
1465 Kelly Johnson Blvd., Suite 200  
Colorado Springs, CO 80920

Rebecca Klein  
Brett A. Perlman  
Julie Parsley  
Public Utility Commission  
Of Texas  
1701 N. Congress Avenue  
P. O. Box 13326  
Austin, Texas 78711-3326

Benjamin H. Dickens, Jr.  
Mary J. Sisak  
Blooston, Mordkofsky, Dickens,  
Duffy & Prenderast  
2120 L. Street, NW, Suite 300  
Washington, DC 20037

James Jenkins  
Vice President-External Affairs  
United States Cellular Corporation  
8410 West Bryn Mawr  
Chicago, IL 60631

Peter M. Connolly  
United States Cellular Corporation  
Holland & Knight LLP  
2099 Pennsylvania Avenue, NW, #100  
Washington, DC 20006-6801

Lawrence E. Sarjeant  
Indra Sehdev Chalk  
Michael T. McMenamain  
Robin Tuttle  
United States Telecom Assoc.  
1401 H Street, NW, Suite 600  
Washington, D.C. 20005

Ann H. Rakestraw  
Verizon  
1515 North Court House Road  
Suite 500  
Arlington, VA 22201

Lori Wright  
WorldCom, Inc.  
1133 19th Street, N.W.  
Washington, DC 20036

Christopher Frentrup  
WorldCom, Inc.  
1133 19<sup>th</sup> Street, N.W.  
Washington, D.C. 20036

Leonard J. Cali  
Lawrence J. Lafaro  
Judy Sello  
AT&T Corp.  
Room 3A229  
One AT&T Way  
Bedminster, New Jersey 07921

John T. Nakahata  
Michael G. Grable  
AT&T Corporation  
Harris, Wiltshire & Grannis LLP  
1200 Eighteenth Street, N. W.  
Suite 1200  
Washington, DC 20036

John F. Jones  
Vice President  
Federal Government Relations  
CenturyTel, Inc.  
100 CenturyTel Park Drive  
Monroe, Louisiana 71203

Karen Brinkmann  
Jefrey A. Marks  
CenturyTel, Inc.  
Latham & Watkins LLP  
555 11<sup>th</sup> Street, N. W.  
Suite 1000  
Washington, D.C. 20004-1304

Michael Altschul  
Christopher R. Day  
Cellular Telecommunications &  
Internet Association  
1250 Connecticut Avenue, N. W.  
Suite 800  
Washington, D. C. 20036

Tina Pidgeon  
Vice President-Federal Regulatory  
General Communications, Inc.  
1500 K Street, N.W., Suite 925  
Washington, D.C. 20005

John T. Nakahata  
Maureen K. Flood  
General Communications, Inc.  
Harris Wiltshire & Grannis LLP  
1200 Eighteenth Street, N. W.  
Washington, D.C. 20036

David L. Nace  
David A. LaFuria  
Steven M. Chernoff  
Rural Cellular Association  
Alliance Rural CMRS Carriers  
Smith Bagley, Inc.  
Lukas, Nace, Gutierrez & Sachs, Chartered  
1111 19<sup>th</sup> Street, N. W., Suite 1200  
Washington, DC 20036

Michele C. Farquhar  
David L. Sieradzki  
Carol E. Simpson  
Western Wireless Corporation  
Hogan & Hartson, LLP  
555 13<sup>th</sup> Street, N. W.  
Washington, D.C. 20004

Gene DeJordy  
James Blundell  
Western Wireless Corporation  
3650 131<sup>st</sup> Avenue, S.E.  
Suite 400  
Bellevue, WA 98006

Mark Rubin  
Director of Federal Government Affairs  
Western Wireless Corporation  
401 Ninth Street, N.W., Suite 550  
Washington, D. C. 20004

+Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
The Portals, 445 12<sup>th</sup> Street, S. W.  
Room TW-A325  
Washington, D. C. 20554

+Qualex International  
The Portals, 445 12<sup>th</sup> Street, S. W.  
Room CY-B402  
Washington, D. C. 20554

Texas Statewide Telephone  
Cooperative, Inc.  
Suite 200  
3721 Executive Center Drive  
Austin, TX 78731

Richard A. Finnigan  
Washington Independent Telephone  
Association  
P. O. Box 2473 (98507)  
Suite B-2  
Olympia, WA 98502-6000

Shannon E. Smith  
Washington Utilities and  
Transportation Commission  
1300 Evergreen Park Drive, S.W.  
Olympia, WA 98504

