

LUKAS, NACE, GUTIERREZ & SACHS, LLP

8300 GREENSBORO DRIVE, SUITE 1200
MCLEAN, VIRGINIA 22102
703 584 8678 • 703 584 8696 FAX
WWW.FCCLAW.COM

RUSSELL D. LUKAS
DAVID L. NACE
THOMAS GUTIERREZ*
ELIZABETH R. SACHS*
DAVID A. LAFURIA
PAMELA L. GIST
TODD SLAMOWITZ*
BROOKS E. HARLOW*
TODD B. LANTOR*
STEVEN M. CHERNOFF*
KATHERINE PATSAS NEVITT*

CONSULTING ENGINEERS
ALI KUZEHKANANI
LEILA REZANAVAZ
OF COUNSEL
GEORGE L. LYON, JR.
LEONARD S. KOLSKY*
JOHN CIMKO*
J. K. HAGE III*
JOHN J. MCAVOY*
HON. GERALD S. MCGOWAN*
TAMARA DAVIS BROWN*
JEFFREY A. MITCHELL*
ROBERT S. KOPPEL*
MARC A. PAUL*
*NOT ADMITTED IN VA

PUBLIC REFERENCE COPY

REDACTED COPY

April 2, 2012

ORIGINAL

VIA HAND DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Room TW-B204
Washington, DC 20554

Karen Majcher
Vice President, High Cost & Low Income Division
Universal Service Administrative Company
2000 L Street, N.W., Suite 200
Washington, DC 20036

Re: Federal-State Joint Board on Universal Service
WC Docket No. 09-197 & WC Docket 10-90

Dear Ms. Dortch and Ms. Majcher:

On behalf of United States Cellular Corporation ("U.S. Cellular") (SAC 299010 for Tennessee), please find attached a redacted, public version of U.S. Cellular's Annual ETC Report under Section 54.209 of the FCC's Rules ("ETC Report"). The attached ETC Report has been marked "**REDACTED – FOR PUBLIC INSPECTION.**"

U.S. Cellular is also submitting, under separate cover, a confidential version of this ETC Report. The confidential version is marked "**CONFIDENTIAL – NOT FOR PUBLIC INSPECTION.**"

An original and four (4) copies of this ETC Report are enclosed. An additional copy has been provided, which we request that you date-stamp and return.

FILED/ACCEPTED

APR - 2 2012

Federal Communications Commission
Office of the Secretary

CONFIDENTIAL 0

REDACTED COPY

Marlene H. Dortch
Karen Majcher
April 2, 2012
Page 2

Please contact the undersigned at 703-584-8678 if any questions arise concerning the above-referenced enclosures or if you require any additional information.

Sincerely,



David A. LaFuria
Steven M. Chernoff

Attorneys for:
United States Cellular Corporation

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
Telecommunications Carriers Eligible) WC Docket No. 09-197
for Universal Service Support)
)
Connect America Fund) WC Docket No. 10-90

FILED/ACCEPTED

APR - 2 2012

Federal Communications Commission
Office of the Secretary

UNITED STATES CELLULAR CORPORATION
FOR THE STATE OF TENNESSEE
ANNUAL REPORT

United States Cellular Corporation (“U.S. Cellular” or the “Company”), a wireless service provider designated as an Eligible Telecommunications Company (“ETC”) in the State of Tennessee,¹ hereby provides the Commission with its annual report filing containing information as set forth in Section 54.313 of the Commission’s Rules² in the Commission’s Report and Order in the above-captioned proceeding.³

I. REPORTING ITEMS

A. Five-Year Service Quality Improvement Plan.

¹ U.S. Cellular’s designation as an ETC carrier became effective on August 1, 2008. *Federal-State Joint Board on Universal Service, Report & Order*, 20 FCC Rcd. 6371 (2005) (“*ETC Report and Order*”).

² 47 C.F.R. § 54.313. The Wireline Competition Bureau and the Wireless Telecommunications Bureau have clarified “that ETCs that have been designated by the Commission are still required to file . . . information [specified in 47 C.F.R. § 54.313(a)(2)-(6)] with respect to their provision of voice service during 2011.” *Connect America Fund, et al.*, WC Docket No. 10-90, *et al.*, Order, DA 12-147 (WCB, WTB, rel. Feb. 3, 2012), 77 Fed. Reg. 14297 (Mar. 9, 2012) (“*February 3 Order*”), at para. 9.

