

Nexus Communications, Inc.



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VIA ELECTRONIC FILING

September 28, 2009

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

RE: CC Docket No. 96-45
Nexus Communications, Inc.
Supplemental Data Required by 47 C.F.R. § 54.209

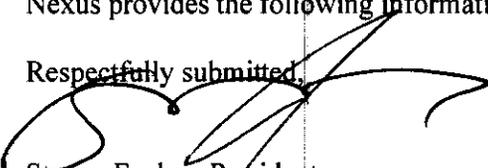
Dear Ms. Dortch:

Included with this letter are the annual reports and certifications of Nexus Communications, Inc. ("Nexus", the "Company") containing the information required pursuant to section 54.209 of the Code of Federal Regulations as certified by Nexus' President, Steven Fenker.

Nexus is a commercial mobile radio service ("CMRS", "wireless") provider. Although Section 332(c)(3)(A) of The Act prohibits states from regulating the entry of or the rates charged by commercial mobile radio service providers, this prohibition does not allow states to deny wireless carriers ETC status. Accordingly, Nexus has been designated as an eligible telecommunications carrier ("ETC") by the commissions of the states of Arkansas, Illinois, Kansas, Louisiana, Michigan, Missouri, Tennessee, and Wisconsin for the limited purpose of providing Lifeline and Link Up service to qualified low-income households through wireless modality. Although each of these states has established jurisdiction over ETC designation for wireless service, Section 332(c)(3)(A) clearly prevents these states from exercising jurisdiction over the wireless service offered by Nexus.

As such, Nexus is required to submit reports, certifications and to self-certify, directly to the FCC and USAC, that the support received is being used "only for the provision, maintenance, and upgrading of the facilities and services for which the support is intended" and to do so no later than October 1 of each year. In compliance with these requirements, Nexus provides the following information.

Respectfully submitted,



Steven Fenker, President
Nexus Communications, Inc.

enclosure

September 28, 2009
Nexus Communications, Inc.
3629 Cleveland Ave, Columbus, OH 43224

ETC Annual Certification as Required by Section 54.209 of the Code of Federal Regulations

§ 54.209(a)(1)

47 C.F.R. § 54.202(a)(1)(ii) requires that a common carrier, designated as an eligible telecommunications carrier ("ETC") under section 214(e)(6), shall "[s]ubmit a five-year plan that describes with specificity improvements or upgrades to the applicant's network" that "demonstrate how signal quality, coverage or capacity will improve due to the receipt of high cost funds while § 54.209 (a)(1) require an ETC to provide "[a] progress report on its five-year service quality plan...including an explanation of how much universal [high cost] service support was received and how that support was used".

Nexus is a wireless provider that receives Lifeline and Link Up support only and does not seek High Cost support. As such, Nexus is not required to demonstrate how much High Cost support was received or how the receipt of the same was used.

§ 54.209(a)(2)

For the reporting period of 2008, Nexus did not experience any outages of its wireless service for any facilities that it owns, operates, leases, or otherwise utilizes of at least 30 minutes in duration that had the potential to affect at least ten percent of the company's end users or 911 special facility as that term is defined in 47 CFR § 4.5(e).

§ 54.209(a)(3)

Nexus did not have any active handsets during 2008. As such, the number of or instances of request for service from potential customers within any of the Company's service areas that went unfulfilled was "0"

§ 54.209(a)(4)

Nexus did not provide wireless service in 2008. As a result, the number of complaints per 1000 active handsets for the reporting period was "0".

AFFIDAVIT OF NEXUS COMMUNICATIONS, INC.

REGARDING USE OF UNIVERSAL SERVICE SUPPORT RECEIVED

STATE OF OHIO)
)
COUNTY OF FRANKLIN)

I, the undersigned, being duly sworn, state as follows:

1. I am the President of Nexus Communications, Inc. with a business address of 3629 Cleveland Ave., Suite C, Columbus, Ohio, 43224.

2. I am a corporate officer responsible for certifying Carrier's use of Universal Service support.

3. Carrier is an eligible telecommunications carrier within the meaning of § 214(e) of the Federal Telecommunications Act of 1996, and is eligible to receive Universal Service Support pursuant to § 254(e) of the Act.

4. Carrier files this affidavit in compliance with the Federal Communications Commission's order of May 23, 2001, in Docket No. 96-45, which requires states to certify to the Federal Communications Commission that all Federal Universal Service Support is being used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

5. Carrier hereby states that it will use the Federal Universal Service Support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended pursuant to § 254(e) of the Federal Telecommunications Act of 1996.

6. In addition, as President, I am familiar with the functions of Nexus and have sufficient knowledge to provide the following certifications Pursuant to Section 214(e)(6) of the Communications Act of 1996 and as required by 47 C.F.R. § 54.209.

- A. I hereby certify that Nexus is in compliance with all applicable service quality standards and consumer protection rules as required by § 54.209(a)(5).
- B. Pursuant to the requirements of § 54.209(a)(6) I, certify that Nexus is able to remain functional in emergency situations as set forth in § 54.201(a)(2).
- C. I certify that Nexus is offering a local usage plan comparable to that offered by the incumbent LEC in the relevant service areas as required by 54.209(a)(7).
- D. I certify that Nexus 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 with the service areas as required by § 54.209(a)(8).

Steven Fenker President
(signature)

Steven Fenker
(typed name)

Subscribed and sworn to before me
this 30 day of September, 2009.

Sandra Smith
Notary Public
Franklin County, Ohio

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My Commission Expires 6-17-2014

