MOBIUS
COMMUNICATIONS COMPANY®
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June 18, 2012

Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Ms. Karen Majcher
Vice President, High Cost and Low Income Division
Universal Service Administrative Company
2000 L Street, NW, Suite 200
Washington, D.C. 20036

Re: WC Docket No. 10-90, Annual §54.313 Report of High-Cost Recipient

Dear Mss. Dortch and Majcher:

Enclosed please find the annual Certification of Support and Annual Report of **Mobius Communications Company**, Study Area Code **379014,** pursuant to 47 C.F.R. §54.313

Please direct any questions regarding this filing to me at

Phone: **308-487-5500**
Email **tonya@bbc.net**

Respectfully Submitted,

Tonya Mayer
General Manager
Mobius Communications Company

Enclosure

cc: Mr. Maurice Gene Hand, Director
Nebraska Public Service Commission, Communications Department
300 The Atrium, 1200 N. Street
Lincoln, NE 68509-4927

# 2012 ETC Certification of Support and Annual Report

## Report to Satisfy Requirements of FCC 11-161 and 47 C.F.R §54.313

**Name of ETC Applicant:** Mobius Communications Company

**Study Area Code:** 379014

**Date of Filing:** June 18, 2012

**State:** Nebraska

**Person to contact for questions:**

**Name:** Tonya Mayer

**Telephone Number:** 308-487-5500

**E-mail address:** tonya@bbc.net

**State Filing Details:**

The data contained in this filing complies with the requirements set forth in FCC 11-161 and §54.313 as amended. To the extent that the Nebraska Public Service Commission requires additional information as part of its normal ETC recertification process; that data will be provided to the Nebraska Public Service Commission in compliance with the scheduled Annual Reporting for previously designated ETCs.

# Table of Contents

Report 1: §54.313 (a) (1) - Five-Year Service Quality Improvement Plan ..... 3

Report 2: §54.313 (a) (2)- Outage Report ..... 4

Report 3: §54.313 (a) (3)- Requests for Service ..... 5

Report 4: §54.313 (a) (4)- Complaints per 1,000 Connections ..... 6

Report 5: §54.313 (a) (5)-(6)- Certifications ..... 7

Report 6: §54.313 (a) (7)- Current Price Offerings ..... 8

Report 7: §54.313 (a) (8)- Company Identification ..... 9

Report 8: §54.313 (a) (9)- Tribal Outreach ..... 10

Report 9: §54.313 (f) (2)- Annual Financial Report ..... 11

Report 10: §54.313 (g)- Areas with No Terrestrial Backhaul ..... 12

Report 11: §54.313 (h)- Additional Voice Rate Data ..... 13

Attachment 1 ..... 14

# Report 1: §54.313 (a) (1) - Five-Year Service Quality Improvement Plan

**1.** A progress report on its 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. The information shall be submitted at the wire center level or census block as appropriate.

**1.1** Progress Report

**1.2** Universal Service Support Received and How It Was Used

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**Response to 1.1:**

**Mobius Communications Company** has been designated an ECT by the Nebraska Public Service Commission, and that Commission has heretofore not required ETCs to file service quality improvement plans or annual updates. Hence, in accordance with the Wireline Competition Bureau's Clarification Order in DA 12-147, issued on February 3rd, 2012, paragraph 7, this provision's requirement to submit a progress report does not apply to **Mobius Communications Company** for this filing period.

**Response to 1.2:**

**Mobius Communications Company** received a total of $**81,709** in federal high cost support during 2011. Over that same time period, **Mobius Communications Company** made regulated investments of approximately $**821,063** and incurred regulated expenses of approximately $**91,396** to provide telecommunications service to the residents and businesses of its serving territory.

In part, through federal high-cost support, **Mobius Communications Company** has invested in a modern telecommunications network utilizing fiber optic cable and advanced circuit-switched and IP technology throughout its service territory resulting in a vast improvement in the quality of the service area's communications infrastructure.

## Report 2: §54.313 (a) (2)- Outage Report

**2.** Detailed information on any outage in the prior calendar year, as that term is defined in 47 CFR 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) At least ten percent of the end users served in a designated service area; or

(ii) A 911 special facility, as defined in 47 CFR 4.5(e).

(iii) Specifically, the eligible telecommunications carrier's annual report must include information detailing:

(A) The date and time of onset of the outage;

(B) A brief description of the outage and its resolution;

(C) The particular services affected;

(D) The geographic areas affected by the outage;

(E) Steps taken to prevent a similar situation in the future; and

(F) The number of customers affected.

**********

**Response:**

**Mobius Communications Company** did not experience any outages during 2011 that meet the criteria listed above.

## Report 3: §54.313 (a) (3)- Requests for Service

**3.** The number of requests for service from potential customers within the recipient's service areas that were unfulfilled during the prior calendar year. The carrier shall also detail how it attempted to provide service to those potential customers.

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**Response:**

**Mobius Communications Company** does not have any outstanding requests for service from 2011 that are unfulfilled at the time of this filing.

## Report 4: §54.313 (a) (4)- Complaints per 1,000 Connections

**4.** The number of complaints per 1,000 connections (fixed or mobile) in the prior calendar year.

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**Response:**

For the period from January 2011 through December 2011, **Mobius Communications Company** had a total of **0** complaints per 1,000 access lines for supported services as reported to any federal and/or state regulatory agencies.

## Report 5: §54.313 (a) (5)-(6)- Certifications

**5.** Certification that it is complying with applicable service quality standards and consumer protection rules. Certification that the carrier is able to function in emergency situations as set forth in §54.202(a)(2).

