FCC Form 481 - Carrier Annual Reporting Data Collection Form

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

<010>	Study Area Code	494449
<015>	Study Area Name	NAVAJO-NM-FRONTIER
<020>	Program Year	2014
<030>	Contact Name: Person USAC should contact with questions about this data	Cassandra Guinness
<035>	Contact Telephone Number: Number of the person identified in data line <030>	585-777-4557
<039>	Contact Email Address: Email of the person identified in data line <030>	cassandra.guinness@ftr.com

ANNUAL REPORTING FOR ALL CARRIERS			54.313 Completion Required	54.422 Completion Required
			(check box when complete)	
<100>	Service Quality Improvement Reporting	(complete attached worksheet)		
<200>	Outage Reporting (voice)	(complete attached worksheet)	✔	✔
<210>	✔ <-- check box if no outages to report			
<300>	Unfulfilled Service Requests (voice)	39	✔	
<310>	Detail on Attempts (voice)	494449NM310 (attach descriptive document)	✔	
<320>	Unfulfilled Service Requests (broadband)			
<330>	Detail on Attempts (broadband)	(attach descriptive document)		
<400>	Number of Complaints per 1,000 customers (voice)		✔	✔
<410>	Fixed	0.15		
<420>	Mobile			
<430>	Number of Complaints per 1,000 customers (broadband)			
<440>	Fixed			
<450>	Mobile			
<500>	Service Quality Standards & Consumer Protection Rules Compliance	(check to indicate certification)	✔	✔
<510>	494449NM510	(attached descriptive document)	✔	✔
<600>	Functionality in Emergency Situations	(check to indicate certification)	✔	✔
<610>	494449NM610	(attached descriptive document)	✔	✔
<700>	Company Price Offerings (voice)	(complete attached worksheet)		
<710>	Company Price Offerings (broadband)	(complete attached worksheet)		
<800>	Operating Companies and Affiliates	(complete attached worksheet)		
<900>	Tribal Land Offerings (Y/N)? ● ○	(if yes, complete attached worksheet)	✔	
<1000>	Voice Services Rate Comparability	(check to indicate certification)		
<1010>		(attach descriptive document)		
<1100>	Terrestrial Backhaul (Y/N)? ● ○	(if not, check to indicate certification)		
<1110>		(complete attached worksheet)		
<1200>	Terms and Condition for Lifeline Customers	(complete attached worksheet)		✔

Price Cap Carriers, Proceed to Price Cap Additional Documentation Worksheet

Including Rate-of-Return Carriers affiliated with Price Cap Local Exchange Carriers

<2000>		(check to indicate certification)	✔	
<2005>		(complete attached worksheet)	✔	

Rate of Return Carriers, Proceed to ROR Additional Documentation Worksheet

<3000>		(check to indicate certification)		
<3005>		(complete attached worksheet)		

(100) Service Quality Improvement Reporting
Data Collection Form

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<039>	Contact Email Address - Email Address of person identified in data line <030>	cassandra.guinness@ftr.com

<110>	Has your company received its ETC certification from the FCC?	(yes / no) ○ ●
<111>	If your answer to Line <110> is yes, do you have an existing §54.202(a) "5 year plan" filed with the FCC?	(yes / no) ○ ○

If your answer to Line <111> is yes, then you are required to file a progress report, on line <112> delineating the status of your company's existing § 54.202(a) "5 year plan" on file with the FCC, as it relates to your provision of voice telephony service.

<112> Attach Five-Year Service Quality Improvement Plan or, in subsequent years, your annual progress report filed pursuant to 47 C.F.R. § 54.313(a)(1). If your company is a CETC which only receives frozen support, your progress report is only required to address voice telephony service.

Name of Attached Document (.pdf)

Please check these boxes below to confirm that the attached PDF, on line 112, contains a progress report on its five-year service quality improvement plan pursuant to § 54.202(a). The information shall be submitted at the wire center level or census block as appropriate.

<113>	Maps detailing progress towards meeting plan targets	☐
<114>	Report how much universal service (USF) support was received	☐
<115>	How (USF) was used to improve service quality	☐
<116>	How (USF)was used to improve service coverage	☐
<117>	How (USF) was used to improve service capacity	☐
<118>	Provide an explanation of network improvement targets not met in the prior calendar year.	☐

(200) Service Outage Reporting (Voice)
Data Collection Form

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<039>	Contact Email Address - Email Address of person identified in data line <030>	cassandra.guinness@ftr.com

<220>

<a> NORS Reference Number	<b1> Outage Start Date	<b2> Outage Start Time	<b3> Outage End Date	<b4> Outage End Time	<c1> Number of Customers Affected	<c2> Total Number of Customers	<d> 911 Facilities Affected (Yes / No)	<e> Service Outage Description (Check all that apply)	<f> Did This Outage Affect Multiple Study Areas (Yes / No)	<g> Service Outage Resolution	<h> Preventative Procedures

-- See attached worksheet --

(700) Price Offerings including Voice Rate Data
Data Collection Form

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<039>	Contact Email Address - Email Address of person identified in data line <030>	cassandra.guinness@ftr.com

<701>	Residential Local Service Charge Effective Date	1/1/2013
<702>	Single State-wide Residential Local Service Charge	

<703>

<a1>	<a2>	<a3>	<b1>	<b2>	<b3>	<b4>	<b5>	<c>
State	**Exchange (ILEC)**	**SAC (CETC)**	**Rate Type**	**Residential Local Service Rate**	**State Subscriber Line Charge**	**State Universal Service Fee**	**Mandatory Extended Area Service Charge**	**Total per line Rates and Fees**
				-- See attached worksheet				
				--				

(710) Broadband Price Offerings
Data Collection Form

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<039>	Contact Email Address - Email Address of person identified in data line <030>	cassandra.guinness@ftr.com

<711>

<a1>	<a2>	<b1>	<b2>	<c>	<d1>	<d2>	<d3>	<d4>
State	**Exchange (ILEC)**	**Residential Rate**	**State Regulated Fees**	**Total Rate and Fees**	**Broadband Service - Download Speed (Mbps)**	**Broadband Service - Upload Speed (Mbps)**	**Usage Allowance (GB)**	**Usage Allowance Action Taken When Limit Reached {*select*}**
		-- See attached worksheet --						

(800) Operating Companies
Data Collection Form

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<039>	Contact Email Address - Email Address of person identified in data line <030>	cassandra.guinness@ftr.com

<810>	Reporting Carrier	Navajo Communications Company
<811>	Holding Company	Frontier Communications Corporation
<812>	Operating Company	Navajo Communications Company

<813>

<a1>	<a2>	<a3>
Affiliates	**SAC**	**Doing Business As Company or Brand Designation**

-- See attached worksheet --

(900) Tribal Lands Reporting
Data Collection Form

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<039>	Contact Email Address - Email Address of person identified in data line <030>	cassandra.guinness@ftr.com

<910> Tribal Land(s) on which ETC Serves

Navajo Nation

<920> Tribal Government Engagement Obligation

494449NM920

Name of Attached Document (.pdf)

If your company serves Tribal lands, please select (Yes,No, NA) for each these boxes to confirm the status described on the attached PDF, on line 920, demonstrates coordination with the Tribal government pursuant to § 54.313(a)(9) includes:

		Select (Yes,No, NA)
<921>	Needs assessment and deployment planning with a focus on Tribal community anchor institutions;	Yes
<922>	Feasibility and sustainability planning;	Yes
<923>	Marketing services in a culturally sensitive manner;	Yes
<924>	Compliance with Rights of way processes	Yes
<925>	Compliance with Land Use permitting requirements	Yes
<926>	Compliance with Facilities Siting rules	Yes
<927>	Compliance with Environmental Review processes	Yes
<928>	Compliance with Cultural Preservation review processes	Yes
<929>	Compliance with Tribal Business and Licensing requirements.	Yes

(1100) No Terrestrial Backhaul Reporting Data Collection Form

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<1120> Please check this box to confirm no terrestrial backhaul options exist within the supported area pursuant to § 54.313(G) ☐

<1130> Please check this box to confirm the reporting carrier offers broadband service of at least 1 Mbps downstream and 256 kbps upstream within the supported area pursuant to § 54.313(G) ☐

(1200) Terms and Condition for Lifeline Customers
Lifeline
Data Collection Form

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<039>	Contact Email Address - Email Address of person identified in data line <030>	cassandra.guinness@ftr.com

<1210> Terms & Conditions of Voice Telephony Lifeline Plans: 494449NM1210

Name of attached document (.pdf)

<1220> Link to Public Website: HTTP //www.frontier.com/discountprograms/lifelineprogram

"Please check these boxes below to confirm that the attached PDF, on line 1210, or the website listed, on line 1220, contains the required information pursuant to § 54.422(a)(2) annual reporting for ETCs receiving low-income support, carriers must annually report:

<1221> Information describing the terms and conditions of any voice telephony service plans offered to Lifeline subscribers, ✔

<1222> Details on the number of minutes provided as part of the plan, ✔

<1223> Additional charges for toll calls, and rates for each such plan. ✔

(2000) Price Cap Carrier Additional Documentation
Data Collection Form
Including Rate-of-Return Carriers affiliated with Price Cap Local Exchange Carriers

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CHECK the boxes below to note compliance as a recipient of Incremental Connect America Phase I support, frozen High Cost support, High Cost support to offset access charge reductions, and Connect America Phase II support as set forth in 47 CFR § 54.313(b),(c),(d),(e) the information reported on this form and in the documents attached below is accurate.

