

1 Docket R-06-3

2 We recently adopted regulations governing ETCs in Order R-06-3(6).
3 Once effective, the new regulations will govern WCC's obligations as an ETC.

4 Acceptance of Data Response and Affidavit

5 WCC asked for us to accept a 2008 federal universal fund data response
6 and affidavit that it filed into this docket.⁵³ WCC does not ask for any affirmative action
7 related to the filing beyond this acceptance. Accordingly, we accept the data response
8 and affidavit filed by WCC.

9 Final Order

10 This order constitutes the final decision in this proceeding. This decision
11 may be appealed within thirty days of the date of this order in accordance with
12 AS 22.10.020(d) and the Alaska Rules of Court, Rule of Appellate Procedure
13 (Ak. R. App. P.) 602(a)(2). In addition to the appellate rights afforded by
14 AS 22.10.020(d), a party has the right to file a petition for reconsideration as permitted
15 by 3 AAC 48.105. If such a petition is filed, the time period for filing an appeal is then
16 calculated under Ak. R. App. P. 602(a)(2).

17 Docket Closure

18 No substantive or procedural matters remain in this proceeding and there
19 are no allocable costs under AS 42.05.651 and 3 AAC 48.157. Accordingly, we close
20 this docket.

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⁵³Data Response Filing at 1, 3.

Regulatory Commission of Alaska
701 West Eighth Avenue, Suite 300
Anchorage, Alaska 99501
(907) 276-6222; TTY (907) 276-4533

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ORDER

THE COMMISSION FURTHER ORDERS:

1. Windy City Cellular, LLC is designated as an eligible telecommunications carrier in the study area served by Adak Eagle Enterprises d/b/a Adak Telephone Utility, effective the date of this order, subject to conditions, as further described in the body of this order.

2. The Data Response and Affidavit submitted as an appendix to *Windy City Cellular LLC's Supplement to Application for Designation as an Eligible Telecommunications Carrier to Provide Data Response and Affidavit*, filed September 22, 2008, by Windy City Cellular LLC is accepted.

3. Docket U-08-67 is closed.

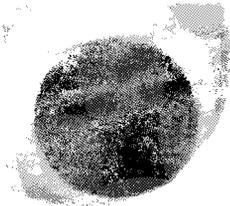
DATED AND EFFECTIVE at Anchorage, Alaska, this 3rd day of December, 2008.

BY DIRECTION OF THE COMMISSION
(Commissioners Anthony A. Price and Janis W. Wilson,
not participating.)



Regulatory Commission of Alaska
701 West Eighth Avenue, Suite 300
Anchorage, Alaska 99501
(907) 276-6222; TTY (907) 276-4533

**WCC Annual ETC Report
For Year Ending Dec. 31, 2009**



WINDY CITY CELLULAR

1410 Ruder - FCB
Anchorage, AK 99508
(907) 222-0844 fax (907) 222-0845

10 MAR 31 10 2:43

March 31, 2010

Robert M. Pickett, Chairman
Regulatory Commission of Alaska
701 W Eighth Avenue Suite 300
Anchorage, Alaska 99501

RE: Windy City Cellular
ETC Reporting Requirement in Compliance with 3 AAC 53.460

Dear Mr. Pickett:

Enclosed are eleven copies (an original and ten (10) copies) of the Annual ETC Report in Compliance with 3 AAC 53.460 for Windy City Cellular, LLC for the year ended December 31, 2009.

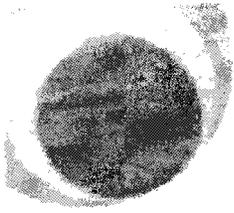
Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Larry D. Mayes".

Larry D. Mayes
President/Chief Executive Officer
Windy City Cellular, LLC

Encl.

cc: Andilea Weaver, Vice President/Chief Operations Officer
Dean Thompson, Esq.
KET, Inc



WINDY CITY CELLULAR

1110 Pustukoff Cir

Anchorage, AK 99508

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ETC Reporting Requirement in compliance with 3 AAC 53.460
For Windy City Cellular CPCN:

53.460 Reporting requirements below

(a) A common carrier designated as an eligible telecommunications carrier shall provide on or before March 31 of each year

(1) An update of the common carrier's network deployment plan that details services provided within the eligible telecommunications carrier service area and includes

(A) Maps detailing progress towards meeting network deployment plan targets;

See Attachment A1 - Windy City Cellular Downtown Cell Site location is operational providing service to approximately 99 phones; A2 - Attachment demonstrates two additional proposed site locations. White Alice Cell Site will be constructed to complete the FCC requirements for the Bethel AK-2/RSA 316A serving area license. If additional signal coverage is needed, the Clam Lagoon cell site will be constructed to complete the Windy City Cellular system.