³ *Connect America Fund, et al.*, WC Docket No. 10-90, *et al.*, Report and Order and Further Notice of Proposed Rulemaking, FCC 11-161, 2011 WL 5844975 (rel. Nov. 18, 2011), 76 Fed. Reg. 73830 (Nov. 29, 2011), 76 Fed. Reg. 78384 (Dec. 16, 2011), 76 Fed. Reg. 81562 (Dec. 28, 2011) (“*CAF Order*”), *recon.*, FCC 11-189 (rel. Dec. 23, 2011), *further recon. pending, petitions for review pending, Direct Commc’ns Cedar Valley v. FCC*, No. 11-9581 (10th Cir. filed Dec. 18, 2011) (and consolidated cases).

REDACTED – FOR PUBLIC INSPECTION

Pursuant to Section 54.313(a)(1) of the Commission's Rules, an ETC must provide:

A progress report on five-year service quality improvement plan, pursuant to §54.202(a), including maps detailing its progress towards meeting its plan targets, an explanation of how much universal service support was received and how it was used to improve service quality, coverage, or capacity; and an explanation regarding any network improvement targets that have not been fulfilled in the prior calendar year.⁴

Attached hereto as Exhibit A is an updated service quality improvement plan covering 2012-2013.⁵ For the period from January 1, 2011, through December 31, 2011, the Company received a total of \$865,468 in Universal Service Support in the State of Tennessee. During the same period, U.S. Cellular completed construction of **[begin confidential information]** [REDACTED] **[end confidential information]**, and made improvements to cell sites serving **[begin confidential information]** [REDACTED] **[end confidential information]**. These new cell sites and improvements to existing cell sites have

⁴ 47 C.F.R. § 54.313(a)(1). See *CAF Order* at para. 580 (footnote omitted) (emphasis added) (concluding that "all ETCs must include in their annual reports the information that is currently required by section 54.209(a)(1)-(a)(6)—specifically, a progress report on their five-year build-out plans; data and explanatory text concerning outages; unfulfilled requests for service; complaints received; and certifications of compliance with applicable service quality and consumer protection standards and of the ability to function in emergency situations").

⁵ The information contained in Exhibit A is proprietary and competitively sensitive. U.S. Cellular therefore is submitting the entirety of Exhibit A under seal and subject to U.S. Cellular's request for confidential treatment. Exhibit A includes a progress report covering only two years in light of the fact that the Commission has indicated that:

Recognizing that existing five-year build out plans may need to change to account for new broadband obligations set forth in this Order, we require all ETCs to file a new five-year build-out plan in a manner consistent with 54.202(a)(1)(ii) [of the Commission's Rules] by April 1, 2013. Under the terms of new section 54.313(a) [of the Commission's Rules], all ETCs will be required to include in their annual 54.313 reports information regarding their progress on this five-year broadband build-out plan beginning April 1, 2014.

CAF Order at para. 587. See *February 3 Order* at para. 6. In light of this requirement to submit a new five-year build-out plan as part of its April 2013 annual report, U.S. Cellular has concluded that the progress report in the attached Exhibit A regarding its current service quality improvement plan should include projections only through 2013.

REDACTED – FOR PUBLIC INSPECTION

significantly improved capacity, coverage and signal quality in various portions of U.S. Cellular's Tennessee ETC service area. U.S. Cellular provides as Exhibit B a map showing its existing cell site locations and coverage of the second quarter of 2012, and the locations of new cell sites planned for 2012 and 2013.⁶

U.S. Cellular expects to receive \$800,744 in 2012 and \$622,801 in 2013 in federal high-cost support under the freeze and phase-down adopted in the *CAF* Order. While U.S. Cellular believes that every wire center in its ETC service area could benefit from service quality improvements made with high cost support, it will not have sufficient support to undertake all desired improvements in every wire center, due to the limited support available in the areas it serves.

The selections of projects set forth in Exhibit A are based on U.S. Cellular's evaluation of many factors, including current consumer demand and competitive forces. These and other external factors are not within U.S. Cellular's control and are subject to change. Such changes may affect U.S. Cellular's assumptions and calculations regarding the optimal improvements to network facilities required to provide better coverage and service. In addition, current and projected consumer demand may require increased capacity. U.S. Cellular will reevaluate and modify its estimates for implementing these projects accordingly, as these externally-driven changes occur. The order in which U.S. Cellular's proposed projects will be undertaken has not been finally determined and may be revised over time. As a result, the content and timing of the projects in Exhibit A are subject to change. Nonetheless, the amended network improvement plan described in Exhibit A demonstrates U.S. Cellular's commitment to use federal high-cost

⁶ The information in Exhibit B is proprietary and competitively sensitive; therefore, it is being submitted under seal and is subject to U.S. Cellular's request for confidential treatment.

support to make measurable improvements in coverage and capacity for consumers throughout its ETC service area, and to update the Commission on its progress every year prior to being recertified.