Incremental Connect America Phase I reporting

<2010>	2nd Year Certification {47 CFR § 54.313(b)(1)}	☐
<2011>	3rd Year Certification {47 CFR § 54.313(b)(2)}	☐

Price Cap Carrier Receiving Frozen Support Certification {47 CFR § 54.312(a)}

<2012>	2013 Frozen Support Certification	☑
<2013>	2014 Frozen Support Certification	☐
<2014>	2015 Frozen Support Certification	☐
<2015>	2016 and future Frozen Support Certification	☐

Price Cap Carrier Connect America ICC Support {47 CFR § 54.313(d)}

<2016>	Certification Support Used to Build Broadband	☑

Connect America Phase II Reporting {47 CFR § 54.313(e)}

<2017>	3rd year Broadband Service Certification		☐
<2018>	5th year Broadband Service Certification		☐
<2019>	Interim Progress Certification		☐
<2020>	Please check the box to confirm that the attached PDF , on line 2021, contains the required information pursuant to § 54.313 (e)(3)(ii), as a recipient of CAF Phase II support shall provide the number, names, and addresses of community anchor institutions to which began providing access to broadband service in the preceding calendar year.		☐
<2021>	Interim Progress Community Anchor Institutions	Name of Attached Document Listing Required Information	_____

(3000) Rate Of Return Carrier Additional Documentation

Data Collection Form

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CHECK the boxes below to note compliance on its five year service quality plan (pursuant to 47 CFR § 54.202(a)) and, for privately held carriers, ensuring compliance with the financial reporting requirements set forth in 47 CFR § 54.313(f)(2). I further certify that the information reported on this form and in the documents attached below is accurate.

Progress Report on 5 Year Plan

(3010)	Milestone Certification {47 CFR § 54.313(f)(1)(i)} Please check this box to confirm that the attached PDF , on line 3012,	Name of Attached Document Listing Required Information	☐
(3011)	contains the required information pursuant to § 54.313 (f)(1)(ii), as a recipient of CAF Phase II support shall provide the number, names, and addresses of community anchor institutions to which began providing access to broadband service in the preceding calendar year.		
(3012)	Community Anchor Institutions {47 CFR § 54.313(f)(1)(ii)}	Name of Attached Document Listing Required Information	
(3013)	Is your company a Privately Held ROR Carrier {47 CFR § 54.313(f)(2)}		☐ (Yes/No)
(3014)	If yes, does your company file the RUS annual report		☐ (Yes/No)
	Please check these boxes to confirm that the attached PDF, on line 3017, contains the required information pursuant to § 54.313(f)(2) compliance requires:		
(3015)	Electronic copy of their annual RUS reports (Operating Report for Telecommunications Borrowers)		☐
(3016)	PDF of Balance Sheet, Income Statement and Statement of Cash Flows		☐
(3017)	If the response is yes on line 3014, attach your company's RUS annual report and all required documentation	Name of Attached Document Listing Required Information	
(3018)	If the response is no on line 3014, Is your company audited?		☐ (Yes/No)
	If the response is yes on line 3018, please check the boxes below to confirm your submission, on line 3026 pursuant to § 54.313(f)(2), contains :		
(3019)	Either a copy of their audited financial statement; or (2) a financial report in a format comparable to RUS Operating Report for Telecommunications		☐
(3020)	PDF of Balance Sheet, Income Statement and Statement of Cash Flows		☐
(3021)	Management letter issued by the independent certified public accountant that performed the company's financial audit.		☐
	If the response is no on line 3018, please check the boxes below to confirm your submission, on line 3026 pursuant to § 54.313(f)(2), contains:		
(3022)	Copy of their financial statement which has been subject to review by an independent certified public accountant; or 2) a financial report in a format comparable to RUS Operating Report for Telecommunications Borrowers,		☐
(3023)	Underlying information subjected to a review by an independent certified public accountant		☐
(3024)	Underlying information subjected to an officer certification.		☐
(3025)	PDF of Balance Sheet, Income Statement and Statement of Cash Flows		☐
(3026)	Attach the worksheet listing required information	Name of Attached Document Listing Required Information	

Certification - Reporting Carrier Data Collection Form	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013

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TO BE COMPLETED BY THE REPORTING CARRIER, IF THE REPORTING CARRIER IS FILING ANNUAL REPORTING ON ITS OWN BEHALF:

Certification of Officer as to the Accuracy of the Data Reported for the Annual Reporting for CAF or LI Recipients

I certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the annual reporting requirements for universal service support recipients; and, to the best of my knowledge, the information reported on this form and in any attachments is accurate.

Name of Reporting Carrier:	NAVAJO-NM-FRONTIER		
Signature of Authorized Officer:	CERTIFIED ONLINE	Date	09/20/2013
Printed name of Authorized Officer:	Ken Mason		
Title or position of Authorized Officer:	VP, Regulatory		
Telephone number of Authorized Officer:	585-777-5645		
Study Area Code of Reporting Carrier:	494449	Filing Due Date for this form:	10/15/2013

Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.

Certification - Agent / Carrier Data Collection Form	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013

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<035>	Contact Telephone Number - Number of person identified in data line <030>	585-777-4557
<039>	Contact Email Address - Email Address of person identified in data line <030>	cassandra.guinness@ftr.com

TO BE COMPLETED BY THE REPORTING CARRIER, IF AN AGENT IS FILING ANNUAL REPORTS ON THE CARRIER'S BEHALF:

Certification of Officer to Authorize an Agent to File Annual Reports for CAF or LI Recipients on Behalf of Reporting Carrier

I certify that (Name of Agent)_____ is authorized to submit the information reported on behalf of the reporting carrier. I also certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the annual data reporting requirements provided to the authorized agent; and, to the best of my knowledge, the reports and data provided to the authorized agent is accurate.

Name of Authorized Agent:

Name of Reporting Carrier:

Signature of Authorized Officer: Date:

Printed name of Authorized Officer:

Title or position of Authorized Officer:

Telephone number of Authorized Officer:

Study Area Code of Reporting Carrier: Filing Due Date for this form:

Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.

TO BE COMPLETED BY THE AUTHORIZED AGENT:

Certification of Agent Authorized to File Annual Reports for CAF or LI Recipients on Behalf of Reporting Carrier

I, as agent for the reporting carrier, certify that I am authorized to submit the annual reports for universal service support recipients on behalf of the reporting carrier; I have provided the data reported herein based on data provided by the reporting carrier; and, to the best of my knowledge, the information reported herein is accurate.

Name of Reporting Carrier:

Name of Authorized Agent or Employee of Agent:

Signature of Authorized Agent or Employee of Agent: Date:

Printed name of Authorized Agent or Employee of Agent:

Title or position of Authorized Agent or Employee of Agent

Telephone number of Authorized Agent or Employee of Agent:

Study Area Code of Reporting Carrier: Filing Due Date for this form:

Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.

