

Public Service Commission  
of West Virginia

Received & Inspected

SEP 24 2012

FCC Mail Room

201 Brooks Street, P.O. Box 812  
Charleston, West Virginia 25323



Michael A. Albert  
Chairman

September 18, 2012

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
9300 East Hampton Drive  
Capitol Heights, Maryland 20743  
(overnight mail)

(Duplicate copy to:)  
Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Karen Majcher  
Universal Service Administrative Company  
2000 L Street, NW, Suite 200  
Washington, DC 20036

Re: CC Docket No. 96-45/WC Docket No. 10-90, Annual State  
Certification of Support for Eligible Telecommunications Carriers  
Pursuant to 47 C.F.R. §54.314

Dear Ms. Dortch and Ms. Majcher:

Pursuant to the requirements of 47 C.F.R. §54.314, The Public Service Commission of West Virginia (WVPSC) hereby certifies to the Federal Communications Commission and the Universal Service Administrative Company that the telecommunications carriers included in this letter are eligible to receive federal high-cost support for the program years cited.

Ms. Dortch  
 Ms. Majcher  
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The WVPSC certifies for the carriers listed that all federal high-cost support provided to such carriers within West Virginia was used within the preceding calendar year, 2011, and will be used in the coming calendar year, 2013, only for the provision, maintenance and upgrading of facilities and services for which the support is intended. 47 C.F.R. §54.314. The certified carriers include the following:

**Carriers Certified to Receive High Cost Support**

<b>Carrier</b>	<b>SAC<sup>1</sup></b>	<b>Rural/ Non-Rural<sup>2</sup></b>	<b>Type<sup>3</sup></b>
Alltel Communications, LLC, dba Verizon Wireless	209008	N	C
Armstrong Telephone Company - Northern Division	200267	R	I
Armstrong Telephone Company - West Virginia	200256	R	I
Cellspan, Inc.	n/a	N	C
Cintex Wireless, LLC	209018	N	C
Citizens Telecommunications of West Virginia, Inc.	200271	R	I
Citizens Telecommunications of West Virginia, Inc.	204338	R	I
Citizens Telecommunications of West Virginia, Inc.	204339	R	I
Conexion, LLC, dba Conexion Wireless	209021	N	C
Frontier West Virginia Inc.	205050	N	I
Gateway Telecom, LLC, dba StratusWave Communications, LLC	209001	N	C
Global Connection Inc. of America	209025	N	C
Gulf Coast Home Phone Services dba Gulf Coast Wireless	209023	N	C
Hardy Telecommunications, Inc. (CLEC)	209009	R	C

<sup>1</sup>Study Area Code

<sup>2</sup>R - Rural Carrier; N - Non-Rural Carrier

<sup>3</sup>I - Incumbent; C - Competitive

Hardy Telecommunications, Inc. (ILEC)	200259	R	I
i-wireless, LLC	209022	N/R	C
Linkup Telecom	209020	N	C
Lumos Networks, LLC, fka FiberNet, LLC	209002	N/R	C
New Cingular Wireless PCS, LLC dba AT&T Mobility	209012	N/R	C
Nexus Communications, Inc.	209014	N	C
Spruce Knob-Seneca Rocks Telephone, Inc.	200257	R	I
Tag Mobile, LLC	209026	N	C
Telrite Corporation	209016	N	C
TerraCom, Inc.	209017	N	C
Tracfone Wireless, Inc.	209013	N	C
USCOC of Cumberland & Hardy Cellular Telephone, Inc.	209005	N/R	C
US Connect, LLC	209024	N	C
Virgin Mobile USA, L.P.	209015	N	C
War Acquisition Corp., dba OTT Communications	200258	R	I
West Side Telecommunications	200277	R	I
West Virginia PCS Alliance, LC dba NTELOS	209909	N	C

This certification is the product of formal proceedings before the WVPSC. General Investigation Regarding The Use of Federal Universal Service Funding By Eligible Telecommunications Carriers in West Virginia, Case No. 12-0546-T-GI (Commission Order, September 18, 2012) (attached as Attachment A). In that proceeding, the WVPSC reviewed information filed by each carrier, including disclosures from 47 C.F.R. §54.313, to support this certification.

