



DOCKET FILE COPY ORIGINAL

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

FILED/ACCEPTED
OCT 29 2008
Federal Communications Commission
Office of the Secretary

October 29, 2008

By Hand Delivery

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
c/o Natek, Inc., Inc.
236 Massachusetts Avenue, N.E. Suite 110
Washington, DC 20002

**Re: Annual Reporting Information of Tohono O'Odham Utility Authority
Pursuant to Section 54.209**

Dear Ms. Dortch:

On behalf of Tohono O'Odham Utility Authority, John Staurulakis ("JSI"), its consultant files the attached original and two copies of the redacted version of the above report. The confidential version of Annual Reporting Information of Tohono O'Odham Utility Authority was filed October 1, 2008. The redacted version is hereby submitted as requested by Commission staff, and is accordingly marked "Redacted - For Public Inspection".

Please direct any questions regarding the filing to the undersigned.

Sincerely,

John Kuykendall
JSI Director-Regulatory Affairs
301-459-7590
jkuykendall@jsitel.com

Attachment

cc: Jennifer McKee, Wireline Competition Bureau

No. of Copies made 042
List ABCDE

Echelon Building II, Suite 200
9430 Research Blvd., Austin, Texas 78759
phone: 512-338-0473, fax: 512-346-0822

Eagandale Corporate Center, Suite 310
1380 Corporate Center Curve, Eagan,
Minnesota 55121
phone: 651-452-2660, fax: 651-452-1909

6849 Peachtree Dunwoody Road
Building B-3, Suite 200, Atlanta, Georgia 30328
phone: 770-569-2105, fax: 770-410-1608

547 South Oakview Lane
Bountiful, Utah 84010
phone: 801-294-4576, fax: 801-294-5124

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

FILED/ACCEPTED
OCT 29 2008
Federal Communications Commission
Office of the Secretary

In the Matter of)
Federal-State Joint Board)
On Universal Service) CC Docket No. 96-45

**Annual Reporting Information of Tohono O’Odham Utility Authority
Pursuant to Section 54.209**

Pursuant to Section 54.209 of the rules of the Federal Communications Commission (“FCC” or “Commission”) and the Commission’s ETC Order,¹ Tohono O’Odham Utility Authority (“TOUA” or the “Company”), an eligible telecommunications carrier (“ETC”) that is tribally-owned, hereby submits its annual reporting information. TOUA was established by the Tohono O’Odham tribe to provide telephone service to the reservation. The Commission designated TOUA as an ETC on February 27, 1998.

I. Progress Report on the Company’s Five-Year Service Quality Improvement Plan

Section 54.209(a)(1) requires ETCs that have been designated by the Commission to provide a progress report on its five-year service quality improvement plan. The Company’s progress report is attached as Attachment 1.

II. Detailed Information on Any Outage

Section 54.209(a)(2) requires ETCs that have been designated by the Commission to provide detailed information on any outage, as that term is defined in 47 C.F.R. § 4.5, of at least 30 minutes in duration for each service area in which an ETC is designated for

¹ 47 C.F.R. § 54.209; See *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, FCC 05-46 (rel. Mar. 17, 2005) (“ETC Order”).

any facilities it owns, operates, leases, or otherwise utilizes that potentially affect (a) at least ten percent of the end users served in a designated service area; or (b) a 911 special facility, as defined in 47 C.F.R. § 4.5(e). TOUA hereby reports that during the previous twelve months, it had outages in total. Detailed information regarding this outage is provided in Attachment 2.

III. Number of Requests from Potential Customers within the Company's Service Area that Were Unfulfilled

Section 54.209(a)(3) requires the reporting of the number of requests for service from potential customers within the ETC's service areas that were unfulfilled during the past year. The Company hereby reports that during the previous twelve months, it received ■■■ requests for service from potential customers within its service area that it has been unable to fulfill.

IV. The Number of Complaints Per 1,000 Lines

Section 54.209(a)(4) requires the reporting of the number of complaints per 1,000 handsets or lines. The Company hereby reports that over the previous twelve months, it has received ■■■ complaints per 1,000 lines.

V. Certifications

Section 54.209(a)(5)-(8) requires the Company to be able to make certain certifications regarding service quality standards and consumer protection rules, the Company's ability to function in emergency situations, that the Company offers a local usage plan comparable to that offered by the incumbent local exchange carrier ("LEC") in the relevant service area and that the Company acknowledges that the Commission may require it to provide equal access to long distance carriers. The Company makes these certifications below:

REDACTED - FOR PUBLIC INSPECTION

1. TOUA hereby certifies that it is complying with applicable service quality standards and consumer protection rules. As a tribally owned company, TOUA operates under the service quality standards and customer protections that are established by its Board of Directors, which is comprised of tribal members and utility business professionals. The Board receives monthly reports on outages, held orders and complaints. The topics are discussed as appropriate for each report.

2. TOUA hereby certifies that it is able to function in emergency situations as set forth in §54.201(a)(2).² TOUA's network is designed to remain functional in emergency situations. Standby power generators are supplied at the central offices to ensure functionality without an external power source until power is restored, so long as fuel is available. The network is capable of managing traffic spikes resulting from emergency situations.

TOUA's local network consists of three exchanges and a fiber optic and microwave backbone to Tucson, Arizona where it connects with Qwest. TOUA has a limited ability to reroute traffic around damaged facilities and has a restoration plan in place to restore any disruption in service expeditiously.

3. The requirement that the Company certify that it is offering a local usage plan comparable to that offered by the incumbent LEC in the relevant service areas is not logically applicable to TOUA since the Company is the incumbent LEC; however TOUA

² Section 54.201(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

recognizes that Local Usage is a component of the supported services and can certify that it offers unlimited minutes of local calling to its customers throughout its service area.

4. The requirement that the Company certify that it acknowledges that the Commission may require it to provide equal access to long distance carriers in the event that no other eligible telecommunications carrier is providing equal access within the service area, is not applicable to TOUA because as the incumbent LEC, TOUA is required to provide equal access to long distance carriers pursuant to Section 51.209.

VI. Conclusion

TOUA respectfully submits that this filing containing the reporting information complies with the requirements set forth in Section 54.209.

Respectfully Submitted,



Charles W. Wiese
General Manager

Tohono O'Odham Utility Authority
P.O. Box 816
Sells, Arizona 85634

9/26/08

REDACTED - FOR PUBLIC INSPECTION

Attachment 1
Progress Report - Five-Year Service Improvement Plan

**THIS EXHIBIT IS WITHHELD AS THE FILER HAS REQUESTED
CONFIDENTIAL TREATMENT**

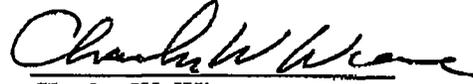
REDACTED - FOR PUBLIC INSPECTION

Attachment 2
Outage Report - Previous 12 Months

**THIS EXHIBIT IS WITHHELD AS THE FILER HAS REQUESTED
CONFIDENTIAL TREATMENT**

DECLARATION

I, Charles W. Wiese, General Manager of Tohono O'Odham Utility Authority (the "Company"), do hereby declare under penalty of perjury that the statements made in this Annual Reporting Information Pursuant to Section 54.209 are true and accurate to the best of my knowledge, information and belief.



Charles W. Wiese
General Manager
Tohono O'Odham Utility Authority

Dated: 9/26/08