Attachments

FCC Form 481

Line 100 – Service Quality Improvement Reporting
[47 CFR 54.313(a)(1)]

Lines 320 and 330 – Unfulfilled Service Requests (broadband)
[47 CFR 54.313(a)(3)]

Lines 430 and 440 and 450 – Number of Complaints per 1,000 customers (broadband)
[47 CFR 54.313(a)(4)]

Line 700 – Company Price Offerings (voice)
[47 CFR 54.313(a)(7)]

Line 710 – Company Price Offerings (broadband)
[47 CFR 54.313(a)(7)]

Lines 1000 and 1010 – Voice Services Rate Comparability
[47 CFR 54.313(a)(10)]

The FCC does not require completion of the above-listed items in the 2013 filing. In the FCC's Public Notice DA 13-1707, released August 6, 2013, these items were not included in the list of items that must be included in the 2013 filing.[1]

[1] The Public Notice stated, in relevant part:

> For 2013, ETCs that receive high-cost support must complete FCC Form 481 to include the following: Information pursuant to section 54.313(a)(2) through (a)(6) as it relates to their provision of voice telephony service in calendar year 2012; their holding company, operating companies, affiliates (as defined under section 3 of the Communications Act of 1934, as amended (the Act), 47 U.S.C. § 153(2)) that are also designated as ETCs and/or that provide retail broadband Internet access to end-user customers), and any branding, pursuant to section 54.313(a)(8) of the Commission's rules; 6 for those ETCs that serve Tribal lands, a report on Tribal government engagement pursuant to section 54.313(a)(9); for price cap carriers only, certifications pursuant to section 54.313(c) and (d), as appropriate; for rate-of returncarriers only, their financial information pursuant to section 54.313(f)(2), as appropriate; and for those ETCs without access to terrestrial backhaul that are compelled to rely exclusively on satellite backhaul in their study areas, certifications pursuant to section 54.313(g).

Line 510 – Description of Compliance with Service Quality Standards and Consumer Protection:

The Frontier ILEC companies certify that they comply with applicable state and FCC service quality standards. Service quality metrics are monitored and reported on a monthly basis. Frontier has implemented numerous Consumer Protection measures to protect customer information from improper use and disclosure as well as to protect against fraud. For example, Frontier has implemented Customer Proprietary Network Information (policies and procedures) that are consistent with the FCC's regulations. Frontier regularly trains employees who have access to CPNI on the rules and our procedures for securing accounts and authenticating callers. Frontier also has a comprehensive Identity Theft Protection Program (or Red Flag program) which is consistent with the FTC's guidance on measures to detect and prevent identity theft. All employees are trained on Frontier's Code of Business Conduct and Ethics, which requires employees to protect sensitive customer information from improper use and disclosure. Frontier also has a Data Privacy and Security policy which applies to all employees. Further, Frontier also has implemented a strict third-party qualification protocol to prevent unauthorized charges ("Cramming") from appearing on customer's bills. Frontier also follows a "First Call" resolution policy, which aims to resolve customer complaints about unauthorized charges in one call, without referral to any third party. In addition to the foregoing, Frontier, has implemented customary IT security measures to protect our network and customer information.

Line 610 - Description of Functionality in Emergency Situations

The Frontier ILEC companies certify that they follow best practices that are designed to allow them to remain functional in an emergency situation through the use of back-up power to ensure functionality in the event of a limited commercial power failure. Frontier's policy is that at sites where there is a generator, it will also have batteries capable of providing three-to-four hours of backup power. Sites that are provisioned to allow portable generators typically have up to eight hours of battery backup power available. Frontier adheres to formal maintenance and testing schedules of batteries and generators based on the GTE practices, the Bell standard and manufacturer standards. Batteries are load tested routinely. On site generators are tested monthly with an annual "blackout" test also incorporated. Routine maintenance occurs regularly throughout the year. Portable generators are load tested once a year along with performing the manufacturer recommended maintenance.

The companies' network is engineered to provide maximum capacity in order to handle excess traffic in the event of traffic spikes resulting from emergency situations. Carrier audits its circuits in order to provide redundancy in its network where feasible for use in re-rerouting traffic when facilities are damaged.

(800) Operating Companies
Data Collection Form

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<810>	Reporting Carrier	Navajo Communications Company
<811>	Holding Company	Frontier Communications Corporation
<812>	Operating Company	Navajo Communications Company

<813>

<a1>	<a2>	<a3>
Affiliates	**SAC**	**Doing Business As Company or Brand Designation**
Frontier Comm. of Alabama, Inc.	250306	Frontier Communications of Alabama, LLC
Frontier Comm. of Lamar County	250301	Frontier Communications of Lamar County, LLC
Frontier of the South - Alabama	250318	Frontier Communications of the South, LLC
CTC White Mountains	454426	Frontier Communications of the White Mountains
CTC Mohave (Rural)	452172	Frontier Citizens Utilities Rural
Frontier Comm. of the Southwest, Inc (AZ-Contel)	452302	Frontier Communications of the Southwest Inc.
Navajo Comm - Arizona	454449	Frontier Navajo Communications / Frontier Navajo Communications Company
CTC California	452308	Frontier Communications of California
CTC Golden St	543402	Frontier Communications of California
CTC Tuolomne	544342	Frontier Communications of California
Frontier Comm. of the Southwest, Inc (CA-Contel)	541863	Frontier Communications of the Southwest Inc.
Frontier West Coast, Inc (CA)	542344	Frontier Communications West Coast Inc.
Global Valley Networks, Inc.	542315	Frontier Communications of California
Frontier of the South - Florida	210318	Frontier Communications of the South, LLC
Frontier Comm. of Fairmount	220362	Frontier Communications of Fairmount LLC
Frontier Comm. of Georgia, Inc.	220387	Frontier Communications of Georgia LLC
Frontier Comm. of Iowa, Inc.	351127	Frontier Communications of Iowa, LLC
CTC Idaho	474427	Frontier Communications of Idaho
Frontier Comm. Northwest, Inc (ID-GTE)	472416	Frontier Communications Northwest Inc.
CTC Illinois	341183	Frontier Citizens Communications of Illinois
Frontier Comm. - Schuyler, Inc.	341079	Frontier Communications - Schuyler, Inc.
Frontier Comm.- Midland, Inc.	341055	Frontier Communications - Midland, Inc.
Frontier Comm. of Illinois, Inc.	341038	Frontier Communications of Illinois, Inc.

(800) Operating Companies
Data Collection Form

FCC Form 481
OMB Control No. 3060-0986/OMB Control No. 3060-0819
July 2013

<010>	Study Area Code	494449
<015>	Study Area Name	NAVAJO-NM-FRONTIER
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Cassandra Guinness
<035>	Contact Telephone Number - Number of person identified in data line <030>	585-777-4557
<039>	Contact Email Address - Email Address of person identified in data line <030>	cassandra.guinness@ftr.com

<810>	Reporting Carrier	Navajo Communications Company
<811>	Holding Company	Frontier Communications Corporation
<812>	Operating Company	Navajo Communications Company

<813>	<a1>	<a2>	<a3>
	Affiliates	**SAC**	**Doing Business As Company or Brand Designation**
	Frontier Comm. of Lakeside, Inc.	341011	Frontier Communications of Lakeside, Inc.
	Frontier Comm. of Mt. Pulaski	341061	Frontier Communications of Mt. Pulaski, Inc.
	Frontier Comm. of Orion, Inc.	341067	Frontier Communications of Orion, Inc.
	Frontier Comm. of Prairie, Inc.	341073	Frontier Communications - Prairie, Inc.
	Frontier Comm. of the Carolinas, Inc (IL-Alltel)	343035	Frontier Communications of the Carolinas Inc.
	Frontier Comm.-DePue, Inc.	340998	Frontier Communications of DePue, Inc.
	Frontier North, Inc (IL-GTE)	341015	Frontier North Inc.
	Frontier North, Inc. (IL-Contel)	341036	Frontier North Inc.
	Frontier Comm. of Indiana, Inc.	320750	Frontier Communications of Indiana LLC
	Frontier Comm. of Thorntown, Inc.	320828	Frontier Communications of Thorntown LLC
	Frontier Midstates, Inc (IN-Alltel)	323034	Frontier Midstates Inc.
	Frontier North, Inc (IN-Contel)	320779	Frontier North Inc.
	Frontier North, Inc (IN-GTE)	320772	Frontier North Inc.
	Frontier Comm. of Michigan, Inc.	310682	Frontier Communications of Michigan, Inc.
	Frontier Midstates, Inc (MI-Alltel)	313033	Frontier Midstates Inc.
	Frontier North, Inc (MI-GTE)	310695	Frontier North Inc.
	CTC Minnesota-Lakes	361123	Frontier Citizens Communications of Minnesota
	CTC Minnesota-South	367123	Frontier Citizens Communications of Minnesota
	Frontier Comm. of Minnesota, Inc.	361367	Frontier Communications of Minnesota, Inc.
	Frontier Comm. of Mississippi	280460	Frontier Communications of Mississippi LLC
	CTC Montana	484322	Frontier Communications of Montana
	Frontier Comm. of the Carolinas, Inc (NC-Contel)	230509	Frontier Communications of the Carolinas Inc.
	Frontier Comm. of the Carolinas, Inc (NC-GTE)	230479	Frontier Communications of the Carolinas Inc.