B. Outage Reporting.

Under the annual reporting rules adopted in the *CAF Order*, an ETC must report any outages of at least 30 minutes in duration on the facilities it owns, operates, leases, or otherwise utilizes that potentially affect at least ten percent of the end users served in its designated service area, or affect a 911 special facility.⁷ U.S. Cellular has attached an Outage Report as Exhibit C that includes all reportable outages taking place between January 1, 2011, and December 31, 2011, and the estimated number of customers affected.⁸

⁷ See 47 C.F.R. § 54.313(a)(2). With regard to 911 special facilities, Section 4.5(e) of the Commission's Rules provides as follows:

An outage that potentially affects a 911 special facility occurs whenever:

(1) There is a loss of communications to PSAP(s) potentially affecting at least 900,000 user-minutes and: The failure is neither at the PSAP(s) nor on the premises of the PSAP(s); no reroute for all end users was available; and the outage lasts 30 minutes or more; or

(2) There is a loss of 911 call processing capabilities in one or more E-911 tandems/selective routers for at least 30 minutes duration; or

(3) One or more end-office or MSC switches or host/remote clusters is isolated from 911 service for at least 30 minutes and potentially affects at least 900,000 user-minutes; or

(4) There is a loss of ANI/ALI (associated name and location information) and/or a failure of location determination equipment, including Phase II equipment, for at least 30 minutes and potentially affecting at least 900,000 user-minutes (provided that the ANI/ALI or location determination equipment was then currently deployed and in use, and the failure is neither at the PSAP(s) or on the premises of the PSAP(s)). 47 C.F.R. 4.5(e).

⁸ The information in Exhibit C is proprietary and competitively sensitive; therefore, it is being submitted under seal and is subject to U.S. Cellular's request for confidential treatment.

C. Service Requests.

For the period from January 1, 2011, through December 31, there were [begin confidential information] [redacted] [end confidential information] unfulfilled requests for service from customers within U.S. Cellular's designated ETC service area.⁹ U.S. Cellular has attached an Unfulfilled Requests for Service Report as Exhibit D that includes all reportable unfulfilled requests for service taking place between January 1, 2011, and December 31, 2011, from customers within the designated area.¹⁰ U.S. Cellular hereby certifies that it continues to follow the six-step process for provisioning service to requesting customers.¹¹ Specifically, in response to requests for service at a residence or business, U.S. Cellular takes the following steps:

1. If a request comes from a customer within its existing network, U.S. Cellular provides service immediately using its standard customer equipment.

2. If a request comes from a customer residing in any area where U.S. Cellular does not provide service, U.S. Cellular follows a series of steps to provide service:

* First, it determines whether the customer's equipment can be modified or replaced to provide acceptable service;

* Second, it determines whether a roof-mounted antenna or other network equipment can be deployed at the premises to provide service;

⁹ See 47 C.F.R. § 54.313(a)(3).

¹⁰ The information in Exhibit D is proprietary and competitively sensitive; therefore, it is being submitted under seal and is subject to U.S. Cellular's request for confidential treatment.

¹¹ This six-step process was formerly prescribed in Section 54.202(a)(1) of the Commission's Rules, but these provisions of Section 54.202 have been repealed by the Commission. See *CAF Order*, App. A (revising Section 54.202). Section 54.313(a)(3) of the Commission's Rules now requires that an ETC must "detail how it attempted to provide service to those potential customers" whose requests for service were unfulfilled in the prior calendar year. U.S. Cellular followed the six-step process during calendar year 2011, and will continue to utilize the six-step process as a means of complying with the requirement established in Section 54.313(a)(3).

REDACTED – FOR PUBLIC INSPECTION

* Third, it determines whether adjustments at the nearest cell site can be made to provide service;

* Fourth, it determines whether there are any other adjustments to network or customer facilities which can be made to provide service;

* Fifth, it explores the possibility of offering the resold service of carriers that have facilities available to that location; and

* Sixth, U.S. Cellular determines whether an additional cell site, a cell-extender, or repeater can be employed or constructed to provide service, and evaluates the costs and benefits of using scarce high-cost support to serve the number of customers requesting service.

If there is no possibility of providing service short of these measures, U.S. Cellular will notify the customer and notify the Commission as to the number of requests for service that could not be filled in its next annual report filed pursuant to Section 54.313 of the Commission's Rules. U.S. Cellular acknowledges that the Commission retains authority to resolve any customer complaints alleging that U.S. Cellular has refused to respond to a reasonable request for service.