(B) The amount of universal service support received;

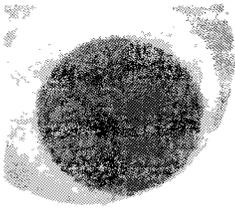
Lifeline Discounts \$30.00 and Link Up \$30.00 only in 2009 totaling \$60.00

(C) An explanation of how universal service support was used in the previous year to improve service quality, coverage, or capacity;

Lifeline and Link UP discounts were used to offset the cost of services for low income families applying for cell service. No other funds were received from USAC in 2009.

(D) An explanation regarding network improvement targets that have not been fulfilled and identification of any unserved areas; and

Windy City Cellular has not been able to complete the build for the second or third cell sites needed for coverage requirements due to the lack of USF funding in 2009 and the pending request for RUS loan funds to complete the build. The existing Windy City Cellular Downtown site location covers 100% of the populated area on Adak Island and approximately 60% of the total RSA designated area. The second cell site will potentially cover the rest of the outlying areas on the Island that currently do not have coverage. After the White Alice cell site is



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completed, signal coverage test will be done to determine the need for the Clam Lagoon site for FCC requirements for the RSA site coverage and also for redundant coverage to protect the cellular network from system outages due to weather conditions or equipment failure.

(E) An explanation of any revisions to the previously filed network deployment plan;

No revisions from original application for network deployment with the exception of the delay in funding to complete the cellular network build.

(2) a certification that the common carrier provided service throughout its eligible telecommunications carrier service area in the past calendar year to all customers requesting service except as described in (3) of this subsection;

I hereby certify that Windy City Cellular has provided service throughout its eligible telecommunications carrier service area in the past calendar year to all customers requesting service except as described in (3) of this subsection.

A handwritten signature in cursive script, appearing to read "Larry D. Mayes", written over a horizontal line.

Larry D. Mayes, President/Chief Executive Officer

(3) an explanation of each instance in which a customer was denied supported services and a detailed explanation of the steps taken to provide service;

There were no instances in which a customer was denied supported services in 2009. In the instances where a customer failed to provide adequate credit history for cellular service, pre-paid cellular plan options were made available.

(4) the number of complaints to the commission or the Federal Communications Commission by study area and service area, comparing the number of complaints to the total number of handsets or lines served by the carrier by study area and service area;

No complaints were filed at the commission or the Federal Communications Commission for Windy City Cellular's service area in 2009.

(5) a certification that the common carrier is in compliance with applicable consumer protection and service quality standards set out in 3 AAC 53.450;

I certify that Windy City Cellular is in compliance with applicable consumer protection and service quality standards set out in 3 AAC 53.450 as follows:

(1) Maintains a business office at 1410 Rudakof Circle, Anchorage, Alaska with toll free calling from Adak Island by utilizing 1-888-328-4222 or 611 to reach

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the customer service call center; (2) Discloses rates and terms of service to customers by posting information on their website and by clearly documented statements on the customer application; (3) Has coverage maps available at the customer service center and also will be posting them on the website and providing them at the service center on Adak Island; (4) Provides contract terms to customers and confirms changes in services; (5) Allowing a 14 days trial period for new services; (6) Provides specific disclosures in advertising material necessary to clearly communicate all conditions and terms of service offering; (7) Separately identifies carrier charges from taxes on billing statements; (8) Provides the customers the right of termination of service for changes to contract terms; (9) Provides ready access to customer service through toll free 1-888 number and 611 access; (10) Responding promptly to customer inquiries and complaints received from government agencies; and (11) Abides by policies for protection of consumer privacy as set out in Cellular Telecommunications and Internet Association's Consumer Code for Wireless Service as stated in 3 AAC 53.450(b). Windy City Cellular commits to maintaining, in an easily accessible location on the company's website, consumer complaint procedures.