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<813>

<a1>	<a2>	<a3>
Affiliates	**SAC**	**Doing Business As Company or Brand Designation**
CTC Nebraska	371128	Frontier Communications of Nebraska
Navajo Comm - New Mexico	494449	Frontier Navajo Communications / Frontier Navajo Communications Company
CTC of Nevada - North	554431	Fronter Communications of Nevada
CTC of Nevada - South	554432	Fronter Communications of Nevada
Frontier Comm. of the Southwest, Inc (NV-Contel)	552302	Frontier Communications of the Southwest Inc.
CTC of NY - Red Hook	154533	Frontier Communications of New York
CTC of NY - Upstate	154532	Frontier Communications of New York
CTC of NY - Western Counties	154534	Frontier Communications of New York
CTC Ogden, Inc.	150110	Frontier Ogden Telephone Company
Frontier Comm. of New York	150100	Frontier Communications of New York, Inc.
Frontier Comm. of Sylvan Lake	150128	Frontier Communications of Sylvan Lake, Inc.
Frontier Comm.-Ausable Valley	150072	Frontier Communications of AuSable Valley, Inc.
Frontier Comm.-Seneca Gorham	150122	Frontier Communications of Seneca-Gorham, Inc.
Frontier Telephone of Rochester	150121	Frontier Telephone of Rochester, Inc.
Frontier North, Inc (OH-GTE)	300615	Frontier North Inc.
Frontier of Michigan, Inc. - Ohio	300682	Frontier Communications of Michigan, Inc.
CTC Oregon	533401	Frontier Communications of Oregon
Frontier Comm. Northwest, Inc (OR-GTE)	532416	Frontier Communications Northwest Inc.
Commonwealth of PA	170161	Frontier Communications Commonwealth Telephone Company
Frontier Comm. of Breezewood	170149	Frontier Communications of Breezewood, LLC
Frontier Comm. of Canton, Inc.	170152	Frontier Communications of Canton, LLC
Frontier Comm. of Oswayo River	170194	Frontier Communications of Oswayo River LLC
Frontier Comm. of Pennsylvania	170168	Frontier Communications of Pennsylvania, LLC

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	Affiliates	**SAC**	**Doing Business As Company or Brand Designation**
	Frontier Comm.of Lakewood, Inc	170178	Frontier Communications of Lakewood, LLC
	Frontier Comm. of the Carolinas, Inc (SC-Contel)	240526	Frontier Communications of the Carolinas Inc.
	Frontier Comm. of the Carolinas, Inc (SC-GTE)	240479	Frontier Communications of the Carolinas Inc.
	CTC Tennessee	294336	Frontier Communications of Tennessee
	CTC Volunteer State	290580	Frontier Communications of the Volunteer State
	CTC Utah	504429	Frontier Communications of Utah
	Navajo Comm - Utah	504449	Frontier Navajo Communications / Frontier Navajo Communications Company
	Frontier Comm. Northwest, Inc (WA-Contel)	522449	Frontier Communications Northwest Inc.
	Frontier Comm. Northwest, Inc (WA-GTE)	522416	Frontier Communications Northwest Inc.
	Frontier Comm of St. Croix	330944	Frontier Communications - St. Croix LLC
	Frontier Comm. of Mondovi, Inc.	330912	Frontier Communications of Mondovi LLC
	Frontier Comm. of Viroqua, Inc.	330967	Frontier Communications of Viroqua LLC
	Frontier Comm. of Wisconsin, Inc.	330964	Frontier Communications of Wisconsin LLC
	Frontier North, Inc (WI-GTE)	330886	Frontier North Inc.
	Rhinelander Telco - Crandon	330870	Frontier Rhinelander Telephone Company
	Rhinelander Telco - Headwaters	330891	Frontier Rhinelander Telephone Company
	Rhinelander Telco - Rhinelander	330940	Frontier Rhinelander Telephone Company
	Rhinelander Telco - Rib Lake	330941	Rib Lake Telecom, Inc.
	CTC West Virginia - Bluefield	204339	Frontier Communications of West Virginia
	CTC West Virginia - Mountain St.	200271	Frontier Communications of West Virginia
	CTC West Virginia - St. Marys	204338	Frontier Communications of West Virginia
	Frontier West Virginia, Inc	205050	Frontier West Virginia Inc.
	C-DON Partnership		C-DON Partnership

(800) Operating Companies Data Collection Form	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013

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<813>	<a1>	<a2>	<a3>
	Affiliates	**SAC**	**Doing Business As Company or Brand Designation**
	Citizens Capital Ventures Corp.		Citizens Capital Ventures Corp.
	Citizens Directory Services Company L.L.C.		Citizens Directory Services Company L.L.C.
	Citizens Louisiana Accounting Company		Citizens Louisiana Accounting Company
	Citizens NEWCOM Company		Citizens NEWCOM Company
	Citizens NEWTEL, LLC		Citizens NEWTEL, LLC
	Citizens Pennsylvania Company LLC		Citizens Pennsylvania Company LLC
	Citizens SERP Administration Company		Citizens SERP Administration Company
	Citizens Telecom Services Company L.L.C.		Citizens Telecom Services Company L.L.C.
	Citizens Telecommunications Company of Nebraska		Citizens Communications Company of Nebraska
	Citizens Utilities Capital L.P.		Citizens Utilities Capital L.P.
	Commonwealth Communication, LLC		Commonwealth Communication, LLC
	Commonwealth Telephone Enterprises LLC		Commonwealth Telephone Enterprises LLC
	Commonwealth Telephone Enterprises, LLC		Commonwealth Telephone Enterprises, LLC
	Commonwealth Telephone Management Services, Inc.		Commonwealth Telephone Management Services, Inc.
	CTE Holdings, Inc.		CTE Holdings, Inc.
	CTE Services, Inc.		CTE Services, Inc.
	CTE Telecom, LLC		Frontier Communications CTE Telecom Company
	CTSI, LLC		Frontier Communications CTSI Company
	CU Capital LLC		CU Capital LLC
	CU Wireless Company LLC		CU Wireless Company LLC
	Electric Lightwave NY, LLC		Electric Lightwave NY, LLC
	Evans Telephone Holdings, Inc.		Evans Telephone Holdings, Inc.
	Fairmount Cellular LLC		Fairmount Cellular LLC

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<a1>	<a2>	<a3>
Affiliates	**SAC**	**Doing Business As Company or Brand Designation**
Frontier Communications Corporate Services Inc.		Frontier Communications Corporate Services Inc.
Frontier Communications Corporation		Frontier Communications Corporation
Frontier Communications ILEC Holdings Inc.		Frontier Communications ILEC Holdings Inc.
Frontier Communications of America, Inc.		Frontier Communications of America, Inc.
Frontier Communications of Rochester, Inc.		Frontier Communications of Rochester, Inc.
Frontier Communications Online and Long Distance Inc.		Frontier Communications Online and Long Distance Inc.
Frontier Communications Services Inc.		Frontier Communications Services Inc.
Frontier Directory Services Company, LLC		Frontier Directory Services Company, LLC
Frontier InfoServices Inc.		Frontier InfoServices Inc.
Frontier Mobile LLC		Frontier Mobile LLC
Frontier Security Company		Frontier Security Company
Frontier Subsidiary Telco LLC		Frontier Subsidiary Telco LLC
Frontier TechServ, Inc.		Frontier TechServ, Inc.
GVN Services		GVN Services
Mohave Cellular Limited Partnership		Mohave Cellular Limited Partnership
NCC Systems, Inc.		NCC Systems, Inc.
Phone Trends, Inc.		Phone Trends, Inc.
Rhinelander Telecommunications, LLC		Rhinelander Telecommunications, LLC
Rib Lake Cellular for Wisconsin RSA#3, Inc.		Rib Lake Cellular for Wisconsin RSA#3, Inc.

Line 920 – Tribal Government Engagement Obligation

During the months of October and November of 2012, the company contacted the respective tribal leader for each Tribal Land indentified on line 910 by mailing via, U.S. Postal Service, Certified Mail an Annual Tribal Government Engagement letter, which is included as Attachment "A". The letter also included a copy of the Public Notice, released July, 19, 2012 by the Office of Native Affairs and Policy, Wireless Telecommunications Bureau and Wireline Competition Bureau which provided further guidance on the Tribal engagement obligation.

In addition, the company's local general manager or representative responsible for making decisions contacted each tribal leader via telephone or, in some cases, in person to initiate on-going discussions to address the Tribal engagement obligations.