D. Consumer Complaints.

For the period from January 1, 2011, through December 31, 2011, no consumer complaints were filed with either the Commission or the Tennessee Utilities Commission regarding U.S. Cellular's service in the designated ETC service area.¹²

E. Commitment to Abide by CTIA's Consumer Code for Wireless Service.

The Commission indicated in the *CAF Order* that ETCs must certify compliance with applicable service quality and consumer protection standards,¹³ and also specifically noted that,

¹² See 47 C.F.R. § 54.313(a)(4).

if an ETC is complying with “the voluntary code of conduct concerning ‘bill shock’” or the CTIA–The Wireless Association[®] (“CTIA”) Consumer Code for Wireless Service (“CTIA Code” or “Code”), it should so indicate in its annual report.¹⁴ In submitting this Report, U.S. Cellular certifies that it will continue to abide by the CTIA Code for all of its operations in Tennessee.

U.S. Cellular notes that, with respect to the recently added eleventh point of the CTIA Code relating to “bill shock,” CTIA has indicated the following:

Each wireless provider will provide, at no charge: (a) a notification to consumers of currently-offered and future domestic wireless plans that include limited data allowances when consumers approach and exceed their allowance for data usage and will incur overage charges; (b) a notification to consumers of currently-offered and future domestic voice and messaging plans that include limited voice and messaging allowances when consumers approach and exceed their allowance for those services and will incur overage charges; and (c) a notification to consumers without an international roaming plan/package whose devices have registered abroad and who may incur charges for international usage. Wireless providers will generate the notifications described above to postpaid consumers based on information available at the time the notification is sent. Wireless consumers will not have to affirmatively sign up in order for these notifications to be sent. Each wireless provider shall provide its customers at least two of these alerts by October 17, 2012 and all of these alerts by April 17, 2013. Wireless providers will clearly and conspicuously disclose tools or services that enable

¹³ *CAF Order* at para. 580.

¹⁴ *Id.* at para. 580 n.956. Under the CTIA Code, wireless carriers agree to: (1) disclose rates and terms of service to customers; (2) make available maps showing where service is generally available; (3) provide contract terms to customers and confirm changes in service; (4) allow a trial period for new service; (5) provide specific disclosures in advertising; (6) separately identify carrier charges from taxes on billing statements; (7) provide customers the right to terminate service for changes to contract terms; (8) provide ready access to customer service; (9) promptly respond to consumer inquiries and complaints received from government agencies; (10) abide by policies for protection of consumer privacy; and (11) provide consumers with free notifications for voice, data and messaging usage, and international roaming. The CTIA Code can be viewed on the CTIA website at http://www.ctia.org/consumer_info/service/index.cfm/AID/10352 (accessed Mar. 13, 2012). The eleventh point to the CTIA Code was added in October 2011.

consumers to track, monitor and/or set limits on voice, messaging and data usage.¹⁵

U.S. Cellular hereby certifies that it intends to comply with the provisions of the eleventh point of the CTIA Code pursuant to the implementation schedule established in the Code.

F. Ability to Remain Functional in Emergencies.

Section 54.202(a)(2) of the Commission's Rules requires that each ETC must:

[d]emonstrate its ability to remain functional in emergency situations, including a demonstration that it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations.¹⁶

U.S. Cellular is mindful of the importance of ensuring uninterrupted service so that law enforcement and public safety officials, as well as the general public, can make important calls in the event of a hurricane or other emergency. U.S. Cellular hereby certifies that the company continues to maintain the capability of functioning in emergency situations as specified in the *CAF Order* and the Commission's Rules.

II. CONCLUSION

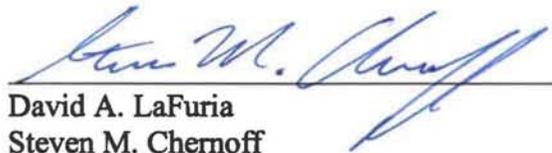
U.S. Cellular trusts that you will find this to be responsive to the compliance materials requested in the *CAF Order* and the Commission's Rules.

¹⁵ CTIA Code, http://www.ctia.org/consumer_info/service/index.cfm/AID/10352 (accessed Mar. 13, 2012).

¹⁶ 47 C.F.R. § 54.202(a). See *CAF Order* at para. 580.

REDACTED – FOR PUBLIC INSPECTION

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Steven M. Chernoff", is written over a horizontal line.