**+ VIA ELECTRONIC FILING**

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

In the Matter of

Federal-State Joint Board on  
Universal Service

CC Docket No. 96-45

**BELLSOUTH REPLY COMMENTS**

BellSouth Corporation, on behalf of itself and its wholly owned subsidiaries (“BellSouth”), hereby submits its reply comments in the above-captioned proceeding.<sup>1</sup>

**I. THERE IS OVERWHELMING SUPPORT FOR THE ADOPTION OF A MORE STRINGENT PUBLIC INTEREST ANALYSIS FOR DESIGNATING ETCs IN BOTH RURAL AND NON-RURAL AREAS.**

The theme repeated throughout the comments is that the Commission and the states are obligated to ensure that the public interest analyses required by Sections 214(e)(2) and (6) of the Telecommunications Act of 1996 (“1996 Act”) are undertaken in a “consistent, equitable, and sufficiently rigorous manner and in accordance with universal service principles.”<sup>2</sup> To accomplish these objectives, an overwhelming majority of the parties support the adoption of a set of minimum requirements that a carrier must satisfy in order to obtain status as an eligible

---

<sup>1</sup> *Federal-State Joint Board on Universal Service Seeks Comment on Certain of the Commission’s Rules Relating to High-Cost Universal Service Support and the ETC Designation Process*, CC Docket No. 96-45, *Public Notice*, FCC 03J-1 (rel. Feb. 7, 2003) (“*Public Notice*”).

<sup>2</sup> Alaska Telephone Association (“ATA”) Comments at 3.

telecommunications carrier (“ETC”).<sup>3</sup> These qualification requirements would guide the Commission and the states in their consideration of whether the designation of a carrier as an ETC would serve the public interest.

Only a few parties object to establishing a framework to assist the Commission and states in conducting the statutorily mandated public interest analysis.<sup>4</sup> This small segment of dissenters argues that guidelines are unnecessary and that the current regulations provide sufficient guidance to enable the Commission and the states to make ETC designations.<sup>5</sup> This argument is without merit. This assertion ignores the dramatic changes that have occurred in the telecommunications marketplace as well as the growing pressure on the universal service fund.

These dissenters also claim that federal guidelines would infringe on a state’s ability to make individualized public interest determinations.<sup>6</sup> Again, this argument fails. Rather than usurp states’ authority, a set of clearly defined guidelines would assist state commissions in evaluating whether the designation of a carrier as an ETC satisfies the public interest mandate of Section 214(e). Moreover, as a number of commenters point out, states would retain the

---

<sup>3</sup> See, e.g., ACS of Fairbanks, Inc. Comments at 21; ATA Comments at 2-5, 9-10; CenturyTel, Inc. (“CenturyTel”) Comments at 16-20; Dobson Communications Corp. Comments at 15; GVNW Consulting, Inc. (“GVNW”) Comments at 10-13; Montana Universal Task Force Comments at 38; National Association of State Utility Consumer Advocates (“NASUCA”) Comments at 8-11; National Telecommunications Cooperative Association (“NTCA”) Comments at 19-24; Organization for the Promotion and Advancement of Small Telecommunications Companies (“OPASTCO”) Comments at 39-51; TCA, Inc.-Telecom Consulting Associates (“TCA”) Comments at 3; United States Telecom Association (“USTA”) Comments at 13-14; Washington Independent Telephone Association (“WITA”) Comments at 20-23; WorldCom, Inc. d/b/a MCI (“WorldCom”) Comments at 7.

<sup>4</sup> Cellular Telecommunications & Internet Association (“CTIA”) Comments at 9-10. Washington Utilities and Transportation Commission Comments at 20.

<sup>5</sup> *Id.*

<sup>6</sup> See, e.g., CTIA Comments at 10.

flexibility to add qualification requirements beyond those established by the Commission.<sup>7</sup>

Thus, there is no danger that states will lose the authority to make ETC determinations that best satisfy their local needs and conditions.

Although the Idaho Telephone Association (“ITA”) states that it opposes national guidelines, its comments call for state commissions to conduct detailed cost-benefit analyses that consider, at a minimum, the following: (1) the effect of multiple ETCs on prices; (2) the introduction of new or improved service; (3) improved service quality; (4) specific plans to increase coverage to provide service to the entire study area; and (5) the willingness and ability to assume carrier of last resort obligations.<sup>8</sup> In addition, ITA proposes the creation of accountability standards and reporting requirements once a carrier obtains ETC status.<sup>9</sup> These recommendations as set forth by ITA are fully consistent with the qualification criteria and guidelines proposed by a number of parties. Thus, even though ITA purports to oppose federal guidelines, its endorsement of a consistent set of eligibility criteria for ETC designation is in line with the position of the majority of commenters.