831 E. Hall Street
Show Low, AZ 85901

October 17, 2012

President Ben Shelly
Navajo Nation, Arizona, New Mexico and Utah
P.O. Box 7440
Window Rock, AZ 86515

RE: Annual Tribal Government Engagement

Dear President Shelly:

In November 2011 the Federal Communications Commission (FCC) issued its *USF/ICC Transformation Order* reforming the federal Universal Service Fund (USF) and intercarrier compensation system.[1] As part of the *USF/ICC Transformation Order*, the FCC adopted a Tribal government engagement requirement for all eligible telecommunications carriers that are currently serving or are seeking to serve tribal lands.[2] The Tribal government engagement requirement is intended to benefit Tribal government leaders, communication service providers and consumers living on Tribal lands, ultimately providing greater connectivity to 21st century economic opportunities, education, health care and public safety.

Enclosed is a copy of the Public Notice released July 19, 2012, by the FCC's Office of Native Affairs and Policy, which provides further guidance on the Tribal government engagement obligations.

At your earliest convenience, I would appreciate hearing from you in order to schedule a meeting and begin discussing these important issues which are vitally important to the successful deployment and provision of communication services on Tribal lands.

Sincerely,

Mark K. Jeffries

Mark Jeffries
General Manager

Telephone: 928-537-6660
Email: Mark.jeffries@ftr.com

Attachments

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[1] *See Connect America Fund, et al.*, W.C. Docket. No. 10-90 *et al.*, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd. 17663, FCC 11-161 (rel. November. 18, 2011).
[2] *See id.*, at para. 637.

PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: http://www.fcc.gov
TTY: 1-888-835-5322

DA 12-1165
Released: July 19, 2012

OFFICE OF NATIVE AFFAIRS AND POLICY, WIRELESS TELECOMMUNICATIONS BUREAU, AND WIRELINE COMPETITION BUREAU ISSUE FURTHER GUIDANCE ON TRIBAL GOVERNMENT ENGAGEMENT OBLIGATION PROVISIONS OF THE CONNECT AMERICA FUND

WC Docket Nos. 10-90, 07-135, 05-337, 03-109
CC Docket Nos. 01-92, 96-45
WT Docket No. 10-208
GN Docket No. 09-51

I. INTRODUCTION AND SUMMARY

1. By this Public Notice, the Federal Communications Commission's (FCC or Commission) Office of Native Affairs and Policy (ONAP), in coordination with the Wireless Telecommunications and Wireline Competition Bureaus (the Bureaus), provides further guidance on the Tribal engagement obligation adopted in the *USF/ICC Transformation Order*.[1] This document is intended to facilitate the required discussions between Tribal government officials and communications providers either currently providing or seeking to provide service on Tribal lands with the use of Universal Service Fund (USF) support.[2]

2. The broad goal of the guidance provided today, and future efforts to establish best practices, is to ensure the effective exchange of information that will lead to a common understanding between Tribal governments and communications providers receiving USF support, on the deployment and improvement of communications services on Tribal lands. The Tribal engagement obligation is intended to benefit Tribal government leaders, service providers, and consumers living on Tribal lands, ultimately providing greater connectivity to 21st century economic opportunities, education, health care, and public safety. This obligation is related to the very essence of universal service – facilitating and supporting connectivity to and from the most remote areas of our nation inures to the benefit of all. Requiring Tribal engagement is intended to begin and, in some cases, to strengthen, the dialogue between communications providers and Tribal governments. We anticipate that genuine dialogue and common understandings will ultimately lead to improvement of communications services on Tribal lands.

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[1] *See Connect America Fund*, WC Docket No. 10-90 *et al.*, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC 17663 at 17868-69, para. 637 (2011) (*USF/ICC Transformation Order*); *pets. for review pending sub nom. In re: FCC 11-161*, No. 11-9900 (10th Cir. filed Dec. 18, 2011).

[2] *See id.* In the context of the *USF/ICC Transformation Order*, "Tribal lands" is defined as "any federally recognized Indian tribe's reservation, pueblo or colony, including former reservations in Oklahoma, Alaska Native regions established pursuant to the Alaska Native Claims Settlements [sic] Act (85 Stat. 688), and Indian Allotments, *see* 47 C.F.R. § 54.400(e), as well as Hawaiian Home Lands—areas held in trust for native Hawaiians by the state of Hawaii, pursuant to the Hawaiian Homes Commission Act, 1920, Act July 9, 1921, 42 Stat. 108, *et seq.*, as amended." *Id.* at para. 125, n.197.

3. Good guidance, by definition, must include assistance on how to undertake an endeavor with an aim towards success. Any attempt at actual and meaningful dialogue must be predicated on the genuineness of the intent on both sides. This engagement cannot be viewed as simply another "check the box" requirement by either party. In many places, we expect that there are good and productive relationships between communications providers and Tribal Nations. To the extent that there might be existing differences, however, the parties should put aside those differences for the purposes of this engagement. This engagement process should not be approached as an adversarial undertaking. Instead, Tribal governments and carriers should take advantage of the engagement to improve communications and foster a greater common understanding of the factors necessary to deploy and sustain services on Tribal lands, as well as an honest dialogue to learn from one another what factors would lead to success in those endeavors. In all cases, a high degree of receptivity and responsiveness is necessary to achieve meaningful dialogue, as well as confidence in the reliability of information exchanged. Candid and sincere dialogue on both sides will minimize the possibility that unreasonable expectations by either party will derail common understandings and genuine solutions.

4. Creating a substantive, meaningful dialogue is an iterative process, one which, in certain regions, is at its earliest stages of development. In a similar sense, the further guidance contained in this Public Notice represents the first step in the Commission's implementation of the Tribal engagement obligation. We recognize that priorities and plans of individual Tribal governments and individual service providers can vary greatly, as do the existing relationships between Tribal governments and carriers currently serving Tribal lands. Therefore, there is no one size fits all guidance that can be provided that will be universally applicable. As a result, the guidance provided herein is somewhat general in nature at this stage, but we anticipate that our guidance, as well as the development of best practices, will evolve over time based on initial implementation experiences and the feedback of both Tribal governments and communications providers.

5. ONAP, in coordination with the Bureaus, will track and monitor this feedback and will develop further guidance in the form of best practices based on actual experiences.[3] In an effort to further facilitate engagement efforts at this initial stage, ONAP will employ training and industry meeting opportunities, as well as its coordination events with Tribal Nations. These efforts will include, for example, working with national and regional communications industry associations and national and regional inter-Tribal government associations and organizations.[4] ONAP will focus particular efforts -- for example, by identifying commonalities, increasing efficiencies, building upon current working relationships, and engaging all regional stakeholders, as appropriate -- to foster engagement in states and regions in which Tribes and providers are particularly remote and in which Tribes are particularly numerous.[5] ONAP, in coordination with the Bureaus, will continue to serve as a resource for Tribal governments and communications providers and is always available for individually tailored assistance.

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[3] *See id.* at para. 637, n.1054 (directing ONAP, in coordination with the Bureaus, to develop best practices).

[4] *See* Letter from the Hon. Mark Begich, United States Senator, State of Alaska; the Hon. Lisa Murkowski, United States Senator, State of Alaska; and the Hon. Don Young, United States Congressman, State of Alaska, to the Hon. Julius Genachowski , Chairman, FCC, dated Feb. 22, 2012 ("[W]e request that you work with the tribal groups, carriers and the State of Alaska to clarify the tribal consultation requirements included in the reform order"). *See also* Letter of Becky Hultberg, Commissioner, Department of Administration, State of Alaska, to the Hon. Julius Genachowski, Chairman, FCC, dated February 17, 2012.

[5] For example, there are 229 federally recognized Tribes in Alaska, 108 in California, 38 in Oklahoma, 23 in New Mexico, and 21 in Arizona. *See* Federal Register Notice – Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs, 75 Fed. Reg. 60,810 (Oct. 1, 2010). *See also* Supplemental Federal Register Notice – Indian Entities 1 Page Recognized and Eligible to Receive Services from the United State Bureau of Indian Affairs, 75 Fed. Reg. 66,124 (Oct. 27, 2010).