David A. LaFuria
Steven M. Chernoff
Lukas, Nace, Gutierrez & Sachs, LLP
8300 Greensboro Drive, Suite 1200
McLean, VA 22102
(703)584-8678

Attorneys for:
United States Cellular Corporation

Dated: April 2, 2012

REDACTED – FOR PUBLIC INSPECTION

Exhibit A

Updated Service Quality Improvement Plan

SITE NAME	Market	SITE #	Year	Actual Capital Expense	Actual Operating Expense (1)	Actual Total Expense	Lat	Long	EO CLLI	WC / RC / ILEC City	ILEC	Benefit
[REDACTED]												

Anticipated ETC Support

[REDACTED]

Notes:

[REDACTED]

PUBLIC REFERENCE COPY

SITE NAME	Market	SITE #	Year	Estimated Capital Expense	Estimated Operating Expense (1)	Estimated Total Expense	Lat	Long	EO CLI	WC / RC / HECC / CHY	HEC	Benefit
-----------	--------	--------	------	---------------------------	---------------------------------	-------------------------	-----	------	--------	----------------------	-----	---------

Anticipated ETC Support

[Redacted]

Notes:

[Redacted]

PUBLIC REFERENCE COPY

SITE NAME	Market	SITE #	Year	Estimated Capital Expense	Estimated Operating Expense (1)	Estimated Total Expense	Lat	Long	EO CLI	WC / RC / ILEC City	ILEC	Benefit
[REDACTED]												

Anticipated ETC Support

[REDACTED]

Notes:

[REDACTED]

PUBLIC REFERENCE COPY

REDACTED – FOR PUBLIC INSPECTION

Exhibit B

Coverage Map and Locations of Proposed New Cell Sites

Tennessee
U.S. Cellular's 2nd Quarter 2012



LEGEND

ETC Area
Wire Centers Boundaries

- 2012 Existing sites
- 2013 Plan sites

**CDMA REAL WORLD COVERAGE
850 MHz & 1900 MHz MOBILE TRANSMIT**

- 2012 CDMA REAL WORLD COVERAGE 850 MHz & 1900 MHz MOBILE TRANSMIT
- 2013 CDMA REAL WORLD COVERAGE 850 MHz & 1900 MHz MOBILE TRANSMIT
- 2014 CDMA REAL WORLD COVERAGE 850 MHz & 1900 MHz MOBILE TRANSMIT

U.S. Cellular Corporation GIS Mapping Services
Date: 03-14-2012
Copyright 2012

REDACTED – FOR PUBLIC INSPECTION

Exhibit C

Outage Report

TICKET ID	SMITH CELL NAME	PLATFORM	FCC NAME START DATE	END DATE	OSHA JMS PROBLEM DETAILS	RESOLUTION CODE	RESOLUTION	CITY	COUNTY	MARKET	STEPS TAKEN TO RESOLVE PROBLEM	CURT IMPACT	ESTIMATED NUMBER OF PERSONS MATERIALLY IMPACTED
-----------	-----------------	----------	---------------------	----------	--------------------------	-----------------	------------	------	--------	--------	--------------------------------	-------------	---



PUBLIC REFERENCE COPY

REDACTED – FOR PUBLIC INSPECTION

Exhibit D

Unfulfilled Service Requests

EXHIBIT D
U.S. Cellular Unfulfilled Requests for Service
2011

REDACTED - FOR PUBLIC INSPECTION

PUBLIC REFERENCE COPY

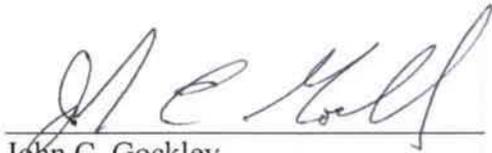
DATE	CITY	ZIP CODE	STATE	RESOLUTION
[REDACTED]				

DECLARATION UNDER PENALTY OF PERJURY

I, John C. Gockley, do hereby declare under penalty of perjury as follows:

1. I am the Vice President, Legal & Regulatory Affairs of United States Cellular Corporation.
2. This Affidavit is submitted in support of Annual Compliance Filing and Request for Recertification on behalf of United States Cellular Corporation (SAC 199004 for Virginia) pursuant to Section 54.313 of the Commission's Rules and the Commission's *Report and Order and Further Notice of Proposed Rulemaking* in WC Docket No. 10-90, *et al.*, FCC 11-161 (Nov. 29, 2011).
3. I declare under penalty of perjury that the statements contained in the foregoing Annual Compliance Filing are true and correct to the best of my knowledge, information and belief.

Executed on March 20, 2012



John C. Gockley
Vice President, Legal & Regulatory Affairs
United States Cellular Corporation

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me this 20th day of March, 2012.




NOTARY PUBLIC

My Commission Expires: 01/04/13