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September 19, 2008

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

RE: *High-Cost Universal Service Support; Federal-State Joint Board on Universal Service, Alltel Communications, Inc., et al, Petitions for Designation as Eligible Telecommunications Carriers, RCC Minnesota, Inc. and RCC Atlantic, Inc. New Hampshire ETC Designation Amendment, WC Docket No. 05-337, CC Docket No. 96-45*

Dear Ms. Dortch:

AT&T Inc. ("AT&T"), on behalf of its wholly-owned affiliates Dobson Cellular Systems, Inc. and American Cellular Corp., hereby informs the Commission that, on September 30, 2008, it will relinquish the eligible telecommunication carrier ("ETC") designation recently granted by the Commission to Dobson Cellular Systems, Inc. and American Cellular Corp. (collectively, "Dobson") in the State of New York ("NY ETC Designation").¹ Dobson's NY ETC Designation became effective on August 1, 2008.² For reasons provided below, AT&T believes that this amount of notice is appropriate. Moreover, Dobson has not filed line count information with the Universal Service Administrative Company ("USAC") and thus has not received and will not receive any high-cost support in the State of New York.

On May 3, 2004, Dobson filed a petition for designation as an ETC in certain areas in the State of New York.³ Subsequent to filing the Dobson NY ETC Petition, as amended, AT&T

¹ *High-Cost Universal Service Support; Federal-State Joint Board on Universal Service, Alltel Communications, Inc., et al, Petitions for Designation as Eligible Telecommunications Carriers, RCC Minnesota, Inc. and RCC Atlantic, Inc. New Hampshire ETC Designation Amendment, WC Docket No. 05-337, CC Docket No. 96-45, Order, 23 FCC Rcd 9232 (2008) ("CETC Cap Order"). See also 47 U.S.C. § 214(e)(4).*

² *CETC Cap Order* at para. 45.

³ *See Federal-State Joint Board on Universal Service, Dobson Cellular Systems, Inc. American Cellular Corporation Joint Petition for Designation as Eligible Telecommunications Carriers in the State of New York, CC Docket No. 96-45 (filed May 3, 2004) ("NY ETC Petition").* Dobson subsequently made several filings requesting ETC designation in additional areas in the State of New York and correcting and/or changing certain aspects of its NY ETC Petition. For example, on May 10, 2004,

acquired Dobson. Specifically, on November 15, 2007, the Commission approved AT&T's application to acquire Dobson Communications Corporation, the parent corporation of Dobson Cellular Systems, Inc. and American Cellular Corporation ("ACC").⁴ Following the acquisition of Dobson Communications Corporation, Dobson Cellular Systems, Inc. and ACC each remained a wholly-owned subsidiary of Dobson Communications Corporation.

In its May 1, 2008 *CETC Cap Order*, the Commission approved a number of pending petitions for ETC designation, including Dobson's NY ETC Petition.⁵ The Commission granted Dobson's NY ETC Petition for those areas served by non-rural telephone companies and those areas in which Dobson sought designation as an ETC in the entire study area served by rural telephone companies. The Commission also conditionally granted Dobson's NY ETC Petition where Dobson sought designation in less than the full study area of a rural telephone company, subject to the New York Department of Public Service's agreement on the Commission's proposed redefinition of those service areas.⁶

AT&T has decided not to retain the Dobson NY ETC Designation. In that regard, it has not submitted to USAC any line count filings for this designation and, as such, Dobson has not received and will not receive any federal high-cost support for this designation. To be clear, AT&T plans to continue providing service in the Dobson NY ETC area as it did prior to the *CETC Cap Order* but it will do so as a non-ETC (as it was doing before August). Since the Dobson NY ETC Designation only recently became effective and the incumbent local exchange carriers ("ILECs") in the designated areas will continue to provide service as ETCs, AT&T believes that the amount of notice it is providing to the Commission, pursuant to section 214(e)(4), is adequate. AT&T attaches a list, by study area code, of all of the ILECs and CETCs in the Dobson New York service area. This attachment shows that every single ILEC in the Dobson service area operates as an ETC and almost all of these ILECs receive federal high-cost support. Consequently, AT&T is relinquishing an ETC designation "for an area served by more than one eligible telecommunications carrier."⁷ Because ETCs and CETCs currently serve the

Dobson filed a request for ETC designation in additional areas in the state which included a redefinition request for several rural study areas. On September 16, 2005 and October 11, 2005, Dobson amended its requests by revising a list of rural wire centers to correct errors in population data and making an alternate proposal about service area boundaries.

