

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Federal-State Joint Board on)	CC Docket No. 96-45
Universal Service)	
)	
Telecommunications Carriers Eligible to)	WC Docket No. 09-197
Receive Universal Service Support)	

**AT&T MOBILITY LLC (SAC 399015) ELIGIBLE TELECOMMUNICATIONS
CARRIER ANNUAL REPORT AND CERTIFICATION IN COMPLIANCE WITH
47 C.F.R. § 54.209(a)**

I. INTRODUCTION

In accordance with the standards and requirements established by the Federal Communications Commission (Commission), AT&T Mobility LLC submits this Annual Report and Certification for its study area code (SAC 399015) covering the Oglala Sioux Tribe (OST) members residing on the Pine Ridge Reservation in South Dakota, and respectfully requests the Commission to certify its eligibility to receive high-cost support from the federal universal service fund for calendar year 2012.

II. BACKGROUND

In 2001, Western Wireless Corporation (Western Wireless) filed a petition with the Commission seeking an eligible telecommunications carrier (ETC) designation covering service provided to OST members who reside on the Pine Ridge Reservation.¹ Later that year, the Commission designated Western Wireless as an ETC on the Pine Ridge Reservation, for the

¹ Western Wireless Petition for Designation as an Eligible Telecommunications Carrier for the Pine Ridge Reservation in South Dakota, CC Docket No. 96-45 (filed Jan. 19, 2001).

provision of service to OST members.² In 2005, Alltel Corporation (Alltel) acquired Western Wireless;³ Verizon Wireless subsequently acquired Alltel⁴ and, as a condition of approval of this acquisition, the Commission required Verizon Wireless to divest business units and associated licenses in 105 markets, which included the licenses and the wireless network serving the Pine Ridge Reservation.⁵

On June 22, 2010, the Commission approved the transfer of the licenses and business units in certain markets from Verizon Wireless to AT&T Inc. (AT&T), including the Commission licenses and the wireless network serving the Pine Ridge Reservation.⁶ The Commission conditioned its consent to the transaction on AT&T's fulfillment of certain voluntary

² *Federal-State Joint Board on Universal Service, Western Wireless Corporation Petition For Designation as an Eligible Telecommunications Carrier for the Pine Ridge Reservation in South Dakota*, CC Docket No. 96-45, Memorandum Opinion and Order, 16 FCC Rcd 18133 (2001). In a companion order, the Commission concluded that it was the appropriate authority to designate Western Wireless as an ETC for the provision of service to OST members and that the South Dakota Public Utilities Commission was the appropriate authority to designate Western Wireless for the provision of service to non-Tribal members residing on the Reservation. *See Western Wireless Corporation Petition For Designation as an Eligible Telecommunications Carrier for the Pine Ridge Reservation in South Dakota, Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Memorandum Opinion and Order, 16 FCC Rcd 18145 (2001).

³ *See Applications of Western Wireless Corporation and ALLTEL Corporation for Consent to Transfer Control of Licenses and Authorizations*, WT Docket No. 05-50, Memorandum Opinion and Order, 20 FCC Rcd 13053 (2005).

⁴ *See Applications of Cellco Partnership d/b/a Verizon Wireless and Atlantis Holdings LLC for Consent to Transfer Control of Licenses, Authorizations, and Spectrum Manager and De Facto Transfer Leasing Arrangements and Petition for Declaratory Ruling that the Transaction is Consistent with Section 310(b) (4) of the Communications Act*, WT Docket No. 08-95, Memorandum Opinion and Order and Declaratory Ruling, 23 FCC Rcd 17444 (2008).

⁵ *Applications of AT&T Inc. and Verizon Wireless for Consent To Assign or Transfer Control of Licenses and Authorizations and Modify a Spectrum Leasing Arrangement*, WT Docket No. 09-104, Memorandum Opinion and Order, 25 FCC Rcd 8704 (2010).

⁶ *Id.*

commitments associated with its provision of wireless services on the Pine Ridge Reservation.⁷ Among other commitments, AT&T stated its intent to seek a transfer of the ETC designation previously held by Western Wireless (and its successors in interest) so that AT&T Mobility may provide service to OST members residing on the Pine Ridge Reservation as an ETC.⁸

AT&T Mobility ETC Petition. In accordance with its commitments, on July 30, 2010, AT&T, on behalf of its affiliate AT&T Mobility, filed a petition that requested the Bureau to transfer to AT&T Mobility the ETC designation held by Western Wireless, LLC d/b/a Alltel for services offered to the OST members on the Pine Ridge Reservation, and to designate it as an ETC pursuant to section 214(e)(6) of the Act.⁹ The Commission granted in part AT&T's petition on May 11, 2011.¹⁰

III. AT&T MOBILITY'S ANNUAL REPORTING IN ACCORDANCE WITH SECTION 54.209(a)

Section 54.209(a) of the Commission's Rules requires a common carrier previously designated by the Commission as an ETC to annually report certain information no later than October 1st of each calendar year. In these annual reports, ETCs generally file data responsive to

⁷ *Id.* at ¶ 142.

