

June 28, 2010

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20551

Re:    Midwestern Telecommunications Inc. Petition for Forbearance, WC Docket No.  
      09-197

Dear Ms. Dortch:

I am writing on behalf of Midwestern Telecommunications Inc. (“MTI”) with respect to its Petition for Forbearance Pursuant to 47 U.S.C. § 160 from the Own Facilities Requirement for Eligible Telecommunications Carriers to clarify why MTI has requested forbearance, and how this forbearance request relates to MTI’s provision of supported services and eligibility for support in states in which it has already been designated as an Eligible Telecommunications Carrier (“ETC”).

MTI currently is designated as an ETC in Wisconsin, Illinois, South Carolina, Michigan Alabama and Florida. In at least some of these states, such as Wisconsin, the ETC designation covers all modes of providing supported services. *See* Attachment A. In states such as Wisconsin, MTI uses at least some of its own facilities to provide the services designated for support pursuant to 47 C.F.R. § 54.101. The Commission has made clear that an ETC’s “own facilities” include “any physical component of the telecommunications network that are used in the transmission or routing of the services that are designated for support pursuant to subpart B of this Part,” 47 C.F.R. § 54.201(e), including, but not limited to, “facilities obtained as unbundled network elements.” 47 C.F.R. § 54.201(f). *See also Federal-State Joint Board on Universal Service*, 12 FCC Rcd 8776, 8862-3 ¶¶ 152, 154 (1997).

In Wisconsin, Illinois, South Carolina, Michigan Alabama and Florida, MTI both leases UNE loops and owns physical switching equipment that provides some of the routing for its supported services. While the UNE loops underlie some of the supported services that MTI provides via wireline networks, MTI’s switching equipment supports services that MTI provides over wireless networks. Thus, in Wisconsin, Illinois, South Carolina, Michigan Alabama and Florida, MTI meets the “own facilities” requirement for ETC designation, regardless of whether the “own facilities” is evaluated with respect to all supported services taken together regardless of the transmission technology or is evaluated separately for wireline and wireless services. Moreover, as MTI has previously set forth, as an ETC in Wisconsin, it is required to offer Lifeline services to eligible consumers.

In other states in which MTI is contemplating seeking ETC designations and providing Lifeline and Link-up services, MTI may wish to provide such services as a pure reseller, without providing any of the physical components used for transmission or routing of supported services.

In order to be able to do so in those states, and to have the option to do so even in the states in which it currently meets the “own facilities” requirement, MTI filed its petition for forbearance from the “own facilities” requirement of Section 214(e)(5). MTI’s request is thus not limited to specific states, but it is a contingent forbearance request with respect to those states in which it already meets the “own facilities” requirement. *See AT&T Inc. v. FCC*, 452 F.3d 830 (2006).

Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "John T. Nakahata". The signature is fluid and cursive, with the first name being the most prominent.

John T. Nakahata  
*Counsel to Midwestern Telecommunications, Inc.*

cc: Irene Flannery  
Nicholas Degani