II. BACKGROUND

6. In the *USF/ICC Transformation Order*, the Commission adopted a Tribal engagement requirement for all eligible telecommunications carriers (ETCs) either currently serving or seeking to serve Tribal lands.[6] The Commission agreed with commenters that engagement between Tribal governments and communications providers is vitally important to the successful deployment of and provision of service on Tribal lands.[7]

7. The Commission therefore required, at a minimum, that ETCs demonstrate on an annual basis that they have meaningfully engaged with Tribal governments in their universal service supported areas.[8] At a minimum, the *USF/ICC Order* stated that such discussions must include: (1) a needs assessment and deployment planning with a focus on Tribal community anchor institutions; (2) feasibility and sustainability planning; (3) marketing services in a culturally sensitive manner; (4) rights of way processes, land use permitting, facilities siting, environmental and cultural preservation review processes; and (5) compliance with Tribal business and licensing requirements.[9] Failure to satisfy the Tribal engagement obligation will subject ETCs to financial consequences, including potential reduction in universal service support should they fail to fulfill their engagement obligations.[10]

8. In requiring Tribal engagement, the Commission did not intend to supplant its own ongoing obligation to consult with Tribes on a government-to-government basis, but instead recognized the important role that all parties play in expediting communications service to Tribal lands throughout the nation, including in Alaska and Hawaii.[11] ETCs will be required to submit to the Commission and appropriate Tribal government officials an annual certification and summary of their compliance with the Tribal government engagement obligation as part of the new Connect America Fund reporting requirements.[12] The Commission defined appropriate Tribal government officials as elected or duly authorized government officials of federally recognized American Indian Tribes and Alaska Native Villages.[13] For Hawaiian Home Lands, this engagement must occur with the State of Hawaii Department of Hawaiian Home Lands and the Office of Hawaiian Affairs.[14] The Commission delegated to ONAP, in coordination with the Bureaus, the authority to develop specific procedures regarding the Tribal

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[6] *See USF/ICC Transformation Order,* 26 FCC Rcd at 17868-69, para. 637.

[7] *Id.* Mobility Fund and Tribal Mobility Fund Phase I winning bidders will be required to comply with this Tribal engagement obligation at the long-form application stage, in annual reports, and prior to any disbursement of support. *Id.* at para. 489. We note, however, that any such engagement must be done consistent with our auction rules prohibiting certain communications during the competitive bidding process. *Id.* at para. 810. In the *Further Notice of Proposed Rulemaking*, the Commission proposed to apply the same Tribal engagement obligation to Phase II of the general and Tribal Mobility Funds and sought comment on that proposal. *Id.* at para. 1166.

[8] *Id.* at para. 637. *See also* 47 C.F.R. §§ 54.313(a)(9), 54.1004(d), 54.1009.

[9] *Id.*

[10] *See USF/ICC Transformation Order,* 26 FCC Rcd at 17868-69, para. 637.

[11] *Id.*

[12] *Id. See also id.* at para. 575 ("Under this uniform framework, ETCs will provide annual reports and certifications regarding specific aspects of their compliance with public interest obligations to the Commission, USAC [the Universal Service Administrative Company], and the relevant state commission, relevant authority in a U.S. Territory, or Tribal government, as appropriate by April 1 of each year.") *See generally id.* at paras. 576-606 (articulating specific reporting requirements). *See also Connect America Fund,* WC Docket No. 10-90 *et al.,* Order, 27 FCC Rcd 2142 at 2144-47, paras. 4-14 (2012) (*USF/ICC Clarification Order*) (revising and clarifying certain reporting obligations for recipients of Connect America Fund support).

[13] *USF/ICC Transformation Order,* 26 FCC Rcd at 17869, para. 637, n.1053.

[14] *Id.*

engagement process, as necessary.[15] The Commission also directed ONAP, in coordination with the Bureaus, to develop best practices regarding the Tribal engagement process to help facilitate these discussions.[16]

III. FURTHER GUIDANCE ON THE TRIBAL GOVERNMENT ENGAGEMENT OBLIGATION

A. Overview/General Guidance

9. As stated above, the purpose of this guidance is to ensure the effective exchange of information between Tribal governments and communications providers concerning the deployment and improvement of communications services on Tribal lands throughout the nation, including in Alaska and Hawaii. This exchange of information should foster new opportunities for genuine dialogue that could achieve an alignment of interests and goals. Between certain carriers and Tribal governments, this will be an opportunity for introduction and dialogue in the first instance. In other parts of the country, this will be an opportunity for a new depth of dialogue and more meaningful interaction. An important goal of this guidance is the achievement of a level of engagement between principals on both sides that represents collaborative discussions and actual live conversation.[17] We encourage stakeholders to go beyond merely perfunctory exchanges of basic documents, simplistic sales or marketing presentations, or one-dimensional lists of demands.

10. It is imperative that this dialogue be undertaken at a level within communications providers and Tribal governments that is commensurate with this important engagement requirement. The discourse should be between decision-makers on both sides. While it may be necessary to include administrative staff on both sides to administer and maintain the continuity of relations, this engagement cannot be merely between sales and marketing individuals on one side and administrative staff or advisors on the other. The perspectives on needs, expectations, priorities, and abilities that would formulate meaningful exchange often can come only from those with the requisite authority to make decisions.

11. On the Tribal government side, there are certain actions that should be taken to best prepare for this valuable engagement. It is important for Tribal leaders to recognize and act upon this opportunity to become organized, maintain continuity, and provide for certainty in conveying their communications needs and priorities. The Commission has long recognized the right of sovereign Tribal governments "to set their own communications priorities and goals for the welfare of their membership."[18] This is a critical time for Tribal Nations to update and make comprehensive their communications priorities and goals. Tribal governments should consider all community needs that would be supported by communications services. These might include, but are not limited to, anchor institutions, economic development, education, healthcare, and public safety. Each Tribal Nation has unique elements to its communications needs and priorities, but effectively articulating those needs is a critical first step in addressing them.

12. As Tribal government administrations change and develop, this is an important opportunity to demonstrate, both to communications providers and to the Commission, their continuity in communications priorities and goals. Certain Tribal governments have created their own governmental

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[15] *Id.* Although our focus here is on providing guidance, the Commission thus will consider the need for further guidance, or to clarify the existing rules regarding Tribal engagement or pursue new rules with specific procedures, if warranted in the future based on actual experiences and outcomes resulting from this guidance.

[16] *Id.* at n.1054.

[17] For example, engagement may occur when necessary by phone or video conference where extreme weather conditions and/or extreme remoteness are present.

[18] Statement of Policy on Establishing a Government-to-Government Relationship with Indian Tribes, 16 FCC Rcd 4078, 4080-81 (2000) (*Tribal Policy Statement*).

offices and commissions to interact with the FCC and communications providers. Others have designated key members of their Tribal Councils to lead their communications prerogatives for their governments, in effect creating communications committees on their Councils. Other Tribes have yet to organize their governmental or administrative systems with respect to communications services. This engagement obligation necessitates a level of organization within the Tribal government that can convey both a high degree of certainty in the communications priorities of the Tribal Nation and maintain the continuity of those priorities to the greatest extent possible in a governmental environment that, by definition, changes over time. Updating Tribal communications priorities and goals, and ensuring the establishment of effective organizational structures concerning communications issues, are important first steps. However, ETCs must begin the Tribal engagement process this year to be able to report on meaningful engagement by July 1, 2013.[19] Therefore, Tribal governments may need to take interim measures in the short term as they consider establishing new or modified communications goals and priorities.

13. Tribal Nations also should immediately begin preparations to receive, record, and process this engagement dialogue and any related correspondence. Specific efforts should be made to chronicle details of engagement dialogue sessions. Recordkeeping should be established for documentation of the initial contact, any follow-up communications, and the resulting annual certification documentation. Records should include, for example, a summary of all verbal interactions as well as copies of all electronic and hard copy communications.[20]

14. Similarly, communications providers should take immediate steps to prepare for and initiate engagement with the Tribal governments whose lands they serve. Certifications articulating the steps taken to comply with the annual Tribal engagement obligation in 2012 are due on July 1, 2013 and each year thereafter.[21] That is, the Tribal engagement obligation must be fulfilled by the end of each calendar year. Communications providers should, for example, take immediate steps to establish a lead and/or a team within their companies and to identify the appropriate Tribal government leaders with whom they will initiate the engagement process. The National Congress of American Indians (NCAI)[22] maintains a routinely updated and comprehensive directory of American Indian Tribal and Alaska Native Village government leaders, addresses, and telephone numbers. The NCAI Tribal directory can be sorted by geographical area and can be found at http://www.ncai.org/tribal-directory.[23] Where needed, ONAP also will serve as a resource for communications providers and Tribal governments.