⁸ *Id.*

⁹ Petition of AT&T Mobility LLC for Designation as an Eligible Telecommunications Carrier Pursuant to Section 214(e)(6) of the Communications Act and Transfer of the Alltel Pine Ridge Reservation Eligible Telecommunications Carrier Designation, WC Docket No. 09-197 (filed July 30, 2010) (AT&T Mobility ETC Petition).

¹⁰ *Petition of AT&T Mobility LLC for Designation as an Eligible Telecommunications Carrier Pursuant to Section 214(e)(6) of the Communications Act and Transfer of the Alltel Pine Ridge Reservation Eligible Telecommunications Carrier Designation*, WC Docket No. 09-197, Order, DA 11-859 (rel. May 11, 2011).

section 54.209 for the prior calendar year (i.e., 2010).¹¹ Because AT&T Mobility received its ETC designation covering OST members residing on the Pine Ridge Reservation on May 11, 2011, it provides limited information in this filing. It will provide, for example, outage report information for May 11, 2011 through December 31, 2011, in the annual report that it will file October 1, 2012.

A. AT&T Mobility's Progress Report On Its Service Improvement Plan

Section 54.209(a)(1) of the Commission's Rules requires an ETC to provide a progress report on its previously filed service improvement plan. The progress report must include maps detailing the company's progress toward meeting its planned targets, an explanation of how much universal service support was received and how it was used to improve signal quality, coverage or capacity, and an explanation regarding any network improvement plan targets that have not been fulfilled. A carrier's service improvement plan is subject to change over time for various reasons, including, but not limited to, changes in consumer demand and projected costs, projected universal service support amounts and the amount of universal service support actually received, and delays to projects caused by zoning/permitting, lease negotiations, and the back-order of equipment. AT&T Mobility has attached as **Confidential Exhibit A-1** its service improvement plan for the Pine Ridge Reservation for the period between May 11, 2011 through December 31, 2012, which is based on the amount of federal high-cost funding AT&T is currently projecting that it will receive. This information updates the service improvement plan

¹¹ The Commission's Rules contemplate reporting on a calendar year basis (*e.g.*, section 54.209(a)(3) requires reporting on requests that were "unfulfilled during the past year").

on file at the Commission for the Pine Ridge Reservation.¹² AT&T Mobility includes as **Confidential Exhibit A-2** a map that shows coverage on the Pine Ridge Reservation as of May 2011. This map provides the Commission with a baseline so that it may evaluate the improvements AT&T Mobility has made on the Pine Ridge Reservation since it became an ETC for the provision of service to OST members. Additionally, AT&T Mobility includes as **Confidential Exhibit A-3** a map depicting planned coverage and cell site locations for the end of year 2011, and as **Confidential Exhibit A-4** a map depicting planned coverage and cell site locations for the end of year 2012.

AT&T Mobility will utilize federal high-cost universal service support for the provision, maintenance, and upgrading of facilities and services for which the support is intended consistent with 254(e) of the Telecommunications Act of 1996 and section 54.7 of the Commission's Rules.

B. AT&T Mobility Network Outages In The Designated Area

Section 54.209(a)(2) of the Commission's Rules requires an ETC to annually report network outages within its designated area. The Rule specifically requires:

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 eligible telecommunications carrier is designated for any facilities it owns, operates, leases, or otherwise utilizes that potentially affect (i) [a]t least ten percent of the end users served in a designated service area; or (ii) [a] 911 special facility, as defined in 47 C.F.R. 4.5(e). Specifically, the eligible telecommunications carrier's annual report must include information detailing: (A) [t]he date and time of onset of the outage; (B) [a] brief description of the outage and its resolution; (c) [t]he particular services affected; (D) [t]he geographic areas affected by the outage; (E) [s]teps taken to prevent a similar situation in the future; and (F) [t]he number of customers affected.

¹² In its ETC application, AT&T Mobility committed to generally follow the five-year service improvement plan submitted by Alltel. See AT&T Mobility ETC Petition at 19.