⁴ *Applications of AT&T Inc. and Dobson Communications Corporation for Consent to Transfer Control of Licenses and Authorization*, WT Docket No. 07-153, Memorandum Opinion and Order, 22 FCC Rcd 20295 (2007).

⁵ See *CETC Cap Order* at Appendix B.

⁶ *Id.* at Appendix B, para. 34. Thus, there are sixteen wire centers, which were included in Dobson's NY ETC Petition, where Dobson has not been designated an ETC.

⁷ 47 U.S.C. § 214(e)(4). The attachment also shows that there are seven CETCs providing service in Dobson's service area, five of which currently receive federal high-cost support. The other two CETCs, like Dobson, were designated as such in the *CETC Cap Order*.

entire area in which Dobson is designated as an ETC and will continue to do so, the Commission need not provide notice to these carriers to permit them to purchase or construct facilities to ensure that Dobson's customers will continue to receive service.⁸ Also, as mentioned above, AT&T will continue to provide service in New York just as it has done prior to being designated an ETC so there will be no adverse impact to AT&T's customers after AT&T relinquishes this ETC designation.⁹

Please do not hesitate to contact me with any questions.

Sincerely,

/s/ Cathy Carpino

Attachment

cc: Jeremy Marcus
Jennifer McKee
Karen Majcher, USAC

⁸ *Id.*

⁹ Dobson currently has no Lifeline subscribers in New York. Thus, it has no customers who will lose a benefit of obtaining service from an ETC versus obtaining service from a non-ETC.

ATTACHMENT

ETC Type	Study Area Code	Study Area Name	Status
Incumbent	150071	ARMSTRONG TEL CO-NY	Currently Receiving ETC Funds
Incumbent	150073	BERKSHIRE TEL CORP	Currently Receiving ETC Funds
Incumbent	150076	CASSADAGA TEL CORP	Currently Receiving ETC Funds
Incumbent	150078	CHAUTAUQUA & ERIE	Currently Receiving ETC Funds
Incumbent	150088	DELHI TEL CO	Currently Receiving ETC Funds
Incumbent	150091	DUNKIRK & FREDONIA	Currently Receiving ETC Funds
Incumbent	150097	GERMANTOWN TEL CO	Currently Receiving ETC Funds
Incumbent	150099	HANCOCK TEL CO	Currently Receiving ETC Funds
Incumbent	150100	FRONTIER COMM OF NY	Current ETC
Incumbent	150104	MARGARETVILLE TEL CO	Currently Receiving ETC Funds
Incumbent	150109	WINDSTREAM-JAMESTOWN	Currently Receiving ETC Funds
Incumbent	150121	FRONTIER-ROCHESTER	Current ETC
Incumbent	150128	FRONTIER-SYLVAN LAKE	Currently Receiving ETC Funds
Incumbent	150133	VERNON TEL CO	Currently Receiving ETC Funds
Incumbent	150135	WARWICK VALLEY-NY	Currently Receiving ETC Funds
Incumbent	154533	CITIZENS-FRONTIER-NY	Currently Receiving ETC Funds
Incumbent	155130	VERIZON NEW YORK	Currently Receiving ETC Funds
Competitive	159001	Verizon Business Global LLC	Currently Receiving ETC Funds
Competitive	159007	NPCR, Inc.	Currently Receiving ETC Funds
Competitive	159009	Sprint Spectrum, LP	Currently Receiving ETC Funds
Competitive	159010	AT&T Communications Of N.Y. Inc.	Currently Receiving ETC Funds
Competitive	159012	PRIMELINK, INC	Currently Receiving ETC Funds
Competitive		NY RSA 2	New Designation from FCC Order
Competitive		St. Lawrence Seaway	New Designation from FCC Order