



CHESTER J. CULVER, GOVERNOR  
PATTY JUDGE, LT. GOVERNOR

Received & Inspected

JUL 29 2009  
FCC Mail Room

ROBERT B. BERNTSEN, CHAIR  
KRISTA K. TANNER, BOARD MEMBER  
DARRELL HANSON, BOARD MEMBER

July 24, 2009

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 – 12<sup>th</sup> 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: Certification Of High Cost Support For Rural Carriers - Competitive ETCs  
Pursuant To 47 C.F.R. § 54.314, CC Docket No. 96-45

Dear Ms. Dortch / Ms. Majcher:

On July 21, 2009, the Iowa Utilities Board (Board) issued an order designating eligible carrier status to Terril Communications, LLC. With this letter, the Board hereby certifies that all federal high cost support provided to Terril Communications, LLC in 2009, in this state will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, consistent with section 254(e) of the Communications Act of 1934, as amended. This includes High Cost Loop support (HCL), Local Switching Support (LSS), and high cost support received pursuant to the purchase of exchanges. The Board bases this certification on the individual carrier certification filed by Terril Communications, LLC.

If you have questions concerning this matter, please contact Jim Langenberg, a member of the Utilities Board's staff at (515) 281-5695 or e-mail [jim.langenberg@iub.state.ia.us](mailto:jim.langenberg@iub.state.ia.us).

Sincerely,

A handwritten signature in black ink that reads "Judi K. Cooper".

Judi K. Cooper  
Executive Secretary

j  
Encl.

No. of Copies rec'd: 0  
List A B C D E

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE: TERRIL COMMUNICATIONS, LLC	DOCKET NO. IAC-2009-3902
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**ORDER DESIGNATING ELIGIBLE CARRIER**

(Issued July 21, 2009)

On May 28, 2009, Terril Communications, LLC (Terril), filed with the Utilities Board (Board) an application for universal service eligible carrier status in certain Iowa exchanges. Terril asks that the Board designate it as an eligible telecommunications carrier (ETC) pursuant to 199 IAC 39.2 in the identified exchanges attached to this order. No objections have been filed regarding this application.

Board rule 39.2 provides a means by which the Board can designate Iowa telecommunications companies to be eligible to receive funding from the universal service fund, as defined by the Telecommunications Act of 1996, 47 U.S.C. § 254 (the Act). Under the Act (and the Federal Communications Commission (FCC) regulations implementing the Act), the Board must determine that a carrier meets certain service requirements before it may be designated an eligible carrier as set forth in subrule 39.2(4). The carrier must:

- 1) Offer the services supported by the federal universal service fund;

- 2) Offer the services using its own facilities or a combination of its own facilities and resale (47 C.F.R. § 54.201(c) provides that "own facilities" includes purchased unbundled network elements);
- 3) Advertise the availability of the supported services; and
- 4) Offer the services throughout the designated service area.

An ETC must also offer a minimum amount of local exchange service, defined in usage minutes, provided with no additional charge to customers. See In re: Federal-State Joint Board on Universal Service, "First Report and Order," CC Docket No. 96-45, March 17, 2005. See also 199 IAC 39.2(1)"b." However, the FCC has not quantified a minimum amount of local usage required to be included in a universal service offering. Id., at ¶ 33. The Board understands that Terril will comply with any and all minimum local usage requirements adopted by the FCC. The Board also understands that until the FCC establishes a minimum requirement, Terril will offer at least one universal service fund package with unlimited local calling.

In its request for designation, Terril states that it satisfies each of these requirements. Based upon these unopposed representations and the company's commitment to follow the minimum local usage requirements when adopted by the FCC, the Board finds that Terril offers the services supported by the federal universal service fund, using its own facilities or a combination of its own facilities and resale of the facilities of another carrier.

Terril states that it is licensed by the FCC to serve the area in Iowa identified by the FCC as WQIV209 as shown in Exhibit A attached to this order, and that it intends to provide universal service fund-supported services throughout its licensed service areas. The Board finds that this assertion by Terril satisfies 199 IAC 39.2(5).

Terril also states that it will provide to the Board, for informational purposes, a description of its service and rate plan(s) when it commences providing universal service fund offerings to Iowa customers. The Board finds these commitments by Terril adequate to assure that public interest concerns will be satisfied.

The Board also notes that it has recently adopted amendments to the certification and reporting requirements for ETCs. Terril is required to file a certification regarding its use of universal service funds with the Board in addition to various reports. The certification and reports must be made pursuant to 199 IAC 39 as described in Docket No. RMU-06-1, In re: Eligibility, Certification, and Reporting Requirements for Eligible Telecommunications Carriers [199 IAC 39].

**IT IS THEREFORE ORDERED:**

1. Eligible telecommunications carrier status is granted to Terril Communications, LLC, as requested in its application filed May 28, 2009, subject to the commitments described in the body of this order.