In 2010, AT&T Mobility was not yet designated as an ETC for the provision of service to OST members on the Pine Ridge Reservation. In its 2012 Annual Report and Certification, AT&T Mobility will provide outage information for May 11, 2011 through December 31, 2011.

C. AT&T Mobility's Unfulfilled Requests For Service

Section 54.209(a)(3) of the Commission's Rules require an ETC to annually report the number of requests for service from potential customers within the ETC's designated service area that were unfulfilled during the past year. The filing must also detail how the ETC attempted to provide service to those potential customers as set forth in Section 52.202(a)(1)(i). In response to a request for service, AT&T Mobility takes the following steps:

- 1) AT&T Mobility will provide service on a timely basis to requesting customers within AT&T Mobility's service area where AT&T Mobility's network already passes the potential customer's premises;
- 2) If a customer cannot be served by AT&T Mobility's existing facilities, AT&T Mobility will provide service within a reasonable period of time, if service can be provided at reasonable cost by:
 - a) Modifying or replacing the requesting customer's equipment;
 - b) Deploying a roof-mounted antenna or other equipment;
 - c) Adjusting the nearest cell tower;
 - d) Adjusting network or customer facilities
 - e) Reselling services from another carrier's facilities to provide service; or
 - f) Employing, leasing or constructing an additional cell site, cell extender, repeater, or other similar equipment.

If, after these steps, the customer cannot be served, AT&T Mobility will notify the customer and provide the Commission with an annual report of how many requests for service could not be filled. In 2010 AT&T Mobility was not yet designated as an ETC in the Pine Ridge Reservation in South Dakota and therefore had no (zero) unfulfilled service requests. AT&T Mobility will report any unfilled service requests from May 11, 2011 through December 31, 2011 in its 2012 Annual Report and Certification, which it will file by October 1, 2012.

D. AT&T Mobility's Complaints Per 1,000 Handsets Or Lines

Section 54.209(a)(4) of the Commission's Rules require an ETC to annually report the number of complaints per 1,000 handsets or lines. In 2010 AT&T Mobility was not yet designated as an ETC in the Pine Ridge Reservation in South Dakota and, thus, has no complaints to report. AT&T Mobility will report the number of complaints per 1,000 handsets or lines from May 11, 2011 through December 31, 2011 in its 2012 Annual Report and Certification, which it will file by October 1, 2012.

E. AT&T Mobility's Certification Regarding Applicable Service Quality Standards And Consumer Protection Rules

Section 54.209(a)(5) of the Commission's Rules requires an ETC to certify that it is complying with applicable service quality standards and consumer protection rules. AT&T Mobility's compliance with the terms and conditions of the CTIA Consumer Code for Wireless Service meets this requirement. AT&T Mobility certifies that it has complied and will continue to comply with the principles set forth therein.

F. AT&T Mobility's Certification Regarding Its Ability To Function In Emergency Situations

Section 54.209(a)(6) of the Commission's Rules requires an ETC to certify an ability to function in emergency situations as set forth in section 54.202(a)(2) of the Commission's Rules.

The standards set forth in section 54.202(a)(2) include a reasonable amount of back-up power to ensure functionality without an external power source, an ability to reroute traffic around damaged facilities and a capability to manage traffic spikes resulting from emergency situations. AT&T Mobility has in place emergency operation procedures so that it can function in an emergency. Backup power is provided at switch locations and cell sites through a combination of batteries, portable generators and permanent generators. AT&T Mobility also has mobile switches and portable COWs (Cells on Wheels) that it can deploy in the event of an emergency. Based on the foregoing, AT&T Mobility certifies it is able to function in emergency situations as set forth in section 54.202(a)(2).

G. AT&T Mobility's Certification Regarding Its Provision Of A Comparable Local Usage Plan

Section 54.209(a)(7) of the Commission's Rules requires an ETC to certify it is offering a local usage plan comparable to the incumbent LEC in the relevant service areas. In the *ETC Report and Order*, the Commission declined to adopt a specific local usage threshold or require that an applicant match the incumbent LEC's offering.¹³ Rather, the Commission concluded that the comparability of rate plans should be evaluated on a case-by-case basis, in consideration of the number of included minutes, the size of the "local" calling area, monthly price, and other factors.¹⁴

AT&T Mobility offers calling plans that provide customers local usage that is comparable to the incumbent LECs when taking into account all of the additional benefits of AT&T Mobility's current service offerings. AT&T Mobility currently offers post-paid calling

¹³ *Federal-State Joint Board on Universal Service*, Report and Order, CC Docket. No. 96-45, 20 FCC Rcd 6371, ¶¶ 32, 33 (2005) (*ETC Report and Order*).