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On behalf of the people of West Virginia, the WVPSC expresses its appreciation for the efforts of the FCC in working to expand advanced telecommunications services at affordable rates throughout the nation.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Michael A. Albert". The signature is fluid and cursive, with the first name "Michael" being the most prominent part.

Michael A. Albert  
Chairman

MJM/ldd  
Enclosures

**PUBLIC SERVICE COMMISSION  
OF WEST VIRGINIA  
CHARLESTON**

*Received & Inspected*

*SEP 24 2012*

*FCC Mail Room*

At a session of the PUBLIC SERVICE COMMISSION OF WEST VIRGINIA in the City of Charleston on the 18<sup>th</sup> day of September 2012.

CASE NO. 12-0546-T-GI

GENERAL INVESTIGATION REGARDING  
THE USE OF FEDERAL UNIVERSAL SERVICE  
FUNDING BY ELIGIBLE TELECOMMUNICATIONS  
CARRIERS IN WEST VIRGINIA.

**COMMISSION ORDER**

The Commission finds that certain eligible telecommunications carriers (ETCs) in West Virginia are appropriately using federal universal service funds (USF).

**BACKGROUND**

On May 1, 2012, the Commission initiated its annual general investigation (GI) into the eligibility of ETCs for continued USF. That Order directed ETCs to file certain information with the Commission to allow it to assess their use of USF. The Commission also directed that the Executive Secretary publish notice of its Order to inform the public that interested persons could file comments with the Commission by July 16, 2012.

The Federal Communications Commission (FCC) previously directed states to annually certify which carriers are eligible for USF and file a certification stating that federal high-cost funds flowing to carriers in that state in the preceding and next calendar year are used in accord with Section 254(e) of the Telecommunications Act of 1934 (as amended)<sup>1</sup> (Act). 47 U.S.C. §254(e), 47 C.F.R. §54.314. See also, In the Matter of Connect America Fund, WC Docket 10-90 et al., Report and Order and Further Notice of Proposed Rulemaking, FCC 11-161 (Released November 18, 2011) (CAF Order). If a state commission files its certification with the FCC and the Administrator of the Universal Service Administrative Company (USAC) prior to October 1, then USF for the next calendar year will be forwarded to the qualified carriers. *Id.* Therefore, the Commission initiated this GI regarding the certification of federal USF for ETCs in West Virginia for the preceding calendar year (2012) and the upcoming calendar year (2013). The FCC also expressed an expectation that state commissions utilize data filed by ETCs under 47 C.F.R. §54.313 to conduct a rigorous examination of the use of USF. In the

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<sup>1</sup>This section states that federal USF received by ETCs must be used “only for the provision, maintenance and upgrading of facilities and services for which the support is intended.”

event that an ETC is not using USF support as intended, a state commission may recommend that the FCC make prospective support adjustments or recover past support amounts.<sup>2</sup> CAF Order at ¶612.

On June 4, 2012, Commission Staff filed an initial memorandum stating that it would investigate this matter.

On June 5, 2012, Staff served a series of interrogatories on most current ETCs seeking information similar to the requirements of the May 1, 2012 Commission Order.

In response to the May 1, 2012 Commission Order or the June 5, 2012 Staff interrogatories, the following ETCs filed documentation and requested that the Commission certify to the FCC and USAC that they properly used USF in the prior calendar year and will continue to use USF properly in the coming calendar year:

1. Alltel Communications, LLC, dba Verizon Wireless
2. Armstrong Telephone Company - Northern Division
3. Armstrong Telephone Company - West Virginia
4. Cellspan, Inc.
5. Cintex Wireless, LLC
6. Citizens Telecommunications of West Virginia, Inc.
7. Conexion, LLC dba Conexion Wireless
8. Frontier West Virginia Inc.
9. Gateway Telecom, LLC, dba StratusWave Communications, LLC
10. Global Connection Inc. of America
11. Gulf Coast Home Phone Services dba Gulf Coast Wireless
12. Hardy Telecommunications, Inc. CLEC
13. Hardy Telecommunications, Inc. ILEC
14. i-wireless, LLC
15. Linkup Telecom
16. Lumos Networks, LLC, fka FiberNet, LLC
17. New Cingular Wireless PCS, LLC dba AT&T Mobility
18. Nexus Communications, Inc.
19. Spruce Knob-Seneca Rocks Telephone, Inc.
20. Tag Mobile, LLC
21. Telrite Corporation
22. TerraCom, Inc.
23. Tracfone Wireless, Inc.
24. USCOC of Cumberland and Hardy Cellular Telephone, Inc.
25. US Connect, LLC
26. Virgin Mobile USA, L.P.
27. War Acquisition Corp., dba OTT Communications
28. West Side Telecommunications

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<sup>2</sup> Alternatively, this Commission may rescind an ETC designation or refuse to certify the ETC.

29. West Virginia PCS Alliance, LC dba NTELOS

Eight carriers also included requests that the Commission seal portions of their discovery responses to Staff or responses to the May 1, 2012 Commission Order. Those carriers include Alltel Communications, LLC, dba Verizon Wireless (Verizon Wireless), Citizens Telecommunications of West Virginia, Inc. (Citizens), Frontier West Virginia Inc. (Frontier WV), Tracfone Wireless, Inc. (Tracfone), Virgin Mobile USA, L.P. (Virgin Mobile), USCOC of Cumberland and Hardy Cellular Telephone, Inc. (US Cellular), New Cingular Wireless PCS, LLC dba AT&T Mobility (AT&T) and Sprint Nextel Corporation (Sprint).<sup>3</sup>

On August 14, 2012, Staff filed a memorandum recommending that the Commission certify the filing carriers as eligible to continue to receive USF support because they are adequately in compliance with the applicable ETC/USF requirements. It reported that Conexion, LLC, dba Conexion Wireless (Conexion) and Cintex Wireless, LLC (Cintex) had not submitted the information the Commission ordered filed by July 2, 2012. Therefore, it requested that the Commission direct Conexion and Cintex to comply with the May 1, 2012 Commission Order. It also noted that Sprint has a pending request to relinquish its ETC designation in West Virginia and that Budget Prepay, Inc., dba Budget Phone, Inc., has a pending application for an ETC designation.<sup>4</sup> Finally, Staff objected to the requests for protective treatment, arguing that those requests do not meet the required standards.

On August 16, 2012, Cintex filed its USF certification.

The Commission subsequently directed Conexion to respond to the May 1, 2012 Commission Order. August 22, 2012 Commission Order.

On August 23, 2012, Verizon Wireless objected to the Staff recommendation to deny its protective treatment requests. Alternatively, Verizon Wireless suggested that the Commission defer consideration of the protective treatment motions until it receives a request to inspect the sealed documents.

On August 27, 2012, Citizens and Frontier WV objected to the Staff recommendation to reject their protective treatment request. They pointed out that Staff did not object to the Commission sealing similar information in other cases and noted that the Commission has repeatedly deferred similar issues in other proceedings.

On August 31, 2012, AT&T filed a letter informing the Commission that the FCC has substantially revised how carriers must demonstrate that their Lifeline programs are

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<sup>3</sup> Sprint filed the information requested by the Commission in the May 1, 2012 Commission Order, but it is not seeking certification in this proceeding because it is in the process of relinquishing its ETC designation in West Virginia. The Commission granted that request effective December 31, 2012, in Sprint Corporation, Case No. 12-1003-C-X (Commission Order, September 14, 2012).