2. The designated service area for Terril Communications, LLC, shall be the area in Iowa where Terril Communications, LLC, is licensed by the Federal Communications Commission to provide service.

3. The Executive Secretary of the Utilities Board shall mail copies of this order to Terril Communications, LLC, the Universal Service Administration Company, the Federal Communications Commission Universal Service Branch, and the Federal Communications Commission Office of the Secretary.

**UTILITIES BOARD**

/s/ Robert B. Berntsen

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ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

/s/ Darrell Hanson

Dated at Des Moines, Iowa, this 21<sup>st</sup> day of July, 2009.

IAC-2009-3902

**EXHIBIT A**

Service Area Map

*[See attached]*

**FILED WITH  
Executive Secretary**

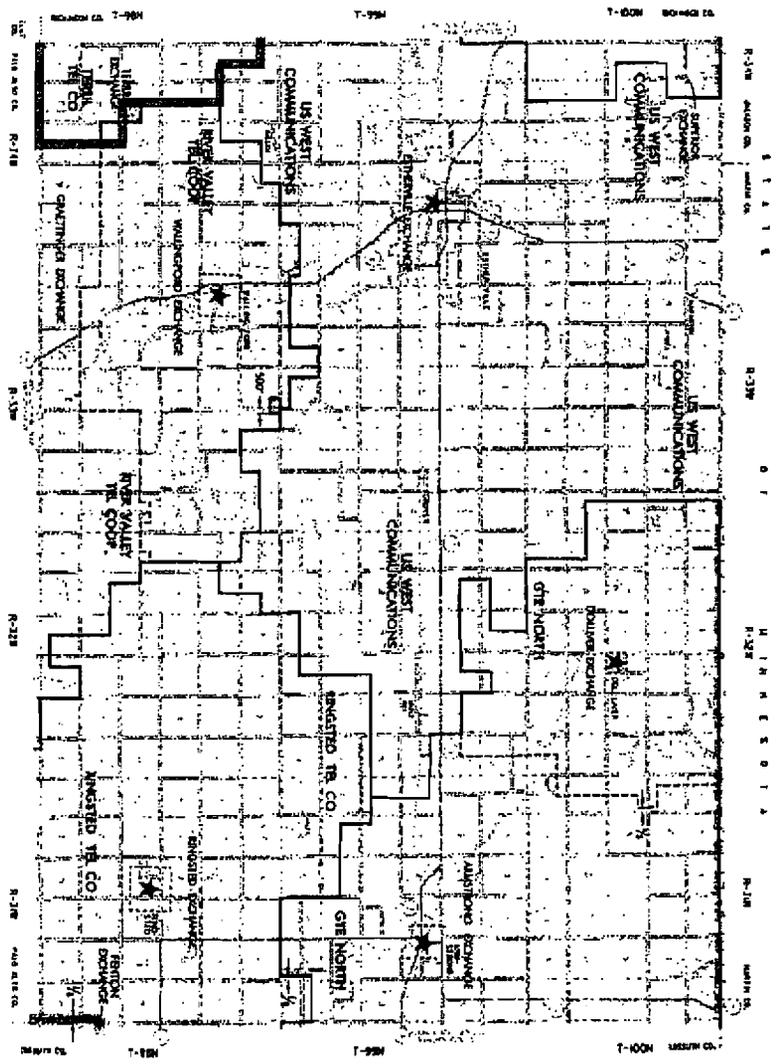
**May 28, 2009**

**IOWA UTILITIES BOARD**



AREA UTILITIES BOARD  
**EMMET COUNTY**  
 INCUMBENT LOCAL  
 TELEPHONE SERVICE  
 AREA REFERENCE MAP

DATE ISSUED: 01-MAY-1993



- LEGEND**
- COUNTY BOUNDARY
  - TOWNSHIP BOUNDARY
  - LOCAL BOUNDARY
  - LOCAL BOUNDARY ONLY
  - SERVICE BOUNDARY
  - ★ SERVICE HEADQUARTERS
- BOUNDARIES FOLLOW SECTION AND SECTION OR QUARTER SECTION LINES UNLESS OTHERWISE NOTED BY DISCREPANCY

0 2 4  
 MILES  
 SCALE IN MILES

PREPARED BY STANLEY CONSULTANTS, INC.  
 IN COOPERATION WITH THE AREA  
 UTILITIES BOARD OF EMMETT COUNTY, MINN.



July 10, 2009

Schedule A-1

IOWA UTILITIES BOARD

Local Exchange Areas

As reflected in Exhibit A, the Service Area corresponds to all or substantially all of the Terril, Iowa wireline local exchange area, and includes nominal portions of neighboring exchanges. The local exchanges included are:

Estherville  
Graettinger  
Milford  
Spencer  
Spirit Lake  
Superior  
Terril  
Wallingford