15. In addition, communications providers should retain copies of all communications with Tribal leaders they would need in order to demonstrate compliance with their annual certification requirement. In the event that a Tribal government does not respond to repeated efforts to engage, the provider should document all attempts at engagement and certify to that effect. As with the entire engagement process, reasonableness should prevail. As a general matter, we expect that a provider would not be penalized for a failure to respond on the part of a Tribal Nation, if the provider can demonstrate repeated good faith efforts to meaningfully engage with the Tribal government.

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[19] *See Connect America Fund*, WC Docket No. 10-90 *et al.*, Third Order on Reconsideration, FCC 12-52 at para. 10 (rel. May 14, 2012) (*Third Reconsideration Order*) (changing the filing deadline from April 1 to July 1).

[20] For example, all ETCs receiving high-cost are now subject to a 10-year document retention requirement. *See USF/ICC Transformation Order*, 26 FCC Rcd at 17864, para. 620. *See also Third Reconsideration Order*, FCC 12-52 at para. 14.

[21] *See Third Reconsideration Order*, FCC 12-52 at para. 10. *See also* 47 C.F.R. §§ 54.313, 54.1009..

[22] NCAI is the nation's oldest, largest, and most representative inter-Tribal government and communities organization, representing American Indian Tribes and Alaska Native Villages.

[23] For a listing of all federally recognized American Indian Tribes and Alaska Native Villages, *see* www.bia.gov/cs/groups/xofa/documents/document/idc012038.pdf. ONAP, in coordination with the Bureaus, will endeavor to provide additional resources to Tribal governments and carriers to help facilitate this engagement, including the possibility of using the Commission's website as a repository of information.

B. Needs Assessment and Deployment Planning

16. Tribal governments play a vital role in identifying and serving the needs and interests of their local communities, often in remote, insular, cyclically impoverished communities with a historic lack of critical infrastructure. Tribal government leaders are intimately acquainted with their members' needs and have valuable insight into how to meet them. "Tribal-centric" business models – those that actively engage the Tribe, its core community institutions, and members in deployment and adoption planning – have a greater chance of establishing sustainable services on Tribal lands.[24] Communications providers also have experience and a valuable perspective on the challenges, economics, and other realities of providing service to remote, low-income, and underserved regions of the country, including certain Tribal lands.

17. The Tribal engagement obligation provides Tribal governments and communications providers alike with a new opportunity – the opportunity to have a genuine conversation about communications needs and deployment planning on Tribal lands. When telephone service was originally deployed, there was no such obligation and, as a result, in many instances, Tribal needs and carrier deployment efforts were not aligned. The Tribal engagement obligation affords both Tribal governments and communications providers the opportunity to move forward with a shared vision. This will only occur, however, if Tribal governments and communications providers alike take advantage of this historic opportunity to improve the communications landscape on Tribal lands.

18. To that end, Tribal governments should come to the table with a serious, well-thought out assessment of the Tribes' communications needs. Issues that Tribal governments should consider include, for example, the Tribe's communications goals, needs, and priorities, as well as what the Tribe intends to do with communications services (e.g., provide connectivity to those living on Tribal lands, encourage economic opportunity). Tribal governments should also assess what core community or anchor institutions are central to deployment, and what in the nature and operations of these institutions is relevant to the need for communications services. In addition, Tribal governments should consider whether there are economic factors and possibly Tribally-driven opportunities that will assist in making the business case for deployment on Tribal lands, as well as opportunities where Tribal governments and communications providers can partner. In analyzing and discussing communications goals, needs, and priorities, Tribal governments should note that recipients of Connect America Fund (CAF) support, including the Mobility Fund, are subject to public interest obligations, as established in the *USF/ICC Transformation Order*.[25]

19. Similarly, communications providers should come to the table ready to articulate their deployment priorities, the process by which they arrived at these priorities, and their initial plans for deployment on Tribal lands. Issues that communications providers should be prepared to discuss include, for example, the services they currently deploy, and what services they intend to deploy, on Tribal lands. Providers should also be prepared to discuss their timelines for the provision of services not currently available on Tribal lands, as well as their priorities in terms of service and the factors that led them to prioritize deployment to particular areas. Communications providers should also identify any opportunities they envision to partner with Tribal governments.

C. Feasibility and Sustainability Planning

20. Feasibility and sustainability planning for communications services on Tribal lands presents issues of concern for both Tribal governments and communications providers. Tribal governments generally want services rapidly deployed for their members to support the economic, educational, public safety, and health care opportunities that communications services afford. Communications providers

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[24] *See Improving Communications Services for Native Nations*, CG Docket No. 11-41, Notice of Inquiry, 26 FCC Rcd 2672, 2679-80, para. 12 (2011) (*Native Nations NOI*).

[25] *See USF/ICC Transformation Order*, 26 FCC Rcd at 17691-17709, paras. 74-114.

generally want business models that will be practical in terms of build out, and viable in terms of revenue flow and quality of service. While some commonalities likely exist, we believe there are many differences from one provider to another and from one Tribal government to another. The Tribal engagement obligation affords both parties the opportunity to share specific perspectives and information and to begin charting a path forward to address feasibility and sustainability in coordination with one another.

21. Tribal lands nationwide face some of the greatest challenges to the feasibility and sustainability of a 21st century communications infrastructure, including rugged and remote terrain and often endemic levels of poverty. Therefore, communications build out plans based purely on population density or proximity to other robust networks can face major cost benefit analysis challenges. Tribal government leaders, who are largely responsible for managing a wide array of government services and economic opportunities for their communities, are uniquely situated to advise communications providers of the specific challenges associated with deploying and sustaining a communications network on their lands. The Tribal engagement obligation will facilitate discussion between Tribal government leaders and communications providers, affording providers an important opportunity to draw upon the knowledge gained to inform and coordinate their feasibility and sustainability planning.

22. Tribal Nations should be prepared to discuss any additional resources they may bring to bear in feasibility and sustainability planning for communications services, because many federal grant or loan programs provide direct access to, or particular standing for, Tribal Nations and their entities. That is, there are federal government programs that support infrastructure deployment and support the economic, health, safety, and welfare missions in Native communities—the very same priorities for the deployment of robust communications networks on Tribal lands. For example, Tribes may be considering business ventures that would benefit from coordination on communications planning at the outset. Together, providers and Tribal Nations have the opportunity to discuss how to coordinate in planning, providing, and meeting the expenses for communications services on Tribal lands.

23. When addressing the issues of sustainability on Tribal lands, one must also calibrate expectations and develop an awareness of the unique nature of Tribal communities. Issues such as cyclical poverty, remoteness, and deployment priorities all inform the potential sustainability and ultimate profitability of a particular communications model on Tribal lands. That is, it can take a longer period of time to develop a sustainable enterprise on many Tribal lands. Increased coordination between Tribal governments and communications providers on specific elements of feasibility will heighten the chances of ultimate sustainability for communications business models on Tribal lands.

D. Marketing Services in a Culturally Sensitive Manner

24. As noted above, for the purposes of the USF/ICC proceeding and, therefore, the Tribal engagement obligation, Tribal lands are comprised of the lands of the approximately 566 federally recognized American Indian Tribes and Alaska Native Villages, as well as Hawaiian Home Lands.[26] Tribal lands represent a rich and diverse array of cultural heritage, history, practices, and pride. Outside the context of Tribally owned and operated providers, however, seldom have these cultural factors been fully considered in the marketing and deployment of communications services on Tribal lands. The Tribal engagement obligation provides Tribal governments and communications providers with the opportunity to discuss and explore ways in which they can coordinate or partner to ensure that services are marketed in a manner that will relate directly to the community, resonate with consumers, and stimulate increased adoption of services on Tribal lands.

25. Issues that Tribal governments and communications providers may wish to discuss include the tailoring of service offerings to the community through, for example, the feasibility of a local presence in the community. For example, locating a retail presence within a Tribal community and employing

[26] *See supra* n.2.

members of that community may increase awareness of and sensitivity to local cultural and communications needs. Providers and Tribal governments also may wish to discuss whether developing materials, separately or jointly, specific to the Tribal community would be beneficial to either the provider or consumers on Tribal lands. In addition, providers and Tribal governments also may wish to discuss what other elements of their respective organizations may need to be engaged. For Tribal governments, this may mean administrative planning, community service, and other governmental offices. For providers, this may mean customer service, technical assistance, and commercial business divisions. Through a heightened mutual understanding of one another's needs, we anticipate that Tribal governments and communications providers may discover opportunities for working together that will yield benefits to all. Studies indicate that these efforts present genuine opportunities for success, because where Native Nations and their community members have access to broadband, their rates of Internet use are on par with, if not higher than, national averages.[27]

E. Rights of Way and Other Permitting and Review Processes

26. There are numerous regulatory processes with which service providers must comply in order to provide communications services on Tribal lands, including rights of way, land use permitting, facilities siting, and environmental and cultural review processes.[28] Certain of these processes involve other federal agencies, such as the Department of Interior's Bureau of Indian Affairs (BIA), and failure to comply with these processes may result in a finding of trespass. Given the widely varying circumstances on different Tribal lands, a one size fits all approach is not appropriate here. Instead, in the context of the Tribal engagement obligation, the common goal for Tribal governments and communications providers should be one of greater mutual understanding about the relevant rights of way and other permitting and review processes on Tribal lands and a plan for informing communications providers of procedures in a helpful and instructive manner, designed to bring companies into compliance, where applicable.