<sup>4</sup> The applicant filed exceptions to a Recommended Decision in Case No. 11-1552-T-PC on August 24, 2012.

appropriately using USF. In the Matter of Lifeline and Link Up Reform and Modernization, WC Docket 11-42 et al., Report and Order and Further Notice of Proposed Rulemaking, FCC 12-11 (Released February 6, 2012) (Lifeline Order). It also advised the Commission that the FCC has abolished the prior filing required every August 31<sup>st</sup> and is currently directing carriers to file a new Lifeline verification document by January 31, 2013.

Also on August 31, 2012, US Cellular filed a letter noting that the FCC revised the language of the certification required by the CAF Order.

On September 6, 2012, Conexion filed documents responding to the May 1, 2012 Commission Order.

On September 10, 2012, Citizens and Frontier WV filed a letter describing their efforts to comply with the Lifeline Order and the changes in certification language required by the CAF Order.

On September 11, 2012, Staff filed a supplemental memorandum stating that Cintex and Conexion have responded to the May 1, 2012 Commission Order. It recommended that the Commission certify them to the FCC in this matter along with other ETCs. Staff also recommended that the Commission dispense with requiring further Lifeline filings this year and that it specifically track the revised language from the CAF Order in its certification letter to the FCC.

On September 12, 2012, US Cellular filed a copy of the certification form prepared by USAC.

No member of general public filed comments in this proceeding.

## DISCUSSION

### Use of High-Cost Support Certification

With regard to the use of USF, the Commission accepts the Staff recommendation that the following telecommunications carriers should be certified to continue to receive federal universal service support. The Commission finds that the support that the listed ETCs received in the preceding calendar year, 2012, and will use in the coming calendar year, 2013, is only applied to the provision, maintenance and upgrading of facilities and services for which the support is intended, consistent with the Act. Those ETCs include:

1. Alltel Communications, LLC, dba Verizon Wireless
2. Armstrong Telephone Company - Northern Division
3. Armstrong Telephone Company - West Virginia
4. Cellspan, Inc.

5. Cintex Wireless, LLC
6. Citizens Telecommunications of West Virginia, Inc.
7. Conexion, LLC dba Conexion Wireless
8. Frontier West Virginia Inc.
9. Gateway Telecom, LLC, dba StratusWave Communications, LLC
10. Global Connection Inc. of America
11. Gulf Coast Home Phone Services dba Gulf Coast Wireless
12. Hardy Telecommunications, Inc. CLEC
13. Hardy Telecommunications, Inc. ILEC
14. i-wireless, LLC
15. Linkup Telecom
16. Lumos Networks, LLC, fka FiberNet, LLC
17. New Cingular Wireless PCS, LLC dba AT&T Mobility
18. Nexus Communications, Inc.
19. Spruce Knob-Seneca Rocks Telephone, Inc.
20. Tag Mobile, LLC
21. Telrite Corporation
22. TerraCom, Inc.
23. Tracfone Wireless, Inc.
24. USCOC of Cumberland and Hardy Cellular Telephone, Inc.
25. US Connect, LLC
26. Virgin Mobile USA, L.P.
27. War Acquisition Corp., dba OTT Communications
28. West Side Telecommunications
29. West Virginia PCS Alliance, LC dba NTELOS

Therefore, the Commission will certify by letter to the FCC and USAC that the above-listed ETCs are properly using USF consistent with Section 254(e) of the Act. In a separate proceeding, Sprint relinquished its ETC designation in West Virginia. Thus, the Commission will not certify it for further high-cost funds beyond December 31, 2012. Finally, the Commission notes that the requests of (i) Conexion, (ii) Gulf Coast Home Phone Services dba Gulf Coast Wireless, (iii) i-wireless, LLC, (iv) Linkup Telecom, (v) Nexus Communications, Inc., (vi) Telrite Corporation, (vii) TerraCom, Inc., (viii) Tracfone, (ix) Virgin Mobile, (x) Global Connection Inc. of America, (xi) Tag Mobile, LLC, (xii) US Connect, LLC, (xiii) Cellspan, Inc., and (xiv) Cintex are limited to support for their Lifeline programs.