Larry D. Mayes President/Chief Executive Officer

(6) A certification that the common carrier complies with requirements set out in 3 AAC 53.410(a) (12) regarding functionality in emergency situations;

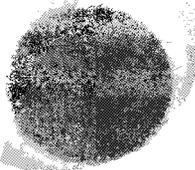
I hereby certify that Windy City Cellular complies with requirements set out in 3 AAC 53.410(a) (12) regarding functionality in emergency situations by the following: (1) Maintaining at least eight hours of backup power to ensure functionality without local alternating current (AC) commercial power; (2) Establishing to the extent feasible the ability to reroute traffic around damaged facilities and to manage traffic spikes resulting from emergency situations by the use of IP satellite facilities or re-route through interconnection with IXC facilities on the Island; (3) Establishing procedures for employees to follow in an emergency to prevent or minimize interruption or impairment of services.


Larry D. Mayes President/Chief Executive Officer

(7) Copies of any outage reports mandated by the commission or the Federal Communications Commission;

Windy City Cellular is not required to report outages to the Commission or the Federal Communications Commission.

(8) a certification that the common carrier complies with 3 AAC 53.410(a) (14) by offering one or more calling plans comparable to those of the incumbent local



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exchange carrier, including a calling plan with at least 500 free minutes of local usage per month; and

I hereby certify that Windy City Cellular complies with requirements set out in 3 AAC 53.410(a) (14) offering one or more calling plans comparable to those of the incumbent exchange carrier, including a calling plan with at least 500 free minutes of local usage per month. Adak Telephone Utility (ATU) is the local exchange carrier. The local calling area is basically the same as Windy City Cellular. ATU local service rate is Business Line \$53.60 and Residential Line \$40.60 per month with unlimited local usage. Windy City Cellular (WCC) offers multiple plans that compare to the ATU rates. WCC's Smart plan offers unlimited local service, unlimited long distance, unlimited text messaging, and voicemail with 200 U. S. Roaming minutes for \$20.00 per month. WCC's Smarter plan offers unlimited local service, long distance, text messaging, and voicemail with 600 U. S. Roaming minutes for \$30.00 per month. WCC's Smartest plan offers unlimited local service, long distance, text messaging, voicemail and unlimited US Roaming for \$50.00 per month.



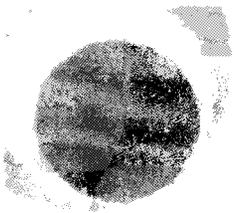
Larry O. Mayes President/Chief Executive Officer

(9) Affidavits of publication from the prior calendar year demonstrating that the common carrier advertised the availability of supported services throughout the eligible telecommunications carrier service area.

There are no options for formal publication of advertisements on Adak Island. Windy City Cellular advertises the availability of supported services throughout the eligible telecommunications carrier service area through continued website posting, community channel through local television provider station. Windy City Cellular personnel on multiple occasions have hung posters in local establishments on Adak Island publicizing service offerings and rate plans available to the consumers in the service area. Examples of posters and publications handed out and hung at business establishments are attached in Attachment B.

(b) A common carrier designated as an eligible telecommunications carrier before July 12, 2009 must submit an initial annual report that includes a certification that the carrier will comply with 3 AAC 53.410(a) (7), (16), and (17).

I hereby certify that Windy City Cellular is committed to provide service on a timely basis to requesting customers throughout the common carrier's eligible telecommunications carrier service area using its own facilities or a combination of its own facilities and resale in accordance with the common carrier's network



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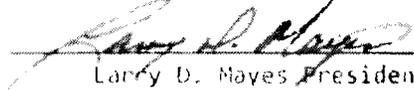
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Ann Arbor, MI 48106
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deployment plan filed with its original ETC application Docket U-88-067 and approved by the Commission. 3 AAC 53.410 (a) (7) (A)

I hereby certify that Windy City Cellular is committed to file a report in accordance with 3 AAC 53.460(a) (3) of any instance in which the carrier is unable to fulfill a customer request for service as required by 3 AAC 53.410(a) (7) (B).

I hereby certify that Windy City Cellular acknowledges it may be required to provide equal access to long distance carriers if no other eligible telecommunications carrier provides equal access within the eligible telecommunication carrier service area as required in 3 AAC 53.410 (a) (16).

I hereby certify that Windy City Cellular, with respect to Universal Service Support for high-cost areas, is committed to use that high-cost universal service support for the provision, maintenance, and upgrade of facilities and services that benefit the eligible telecommunications carrier service area from which the support was derived as required in 3 AAC 53.410(a) (17).