**********

**Response:**

See **Attachment 1** – Affidavit of **Tonya Mayer**

## Report 6: §54.313 (a) (7)- Current Price Offerings

**6. Mobius Communications Company's** price offerings in a format as specified by the Wireline Competition Bureau.

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**Response:**

The Wireline Competition Bureau has not established a format for the requested information, as specified in §54.313(a)(2)(iii)(F)(7), nor has this provision received Office of Management and Budget (OMB) approval as of the date of this filing. Therefore, no response is required at this time.

## Report 7: §54.313 (a) (8)- Company Identification

**7.** The recipient's holding company, operating companies, affiliates, and any branding (a "dba," or "doing-business-as company" or brand designation), as well as universal service identifiers for each such entity by Study Area Codes, as that term is used by the Administrator. For purposes of this paragraph, "affiliates" has the meaning set forth in section 3(2) of the Communications Act of 1934, as amended.

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**Response:**

This provision has not received Office of Management and Budget (OMB) approval as of the date of this filing. Therefore, the requested information will be filed when appropriate.

## Report 8: §54.313 (a) (9)- Tribal Outreach

**8.** To the extent the recipient serves Tribal lands, documents or information demonstrating that the ETC had discussions with Tribal governments that, at a minimum, included:

8.1 A needs assessment and deployment planning with a focus on Tribal community anchor institutions;

8.2 Feasibility and sustainability planning;

8.3 Marketing services in a culturally sensitive manner;

8.4 Rights of way processes, land use permitting, facilities siting, environmental and cultural preservation review processes; and

8.5 Compliance with Tribal business and licensing requirements.

- Tribal business and licensing requirements include business practice licenses that Tribal and non-Tribal business entities, whether located on or off Tribal lands, must obtain upon application to the relevant Tribal government office or division to conduct any business or trade, or deliver any goods or services to the Tribes, Tribal members, or Tribal lands.

- These include certificates of public convenience and necessity, Tribal business licenses, master licenses, and other related forms of Tribal government licensure.

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**Response:**

**Mobius Communications Company** does not serve any Tribal lands. Therefore, this provision does not apply to **Mobius Communications Company**.

## Report 9: §54.313 (f) (2)- Annual Financial Report

**Privately held rate-of-return carriers only.**

**9.** A full and complete annual report of **Mobius Communications Company's** financial condition and operations as of the end of the preceding fiscal year, which is audited and certified by an independent certified public accountant in a form satisfactory to the Commission, and accompanied by a report of such audit. The annual report shall include:

- balance sheets,
- income statements,
- and cash flow statements along with necessary notes to clarify the financial statements.

The income statements shall itemize revenue, including non-regulated revenue, by its sources.

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**Response:**

This provision has not received Office of Management and Budget (OMB) approval as of the date of this filing. Therefore, the requested documentation will be filed when appropriate.

## Report 10: §54.313 (g)- Areas with No Terrestrial Backhaul

**10.** Carriers without access to terrestrial backhaul that are compelled to rely exclusively on satellite backhaul in their study area must certify annually that no terrestrial backhaul options exist.

**10.1** Any such funding recipients must certify they offer broadband service at actual speeds of at least 1 Mbps downstream and 256 kbps upstream within the supported area served by satellite middle-mile facilities. To the extent that new terrestrial backhaul facilities are constructed, or existing facilities improve sufficiently to meet the relevant speed, latency and capacity requirements then in effect for broadband service supported by the CAF, within twelve months of the new backhaul facilities becoming commercially available, funding recipients must provide the certifications required in paragraphs (e) or (f) of this section in full. Carriers subject to this paragraph must comply with all other requirements set forth in the remaining paragraphs of this section.

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**Response:**

This item is not applicable to **Mobius Communications Company**.

## Report 11: §54.313 (h)- Additional Voice Rate Data

**11.** All incumbent local exchange carrier recipients of high-cost support must report all of their rates for residential local service for all portions of their service area, as well as state fees as defined pursuant to § 54.318(e) of this subpart, to the extent the sum of those rates and fees are below the rate floor as defined in § 54.318 of this subpart, and the number of lines for each rate specified. Carriers shall report lines and rates in effect as of June 1.

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**Response:**

**Mobius Communications Company** is not an Incumbent Local Exchange Carrier. Therefore, this provision does not apply to **Mobius Communications Company.**

# Attachment 1

## Affidavit of Tonya Mayer

I, **Tonya Mayer**, being of lawful age and duly sworn, on my oath and under penalty of perjury, state that I am the **General Manager** and an Officer of **Mobius Communications Company** and that I am authorized to execute this Affidavit on behalf of **Mobius Communications Company**, and the facts set forth in this Affidavit are accurate to the best of my knowledge, information and belief.

1. I have reviewed the foregoing 2012 ETC Certification of Support and Annual Report of **Mobius Communications Company** and hereby declare that the contents of the Report are true and correct to the best of my knowledge and belief.

2. I hereby certify pursuant to the requirements under 47 C.F.R. §54.313(a)(5) and §54.313(a)(6) that:

   a. **Mobius Communications Company** has established operating procedures designed to facilitate compliance with applicable consumer protection rules.

   b. **Mobius Communications Company** has established operating procedures designed to facilitate compliance with service quality standards, which may include customer remedies and improvement plans.

   c. **Mobius Communications Company** is able to remain functional in emergency situations as set forth in §54.202(a)(2), and

3. All federal universal service support provided to **Mobius Communications Company** was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

Tonya Mayer

**Tonya Mayer**

ACKNOWLEDGMENT

STATE OF Nebraska )

:ss.

COUNTY OF Box Butte )

Subscribed, sworn to and acknowledged before me on this 18th day of June, 2012 by Tonya Mayer.

Cheryl Linegar

Notary Public

My Commission Expires:

2-26-16

GENERAL NOTARY - State of Nebraska
CHERYL LINEGAR
My Comm. Exp. February 26, 2016