#### Annual Lifeline Verifications

On July 10, 2007, the FCC issued Public Notice DA 07-3088, "Deadline for Annual Lifeline Verification Surveys," requiring ETCs in a state with its own state-based low-income program to submit a certification by August 31 of each year, attesting that the ETC has complied with the state verification procedures. In the Lifeline Order, however, the FCC established a new verification process. As noted by AT&T and other

carriers, the new process replaced the annual August 31 filings with a recertification process that carriers must complete on or before January 31, 2013.

The Commission has reviewed the Lifeline materials filed in this proceeding including both the submissions incorporated with their responses to the May 1, 2012 Commission Order and the letters describing the new process established by the FCC. Although the Commission believes that Lifeline remains a substantial component of universal service, it recognizes that the revised regulations have created substantial impediments to further review in this proceeding. Therefore, the Commission will defer further Lifeline filings to the next USF proceeding. The Commission will tentatively direct ETCs to file their Lifeline certifications as part of that proceeding, but may modify the requirement in response to further changes from the FCC.

### Requests for Protective Treatment

Most ETCs did not request any type of protective order for their filings in this matter. Eight carriers, however, requested protective orders for portions of their certifications or discovery responses, arguing that the sealed information is exempted from disclosure under the West Virginia Freedom of Information Act, codified as W.Va. Code §29B-1-1 et seq. (WV FOIA). The sealed filings in this matter include:

#### Sprint

June 25, 2012 Filing

- Attachment A – Service Improvement Plan
- Attachment C – 2011 Outage Report

June 29, 2012 Filing

- Attachment 4 – Service Improvement Plan
- Attachment 5 – Coverage Map
- Attachment 6 – 2011 Outage Report

#### US Cellular

June 25, 2012 and July 2, 2012 Filings

- Exhibit 1 – Service Quality Improvement Plan
- Exhibit 2 – Progress Map
- Exhibit 3 – Outage Report
- Exhibit 4 – Unfulfilled Service Requests

#### AT&T

June 25, 2012 Filing

- Attachment 2-1 - Service Improvement Plan 2011
- Attachment 2-2 - Service Improvement Plan 2012
- Attachment 2-3 - Service Improvement Plan 2013
- Attachment 3-1 - 2011 Coverage Map
- Attachment 3-2 - 2012 Coverage Map

- Attachment 3-3 – 2013 Coverage Map
- Attachment 4 – 2011 Outage Data
- Attachment 6 – Complaint Data
- Exhibit 1 – FCC motion for protective treatment of capital spending and outage data

July 2, 2012 Filing

- Attachment 2-1 – Service Improvement Plan 2011
- Attachment 2-2 – Service Improvement Plan 2012
- Attachment 2-3 – Service Improvement Plan 2013
- Attachment 3-1 – 2011 Coverage Map
- Attachment 3-2 – 2012 Coverage Map
- Attachment 3-3 – 2013 Coverage Map
- Attachment 4 – 2011 Outage Data
- Attachment 6 – Complaint Data
- Exhibit 1 – FCC motion for confidential treatment of 2010 data
- Exhibit 2 – FCC motion for confidential treatment of 2012 outage data and attachments

Verizon Wireless

July 2, 2012 Discovery Filing

- Exhibit A – 2011 Capital Spending by Exchange
- Exhibit B – Coverage Map
- Exhibit D – Outage Report

July 2, 2012 ETC Filing

- Exhibit A – 2011 Capital Spending by Exchange
- Exhibit B – Coverage Map
- Exhibit C – 2012 Service Improvement by Exchange
- Exhibit E – 2011 Network Outages

Virgin Mobile

June 28, 2012 Filing

- 2011 Outage Information for West Virginia

Tracfone

June 29, 2012 Filing

- 2011 Lifeline Data for West Virginia

Citizens

June 25, 2012 and July 2, 2012 Filings

- Attachment B – 2011 Capex by Exchange

Frontier WV

June 25, 2012 and July 2, 2012 Filings

- Attachment B – 2011 Capex by Exchange
- Exhibit C to Attachment A – 2011 Service Quality Capex by Exchange

The Commission concludes that there is no need at present to make a final ruling on the protective treatment requests. It will instead direct the Executive Secretary to hold the unredacted versions of the sealed filings separate and apart from the remnant of this casefile until the Commission receives a request for that information. By deferring consideration of the protective treatment requests, the Commission is not taking any final position on the application of WV FOIA to the sealed data.