Clearly, the record overwhelmingly supports the creation of a well-defined public interest standard that satisfies the multiple roles of ensuring that qualified carriers obtain ETC status, the fund size remains reasonable and sufficient, and consumers are not harmed. Accordingly, BellSouth urges the Commission to establish a set of minimum requirements that carriers seeking ETC status in both rural and non-rural areas must satisfy in order to meet the public interest standard of Section 214(e). Both the Commission and the states should use the

---

<sup>7</sup> See, e.g., BellSouth Comments at 2, 4; ATA Comments at 10.

<sup>8</sup> Idaho Telephone Association (“ITA”) Comments at 11.

<sup>9</sup> *Id.*

requirements to assist them in evaluating whether or not it serves the public interest to designate multiple ETCs in a given area.

The record sets forth various proposed ETC qualification requirements, including a cost-benefit analysis. A number of parties, including BellSouth, recommend that the ETC designation process involve, at a minimum, a mandatory showing that the benefits of supporting multiple carriers in a high-cost area exceed the costs.<sup>10</sup> BellSouth further urges the Commission to evaluate the suitability of the other eligibility requirements proposed by various parties.<sup>11</sup> Whatever the final list, the ultimate goal is to establish a clear set of requirements that will help standardize the process for evaluating whether an ETC designation will serve the public interest.

## **II. THE COMMISSION SHOULD ADOPT A CERTIFICATION REQUIREMENT FOR WIRELESS CARRIERS SEEKING ETC STATUS.**

In its initial comments, BellSouth proposed that the Commission modify the current approach to determining the location of a line served by a wireless provider.<sup>12</sup> Under the current rules, wireless providers use the customer's "billing address" to identify the service of that customer.<sup>13</sup> Commenters such as the Washington Independent Telephone Association ("WITA") have demonstrated the flaws inherent in the use of the billing address as the basis of support for wireless carriers.<sup>14</sup> For example, WITA demonstrated that some areas are served solely through

---

<sup>10</sup> See, e.g., BellSouth Comments at 5-6; ATA Comments at 3; GVNW Comments at 11-12; ITA Comments at 11; USTA Comments at 13.

<sup>11</sup> See OPASTCO Comments at 43-51; NTCA Comments at 23-25; NASUCA Comments at 8-11.

<sup>12</sup> See *Public Notice*, ¶ 25.

<sup>13</sup> 47 C.F.R. § 54.307(b).

<sup>14</sup> See, e.g., WITA Comments at 9-13. The Public Utility Commission of Texas ("Texas PUC") explained that it requires a wireless carrier to provide a wireless access unit ("WAU") to

Footnote Continued

the use of post office boxes. Consequently, there are no billing addresses.<sup>15</sup> Under the current rules, in the absence of billing addresses, the wireless carrier could not report the associated lines.

BellSouth previously proposed that a wireless provider be required to demonstrate that it, in fact, is providing a signal to the customer at the customer's billing address. This demonstration could take the form of a customer certification that service at the billing address is available, working, and adequate.<sup>16</sup> WITA proposes an alternative certification process in which the wireless carrier would "be required to certify that at least fifty percent of the calls originated on that service originated in a cell site within the exchange for which the line is to be designated as a supported line."<sup>17</sup> BellSouth does not object to this alternative as another form of certification and urges the Commission to modify its rules to adopt a certification requirement for wireless carriers seeking ETC status. The certification can take the form of a customer certification as proposed above by BellSouth or a carrier certification as suggested by WITA.

### **III. CONCLUSION**

For all of the foregoing reasons, BellSouth urges the Commission to take the actions requested herein.

---

determine the location of a line. Because the Texas PUC does not define a WAU in its comments, it is unclear whether this alternative to the use of the billing address is sufficient to ensure that universal service support is being used appropriately by the wireless provider. Texas PUC Comments at 12.

<sup>15</sup> WITA Comments at 13-14.

<sup>16</sup> BellSouth Comments at 11.

<sup>17</sup> WITA Comments at 14.

Respectfully submitted,

**BELLSOUTH CORPORATION**

By: /s/ Angela N. Brown  
Angela N. Brown

Its Attorney

Suite 4300  
675 West Peachtree Street, N. E.  
Atlanta, Georgia 30375-0001  
(404) 335-0724

Date: June 3, 2003

**CERTIFICATE OF SERVICE**

I do hereby certify that I have this 3<sup>rd</sup> day of June 2003 served the following parties to this action with a copy of the foregoing **BELLSOUTH REPLY COMMENTS** by electronic filing and/or by placing a copy of the same in the United States Mail, addressed to the parties listed on the attached service list.