27. To that end, Tribal governments and communications providers should come to the table prepared to discuss the relevant rights of way and other permitting and review processes, as well as the challenges associated with these processes. For example, with respect to the BIA's appraisal process for rights of way, dialogue that prioritizes early notification might expedite Tribal governments' consultations with BIA and consent.[29] Tribal governments should have a comprehensive list of all processes with which communications providers serving their Tribal lands are required to comply, such as rights of way, land use permitting, facilities siting, and environmental and cultural review processes. Communications providers should have documentation of any and all processes with which they currently comply. All of this information will provide the foundation for a substantive discussion of all requirements and steps for moving forward together.

F. Compliance with Tribal Business and Licensing Requirements

28. As sovereign institutions, Tribal governments have the authority to impose Tribal business and licensing requirements on all entities doing business on their lands. While the type and form of requirements may vary greatly from one Tribal land to another, 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 Tribe, Tribal members, or Tribal lands. The form of these licenses vary greatly, including certificates of public convenience and necessity, Tribal business licenses, master licenses, and other related forms of Tribal government

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[27] *See* Traci L. Morris Ph.D., Native Public Media and Sascha D. Meinrath, New America Foundation, NEW MEDIA, TECHNOLOGY AND INDIAN USE IN INDIAN COUNTRY: QUANTITATIVE AND QUALITATIVE ANALYSES (Nov. 19, 2009) (*NPM/NAF New Media Study*).

[28] *See USF/ICC Transformation Order*, 26 FCC Rcd at 17868-69, para. 637.

[29] *See generally* 25 C.F.R. Part 169 – Rights-of-Way Over Indian Lands.

licensure.[30]

29. As part of the Tribal engagement obligation, Tribal governments and communications providers should come to the table prepared to discuss in detail the relevant Tribal business and licensing requirements. Tribal governments should have a comprehensive list of any such requirements applicable to the provision of communications services. They should be prepared to provide an explanation of precisely what all such requirements entail, including specific application procedures and timeframes, as well as the governmental offices involved in the licensing process. Communications providers should be prepared to provide evidence of compliance with any Tribal business practice licenses with which they currently comply for that Tribe. Consistent with the discussion above regarding rights of way and other permitting and review processes, the common goal here should be one of greater mutual understanding about the relevant Tribal business licensing requirements and a plan for bringing companies into compliance, where applicable.

IV. CONCLUSION

30. In conclusion, the Tribal engagement obligation represents an opportunity for Tribal governments and communications providers to coordinate on many issues critical to the deployment and adoption of communications technologies on Tribal lands. As discussed in the introduction, this guidance represents the first step in an iterative process. That is, this guidance will evolve over time based on initial experiences and feedback from Tribal governments and communications providers. In an effort to identify commonalities, increase efficiencies, and build upon current working relationships, ONAP will engage all regional stakeholders, as appropriate, and will respond to needs articulated by communications providers and Tribal governments.

V. CONTACTS

31. For further information concerning this guidance, contact the offices listed below:

Office of Native Affairs and Policy
Geoffrey Blackwell at (202) 418-3629
Irene Flannery at (202) 418-1307

Wireless Telecommunications Bureau
Sue McNeil at (202) 418-7619

Wireline Competition Bureau
Joseph Cavender at (202) 418-1548

- FCC -

[30] *See USF/ICC Transformation Order,* 26 FCC Rcd at 17868-69, para. 637, n.1052.

Line 1210 – Terms and Conditions of Voice Telephony Lifeline Plans

EXCHANGE TELEPHONE SERVICE

RATES

Access Line Service

	Monthly Rate	
Business		
PBX Trunks	$86.60	
Key Lines	69.30	
One Party	53.95	
Two Party*	43.25	
Four Party	38.15	
Eight Party*	38.15	
Customer Owned		
Coin Telephone	51.95	
Customer Owned Coin	2.15	
Supervision \ Transmission		
Centrex #	#	
Residence		
One Party	$15.28	
Two Party*	12.25	
Four Party	10.45	
Eight Party*	10.45	
FCC Interstate Offset to End User Subscriber Line Charge (SLC)	(1)	
Federal Lifeline Support Credit (includes Federal End User Common Line Credit of $6.50 and remainder $2.75 credit covers basic service)	$9.25	(C) (C)

(1) Dollar amount is equal to the current Federal Subscriber Line Charge accessed by the Company.

* Limited to existing customers in existing locations
** Effective date to be determined by the FCC.
\# Centrex Service, Section 13

EXCHANGE TELEPHONE SERVICE

CONDITIONS

Access Line Service

1. Access Line Service is furnished with rotary service as the standard signaling arrangement. Rates for touch calling service are shown in Section 20.

2. The rates for access line service do not include a telephone set with the line.

3. Service Connection Charges for Access Lines are located in Section 15.

4. The utility shall provide Lifeline Telephone Service to any applicant that certifies under penalty of perjury that he or she has an income that is at or below 135% of the Federal Poverty guidelines, or receives benefits from one of the programs listed below, and identifies the program or programs from which he or she receives benefits. The qualifying low-income applicant also must agree to notify the utility when that applicant ceases to participate in the program or programs.

   - Medicaid;
   - Supplemental Nutrition Assistance Program;
   - Supplemental Security Income;
   - Federal Public Housing Assistance (Section 8); (C)
   - Low-Income Home Energy Assistance Program
   - National School Lunch Program's free lunch program (C)
   - Temporary Assistance to Needy Families (TANF)

   (N)

   The term "applicant" as used above refers to a head of household or person in whose name the property rental agreement resides. (D)

   The utility will have the right to verify that applicants meet the eligibility requirements directly with the state agency administering the qualifying programs.

5. Lifeline Telephone Service will be subject to the following restrictions:

   Applicants must be head of household or person in whose name the property or rental agreement resides.

   Service will only be provided to the applicant's principal residence.

   Applicants will only be allowed to subscribe to a single residential access line.

EXCHANGE TELEPHONE SERVICE

(N)

CONDITIONS (Continued)

Access Line Service (Continued)

5. Lifeline Telephone Service will be subject to the following restrictions: (Continued)

   Lifeline customers are charged the Residence access line rate plus the Federal Subscriber Line Charge, then receive the applicable Federal Lifeline discount on their Local bill.

   Optional toll blocking functionality is offered at no charge to Lifeline customers.

   Service charges will be waived for changing basic local exchange service to Lifeline service.

   For additional conditions for application of this service see:

   Deposits in Section 3.

   Service Charges in Section 15.

   Suspension of Service in Section 16.

(N)

EXCHANGE TELEPHONE SERVICE

CONDITIONS (Continued)

Access Line Service (Continued)

6. Enhanced Lifeline Service for Tribal Lands

A. Residential customers who reside on federally recognized tribal lands are eligible to receive additional enhanced federal Lifeline support in order to reduce the price for basic local telephone service. An individual living on tribal lands shall qualify for an additional enhanced federal Lifeline credit of up to $25.00 per month if the individual participates in any state or federal programs identified in Section 4, Sheet 2, or in one of the following assistance programs:

- Bureau of Indian Affairs General Assistance
- Tribally Administered Temporary Assistance for Needy Families
- Head Start (only those households meeting its income qualifying standard) (C)
- Food Distribution Program on Indian Reservations (FDPIR) (C)

B. If a resident of a federally recognized tribal land satisfies the state's Lifeline eligibility criteria as defined in Section 4, Sheet 2, the resident will receive the state support as well as the additional enhanced federal support. (C)
(C)

C. The additional enhanced federal credit will be available to Lifeline customers who reside on tribal lands in the following exchanges:

Tribe/Reservation	Exchange
Navajo	Shiprock, Sanostee, Toadlena, Newcomb, Naschitti, Navajo, Tohatchi, Crownpoint, Torreon, Tse Bonito, Twin Lakes, and Pueblo Pintado