¹⁴ *Id.*

plans that include nationwide long distance calling and roaming within the United States. AT&T Mobility also offers an Unlimited Rate Plan which offers unlimited calling within the United States. Most of AT&T Mobility's currently offered post-paid calling plans include unlimited nights and weekend minutes, while some of the lower priced plans offer generous allotments of night and weekend minutes. Most currently offered post-paid calling plans offer unlimited mobile calling between AT&T Mobility customers, and allow the customer to rollover unused minutes for use in subsequent months. Further, most of AT&T Mobility's calling plans currently offer all of the following features at no extra charge: Voice Mail, Caller ID, Call Forwarding, Call Waiting, and Three-Way Calling. In addition to these calling plans, AT&T Mobility also offers an option for prepaid or pay-as-you-go wireless service. All of AT&T Mobility's calling plans inherently include the added value of being mobile and as such increases the value of AT&T Mobility's calling plans.

Based on the foregoing, AT&T Mobility certifies that it offers and will continue to offer at least one comparable local usage plan as required by section 54.209(a)(7).

H. AT&T Mobility's Certification Regarding the Commission's Ability To Require It to Provide Equal Access

AT&T Mobility hereby certifies that the Commission, pursuant to section 54.209(a)(8), may require it to provide equal access to long distance carriers in the event that no other ETC is providing equal access within its designated area.

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IV. CONCLUSION

Based on the foregoing information, AT&T Mobility respectfully requests the Commission to certify its eligibility to receive federal universal service support for calendar year 2012 in accordance with 47 C.F.R. §§ 54.313 and 54.314.

Dated: 9/28/2011

AT&T MOBILITY LLC



Hardmon Williams III

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Washington, D.C. 20554**

In the Matter of)	
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Federal Joint Board on Universal Service)	CC Docket No. 96-45
)	
Telecommunications Carriers Eligible to Receive Universal Service Support)	WC Docket No. 09-197
)	

CERTIFICATION

The undersigned, Hardmon Williams III, does hereby certify as follows:

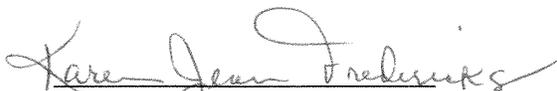
1. I currently serve as Vice President / General Manager of AT&T Mobility Corporation, the manager for AT&T Mobility LLC. In this position I am personally familiar with the universal service high-cost support that AT&T Mobility receives, and how AT&T Mobility uses these funds.
2. This certification is submitted in support of AT&T Mobility's ETC Annual Report and Certification in compliance with 47 C.F.R. §§ 54.209, 54.314.
3. AT&T Mobility's Study Area Code for the supported area is 339015.
4. I have reviewed the ETC Certification and Annual Report and the facts stated therein are true and correct to the best of my knowledge, information and belief.
5. AT&T Mobility hereby certifies to use all federal universal service support funds received in the 2012 calendar year only for the provision, maintenance and upgrading of facilities and services for which the support is intended pursuant to section 254(e) of the Communications Act of 1934, as amended.

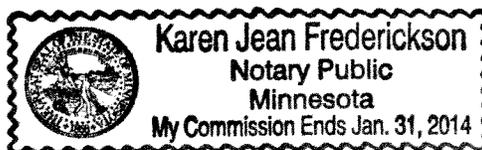


Hardmon Williams III

Subscribed and sworn to me
This 28th day of September, 2011.

(NOTARY SEAL)


Notary Public



REDACTED – FOR PUBLIC DISCLOSURE

CONFIDENTIAL EXHIBIT A-1

**May 2011 through December 31, 2012
SERVICE IMPROVEMENT PLAN**

REDACTED – FOR PUBLIC DISCLOSURE

REDACTED

REDACTED – FOR PUBLIC DISCLOSURE

CONFIDENTIAL EXHIBIT A-2

COVERAGE MAP AS OF MAY 2011

REDACTED – FOR PUBLIC DISCLOSURE

REDACTED

REDACTED – FOR PUBLIC DISCLOSURE

CONFIDENTIAL EXHIBIT A-3

COVERAGE MAP AS OF END OF YEAR 2011

REDACTED – FOR PUBLIC DISCLOSURE

REDACTED

REDACTED – FOR PUBLIC DISCLOSURE

CONFIDENTIAL EXHIBIT A-4

COVERAGE MAP AS OF YEAR END 2012

REDACTED – FOR PUBLIC DISCLOSURE

REDACTED