The Commission notes that four of the eight carriers requesting protective orders did not include an affidavit in support of their requests. Those carriers include Verizon Wireless (two separate motions), Tracfone, US Cellular and AT&T. Thus, the Commission will direct these carriers to file a supporting affidavit within ten days of the entry of this Order. Hope Gas Inc., dba Dominion Hope, Case No. 08-1783-G-42T (Commission Order, November 20, 2009) at 42.

#### Requirements for 2013 Certification Filings

In prior USF proceedings, the Commission directed all ETCs to file certain information with the Commission the following year to assure that it would have the necessary data available for the next certification proceeding. The Commission will require similar filings here on or before July 1, 2013. All filers should continue to include (i) their Study Area Code(s), (ii) whether the filer is a rural carrier and/or a non-rural carrier and (iii) whether the filer is an incumbent or a competitive carrier.

Finally, the Commission takes this opportunity to note that Conexion and Cintex, failed to submit their filings on or before the July 2, 2012 deadline. The Commission does not condone any ETC submitting a late filing and reminds all carriers that it may sanction late or substantially incomplete filings in the future.

### FINDINGS OF FACT

1. The Commission initiated this GI to review the use of federal USF by ETCs in West Virginia. May 1, 2012 Commission Order.
2. Twenty-nine ETCs filed the required USF documentation and requested that this Commission certify that they have previously used federal USF support consistent with the Act and will continue to do so in calendar year 2013. ETC USF filings.
3. Eight carriers requested that the Commission seal portions of their discovery responses or responses to the May 1, 2012 Commission Order, asserting that the sealed data is exempt from WV FOIA. Motions for Protective Order.

4. Staff recommended that the Commission certify to the FCC that all twenty-nine ETCs in this proceeding previously used USF support consistent with the Act and will continue to do so in calendar year 2013. August 14, 2012 and September 11, 2012 Staff Memoranda.

### CONCLUSIONS OF LAW

1. The following telecommunications carriers should be certified by letter to the FCC and USAC to receive federal universal service support because they used that support in the prior calendar year only for the provision, maintenance and upgrading of facilities and services for which the support is intended and will continue to do so in the upcoming calendar year:

1. Alltel Communications, LLC, dba Verizon Wireless
2. Armstrong Telephone Company - Northern Division
3. Armstrong Telephone Company - West Virginia
4. Cellspan, Inc.
5. Cintex Wireless, LLC
6. Citizens Telecommunications of West Virginia, Inc.
7. Conexion, LLC dba Conexion Wireless
8. Frontier West Virginia Inc.
9. Gateway Telecom, LLC, dba Stratus Wave Communications, LLC
10. Global Connection Inc. of America
11. Gulf Coast Home Phone Services dba Gulf Coast Wireless
12. Hardy Telecommunications, Inc. CLEC
13. Hardy Telecommunications, Inc. ILEC
14. i-wireless, LLC
15. Linkup Telecom
16. Lumos Networks, LLC, fka FiberNet, LLC
17. New Cingular Wireless PCS, LLC dba AT&T Mobility
18. Nexus Communications, Inc.
19. Spruce Knob-Seneca Rocks Telephone, Inc.
20. Tag Mobile, LLC
21. Telrite Corporation
22. TerraCom, Inc.
23. Tracfone Wireless, Inc.
24. USCOC of Cumberland and Hardy Cellular Telephone, Inc.
25. US Connect, LLC
26. Virgin Mobile USA, L.P.
27. War Acquisition Corp., dba OTT Communications
28. West Side Telecommunications
29. West Virginia PCS Alliance, LC dba NTELOS

2. To facilitate certification filings for next year, it is reasonable for the Commission to direct carriers to file information listed in the applicable FCC regulations regardless of the opening of a new GF.