/s/ Juanita H. Lee \_\_\_\_\_  
Juanita H. Lee

**Service List CC Docket No. 96-45**

James Rowe  
Heather H. Grahame  
Alaska Telephone Association  
Dorsey & Whitney LLP  
1031 West 4<sup>th</sup> Avenue, Suite 600  
Anchorage, AK 99501

Leonard J. Cali  
Lawrence J. Lafaro  
Judy Sello  
AT&T Corporation  
One AT&T Way, Room 3A229  
Bedminister, N. J. 07921

John T. Nakahata  
Michael D. Nilsson  
AT&T Corporation  
Harris, Wiltshire & Grannis LLP  
1200 18<sup>th</sup> Street, NW  
Suite 1200  
Washington, D. C. 20036

Paul M. Hartman  
Beacon Telecommunications  
Advisors, LLC  
8801 South Yale Avenue, Suite 450  
Tulsa, OK 74137

Ronald L. Ripley, Esq.  
Vice President & Sr. Corporate Counsel  
Dobson Communications Corporation  
14201 Wireless Way  
Oklahoma City, OK 73134

Frederic G. Williamson  
President, Fred Williamson &  
Associates, Inc.  
2921 East 91<sup>st</sup> Street, Suite 200  
Tulsa, OK 74137-3355

Jeffrey H. Smith  
GVNW Consulting, Inc.  
PO Box 2330  
Tualatin, OR 97062

Jan F. Reimers  
President  
ICORE, Inc.  
326 S. 2<sup>nd</sup> Street  
Emmaus, PA 18049

Conley Ward  
Idaho Telephone Association  
Givens Pursley, LLP  
P. O. Box 2720  
Boise, Idaho 83701-2730

Geoffrey A. Feiss  
General Manager  
Montana Telecommunications Association  
208 North Montana Avenue, Suite 207  
Helena, Montana 59601

David A. Irwin  
Loretta J. Garcia  
Moultrie Independent  
Telephone Company  
Irwin Campbell & Tannenwald, PC  
1730 Rhode Island Avenue, NW  
Washington, D. C. 20036

Michael C. Strand  
Montana Universal Service  
Task Force  
P. O. Box 5237  
Helena, MT 59604-5237

Wayne R. Jortner  
Senior Counsel  
Maine Public Advocate  
112 State House Station  
Augusta, ME 04333

NASUCA  
8300 Colesville Road  
Suite 101  
Silver Spring, MD 20910

Leonard J. Kennedy  
Lawrence R. Krevor  
Nextel Communications, Inc.  
2001 Edmund Halley Drive  
Reston, Virginia 20191

Donald J. Manning  
Brent G. Eilefson  
Nextel Partners, Inc.  
4500 Carillon Point  
Kirkland, WA 98033

Laura H. Phillips  
Laura S. Gallagher  
Nextel Communications, Inc.  
Nextel Partners, Inc.  
Drinker Biddle & Reath LLP  
1500 K Street, N. W., Suite 1100  
Washington, D. C. 20005-1209

L. Marie Guillory  
Daniel Mitchell  
Jill Canfield  
National Telecommunications  
Cooperative Association  
4121 Wilson Boulevard, 10<sup>th</sup> Floor  
Arlington, VA 22203

Paul M. Schudel, No. 13723  
James A. Overcash, No. 18627  
The Nebraska Rural  
Independent Companies  
Woods & Aitken LLP  
301 South 13<sup>th</sup> Street, Suite 500  
Lincoln, Nebraska 68508

Stuart Polikoff  
OPASTCO  
21 Dupont Circle NW  
Suite 700  
Washington, DC 20036

David Cosson  
Clifford C. Rohde  
Rural Independent Competitive Alliance  
Kraskin, Lesse & Cosson, LLC  
2120 L Street, N. W., Suite 520  
Washington, D. C. 20037

Henry I. Buchanan, III  
Vice President of Industry Affairs  
Rural Telephone Finance Cooperative  
2201 Cooperative Way  
Herndon, Virginia 22071

Christopher M. Heimann  
Gary L Phillips  
Paul K. Mancini  
SBC Communications, Inc.  
1401 Eye Street, N. W., Suite 400  
Washington, D. C. 20005

Jean Langkop  
Director – Regulatory Services  
CHR Solutions, Inc.  
3721 Executive Center Drive  
Suite 200  
Austin, TX 78731

Luisa L. Lancetti  
Vice President, PCS Regulatory Affairs  
Roger C. Sherman, Senior Attorney  
Sprint  
401 9<sup>th</sup> Street, N. W., Suite 400  
Washington, D. C. 20004

