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June 28, 2011

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th St., SW
Washington, DC 20054

Re: *Amendment to Petition of Consumer Cellular, Inc. for Limited ETC Designation, Filed December 30, 2009, Adding Florida as a State for which ETC Designation Is Sought, WC Docket No. 09-197*

Dear Ms. Dortch:

On May 6, 2011, Florida Governor Rick Scott signed new telecom legislation, which relieves the Public Service Commission of jurisdiction to confer ETC designation on providers of commercial mobile radio service. The new legislation will become effective on July 1, 2011. Because the statute was not effective when Consumer Cellular filed its above-referenced Petition, Consumer Cellular did not name Florida in its Petition for Limited ETC Designation.

Given the imminent change of law, and the fact that the Florida PSC has issued affirmative statements confirming that it lacks the authority to confer ETC designation on wireless carriers, please accept this letter (and attached affirmative statement from the Florida PSC) as an amendment to the above-referenced Petition of Consumer Cellular, Inc. for Limited ETC Designation. By amending its Petition for Limited ETC Designation to include Florida as a state for which Consumer Cellular requests ETC designation, Consumer Cellular creates no additional factual or legal issues.

Please contact me with any questions regarding this amendment to the above-referenced Petition.

Sincerely,

Jonathan D. Lee

Jonathan D. Lee

COMMISSIONERS:
ART GRAHAM, CHAIRMAN
LISA POLAK EDGAR
RONALD A. BRISÉ
EDUARDO E. BALBIS
JULIE I. BROWN

STATE OF FLORIDA

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Public Service Commission

June 17, 2011

Mr. Brian J. Hurh, Esq.
Davis Wright Tremaine LLP
Suite 800
1919 Pennsylvania Avenue NW
Washington, DC 20006-3401

Re: Undocketed – Nexus Communications, Inc., ETC designation

Dear Mr. Hurh:

We received your June 15, 2011 letter requesting a statement regarding the Florida Public Service Commission's jurisdiction to grant ETC designation to Nexus Communications, Inc. In your letter, you mentioned that the Legislature made revisions to Chapter 364, Florida Statutes, as embodied in Chapter 2011-36, Laws of Florida.

This letter acknowledges that the Legislature revised the Commission's jurisdiction regarding telecommunications companies as embodied in Chapter 2011-36, Laws of Florida. I direct your attention to Chapter 2011-36, Laws of Florida, for the proposition that the Federal Communications Commission, rather than this Commission, is the appropriate agency to consider Nexus Communications, Inc.'s bid for ETC status.

Sincerely,

for Curt Kiser

S. Curtis Kiser
General Counsel

cc: Beth W. Salak, Director, Division of Regulatory Analysis
Robert J. Casey, Public Utilities Supervisor, Division of Regulatory Analysis
Adam J. Teitzman, Attorney Supervisor, Office of the General Counsel
Ann Cole, Commission Clerk, Office of Commission Clerk