3. The Commission will direct its Executive Secretary to segregate the material subject to the protective treatment motions filed in this matter until the Commission receives a WV FOIA request for that information.

4. It is reasonable to direct carriers that failed to file an affidavit to support their protective treatment requests to correct their filings within ten days. Case No. 08-1783-G-42T (Commission Order, November 20, 2009) at 42.

### **ORDER**

IT IS THEREFORE ORDERED that a certification be issued to the FCC and USAC stating that the following carriers used federal high-cost universal service support only for the provision, maintenance and upgrading of facilities and services for which the support is intended in the preceding calendar year and will do so in the coming calendar year:

1. Alltel Communications, LLC, dba Verizon Wireless
2. Armstrong Telephone Company - Northern Division
3. Armstrong Telephone Company - West Virginia
4. Cellspan, Inc.
5. Cintex Wireless, LLC
6. Citizens Telecommunications of West Virginia, Inc.
7. Conexion, LLC dba Conexion Wireless
8. Frontier West Virginia Inc.
9. Gateway Telecom, LLC, dba StratusWave Communications, LLC
10. Global Connection Inc. of America
11. Gulf Coast Home Phone Services dba Gulf Coast Wireless
12. Hardy Telecommunications, Inc. CLEC
13. Hardy Telecommunications, Inc. ILEC
14. i-wireless, LLC
15. Linkup Telecom
16. Lumos Networks, LLC, fka FiberNet, LLC
17. New Cingular Wireless PCS, LLC dba AT&T Mobility
18. Nexus Communications, Inc.
19. Spruce Knob-Seneca Rocks Telephone, Inc.
20. Tag Mobile, LLC
21. Telrite Corporation
22. TerraCom, Inc.
23. Tracfone Wireless, Inc.
24. USCOC of Cumberland and Hardy Cellular Telephone, Inc.

25. US Connect, LLC
26. Virgin Mobile USA, L.P.
27. War Acquisition Corp., dba OTT Communications
28. West Side Telecommunications
29. West Virginia PCS Alliance, LC dba NTELOS

IT IS FURTHER ORDERED that by July 1, 2013, all ETCs designated by this Commission to receive high-cost or CAF support shall file the information required under 47 C.F.R. §54.313.

IT IS FURTHER ORDERED that on or before July 1, 2013, all ETCs designated by this Commission shall file a copy of the most recent annual Lifeline verification compliance certification and related disclosures described in 47 C.F.R. §54.416 and 47 C.F.R. §54.422.

IT IS FURTHER ORDERED that the Executive Secretary shall docket a copy of the Commission letter to the FCC issued pursuant to this Order in this proceeding.

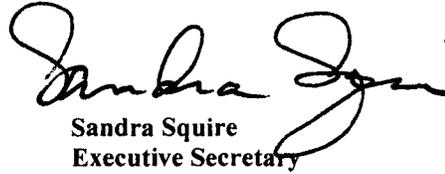
IT IS FURTHER ORDERED that the requests for protective orders filed in this matter are deferred until the filing of a request under WV FOIA. The Executive Secretary shall maintain the sealed responses separate and apart from the rest of the file pending further Order. If the Commission receives a request to inspect any of the sealed information, the Commission will afford the affected carrier a brief opportunity to litigate the matter.

IT IS FURTHER ORDERED that Verizon Wireless, Tracfone, US Cellular and AT&T file affidavits in support of their protective treatment requests within ten days of the entry of this Order.

IT IS FURTHER ORDERED that on entry of this Order, this proceeding shall be removed from the Commission docket of active cases.

IT IS FURTHER ORDERED that the Commission Executive Secretary serve a copy of this Order by electronic service on all ETCs and parties requesting that service, on all other parties by United States First Class Mail and on Staff by hand delivery.

A True Copy, Teste:



Sandra Squire  
Executive Secretary

MJM/idd  
120546ca.docx