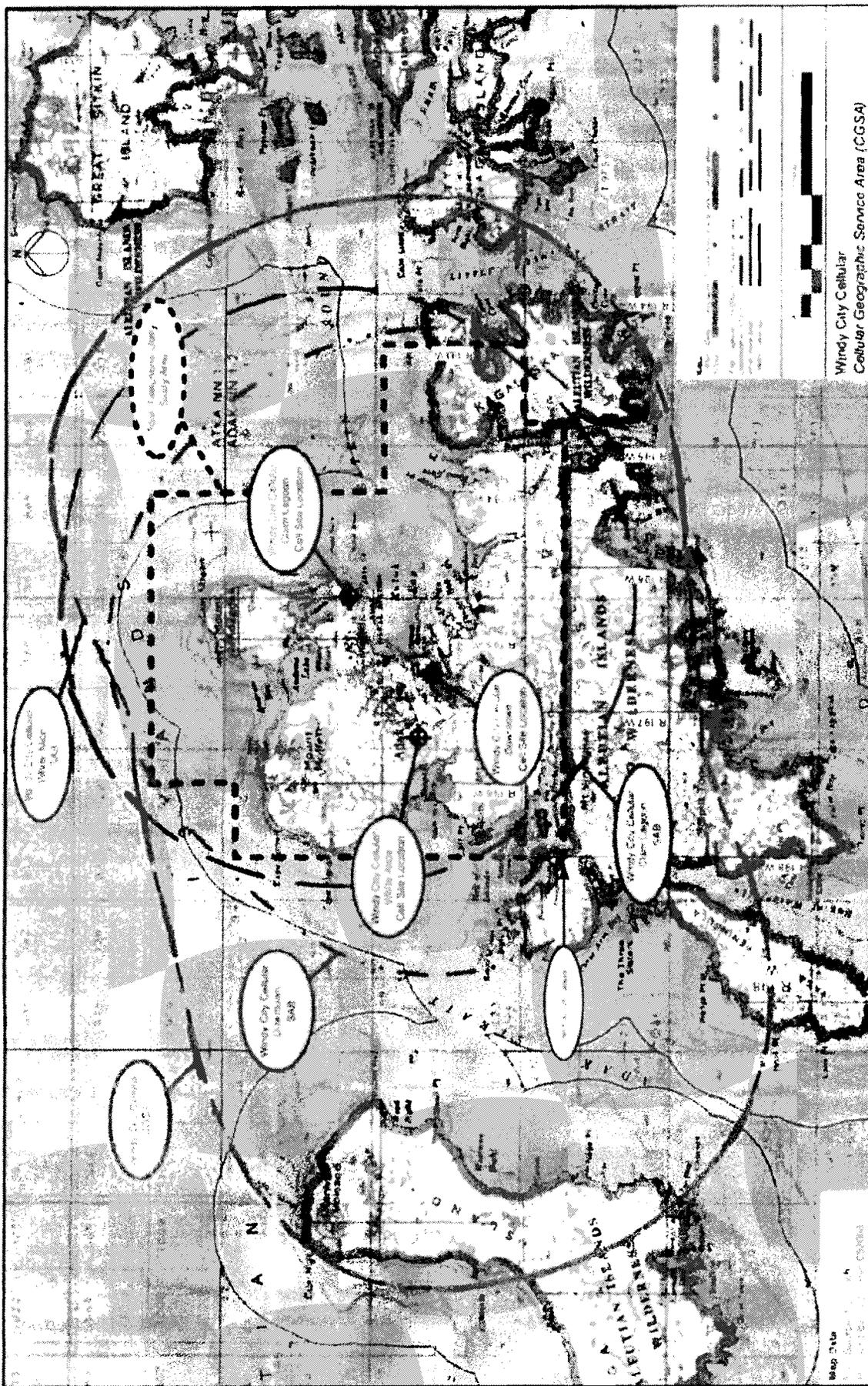
Larry D. Hayes President/Chief Executive Officer

(C) An eligible telecommunications carrier that is a carrier of last resort for local exchange service is not required to file the information specified in (a)(1)(A) And (D) of this section.

**Windy City Cellular
ETC Report in Compliance with
3 AAC 53.460**

**Attachment A1
Attachment A2**

Attachment A2



Windy City Cellular
Cellular Geographic Service Area (CGSA)

**Windy City Cellular
ETC Report in Compliance with
3 AAC 53.460**

Attachment B