TCA, Inc.-Telcom Consulting Associates  
1465 Kelly Johnson Blvd., Suite 200  
Colorado Springs, CO 80920

Rebecca Klein  
Brett A. Perlman  
Julie Parsley  
Public Utility Commission  
Of Texas  
1701 N. Congress Avenue  
P. O. Box 13326  
Austin, Texas 78711-3326

Benjamin H. Dickens, Jr.  
Mary J. Sisak  
Blooston, Mordkofsky, Dickens,  
Duffy & Prenderast  
2120 L. Street, NW, Suite 300  
Washington, DC 20037

James Jenkins  
Vice President-External Affairs  
United States Cellular Corporation  
8410 West Bryn Mawr  
Chicago, IL 60631

Peter M. Connolly  
United States Cellular Corporation  
Holland & Knight LLP  
2099 Pennsylvania Avenue, NW, #100  
Washington, DC 20006-6801

Lawrence E. Sarjeant  
Indra Sehdev Chalk  
Michael T. McMenamain  
Robin Tuttle  
United States Telecom Assoc.  
1401 H Street, NW, Suite 600  
Washington, D.C. 20005

Ann H. Rakestraw  
Verizon  
1515 North Court House Road  
Suite 500  
Arlington, VA 22201

Lori Wright  
WorldCom, Inc.  
1133 19th Street, N.W.  
Washington, DC 20036

Christopher Frentrup  
WorldCom, Inc.  
1133 19<sup>th</sup> Street, N.W.  
Washington, D.C. 20036

Leonard J. Cali  
Lawrence J. Lafaro  
Judy Sello  
AT&T Corp.  
Room 3A229  
One AT&T Way  
Bedminster, New Jersey 07921

John T. Nakahata  
Michael G. Grable  
AT&T Corporation  
Harris, Wiltshire & Grannis LLP  
1200 Eighteenth Street, N. W.  
Suite 1200  
Washington, DC 20036

John F. Jones  
Vice President  
Federal Government Relations  
CenturyTel, Inc.  
100 CenturyTel Park Drive  
Monroe, Louisiana 71203

Karen Brinkmann  
Jefrey A. Marks  
CenturyTel, Inc.  
Latham & Watkins LLP  
555 11<sup>th</sup> Street, N. W.  
Suite 1000  
Washington, D.C. 20004-1304

Michael Altschul  
Christopher R. Day  
Cellular Telecommunications &  
Internet Association  
1250 Connecticut Avenue, N. W.  
Suite 800  
Washington, D. C. 20036

Tina Pidgeon  
Vice President-Federal Regulatory  
General Communications, Inc.  
1500 K Street, N.W., Suite 925  
Washington, D.C. 20005

John T. Nakahata  
Maureen K. Flood  
General Communications, Inc.  
Harris Wiltshire & Grannis LLP  
1200 Eighteenth Street, N. W.  
Washington, D.C. 20036

Michele C. Farquhar  
David L. Sieradzki  
Carol E. Simpson  
Western Wireless Corporation  
Hogan & Hartson, LLP  
555 13<sup>th</sup> Street, N. W.  
Washington, D.C. 20004

Mark Rubin  
Director of Federal Government Affairs  
Western Wireless Corporation  
401 Ninth Street, N.W., Suite 550  
Washington, D. C. 20004

+Qualex International  
The Portals, 445 12<sup>th</sup> Street, S. W.  
Room CY-B402  
Washington, D. C. 20554

David L. Nace  
David A. LaFuria  
Steven M. Chernoff  
Rural Cellular Association  
Alliance Rural CMRS Carriers  
Smith Bagley, Inc.  
Lukas, Nace, Gutierrez & Sachs, Chartered  
1111 19<sup>th</sup> Street, N. W., Suite 1200  
Washington, DC 20036

Gene DeJordy  
James Blundell  
Western Wireless Corporation  
3650 131<sup>st</sup> Avenue, S.E.  
Suite 400  
Bellevue, WA 98006

+Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
The Portals, 445 12<sup>th</sup> Street, S. W.  
Room TW-A325  
Washington, D. C. 20554

Texas Statewide Telephone  
Cooperative, Inc.  
Suite 200  
3721 Executive Center Drive  
Austin, TX 78731

Richard A. Finnigan  
Washington Independent Telephone  
Association  
P. O. Box 2473 (98507)  
Suite B-2  
Olympia, WA 98502-6000

Shannon E. Smith  
Washington Utilities and  
Transportation Commission  
1300 Evergreen Park Drive, S.W.  
Olympia, WA 98504

**+ VIA ELECTRONIC FILING**