



Your business is our business.

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REDACTED - FOR PUBLIC INSPECTION

DOCKET FILE COPY ORIGINAL

ACCEPTED/FILED

SEP 30 2013

Federal Communications Commission  
Office of the Secretary

September 30, 2013

**By Hand Delivery**

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

**Re: WC Docket No. 10-90, WC Docket No. 11-42  
2013 ETC Annual Report of Ellijay Telephone Company  
Study Area Code 220360**

Dear Ms. Dortch:

On behalf of Ellijay Telephone Company "Ellijay", JSI files the attached confidential and redacted versions of the FCC Form 481 ETC annual reporting information pursuant to sections 54.313 and 54.422 of the Commission's rules.<sup>1</sup> Ellijay seeks confidential treatment under Protective Order for section 54.313(f)(2) financial information.<sup>2</sup> The redacted version is also being filed this date via the FCC's Electronic Comment Filing System.

Please direct any questions regarding the filing to the undersigned.

Sincerely,

John Kuykendall  
JSI Vice President  
301-459-7590  
[jkuykendall@jsitel.com](mailto:jkuykendall@jsitel.com)

cc: Charles Tyler, Telecommunications Access Policy Division (two copies, confidential)

No. of Copies rec'd 0+3  
LRI / ABCDE

<sup>1</sup> 47 C.F.R. §§ 54.313, 54.422.

<sup>2</sup> *Connect America Fund et al.*, WC Docket No. 10-90 *et al.*, Protective Order, DA 12-1857 rel. Nov. 16, 2012 (Protective Order). 47 C.F.R. § 54.313(f)(2).

Echelon Building II, Suite 200  
9430 Research Blvd., Austin, TX 78759  
phone: 512-338-0473, fax: 512-346-0822

Eagandale Corporate Center, Suite 310  
1380 Corporate Center Curve, Eagan, MN 55121  
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6849 Peachtree Dunwoody Road  
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phone: 770-569-2105, fax: 770-410-1608

547 South Oakview Lane  
Bountiful, UT 84010  
phone: 801-294-4576, fax: 801-294-512

<b>FCC Form 481 - Carrier Annual Reporting Data Collection Form</b>	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0619 July 2013
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ACCEPTED/FILED

<b>&lt;010&gt; Study Area Code</b>	220360	
<b>&lt;015&gt; Study Area Name</b>	ELLIJAY TEL CO	<b>SEP 30 2013</b>
<b>&lt;020&gt; Program Year</b>	2014	
<b>&lt;030&gt; Contact Name: Person USAC should contact with questions about this data</b>	Darrell Harper	<b>Federal Communications Commission Office of the Secretary</b>
<b>&lt;035&gt; Contact Telephone Number: Number of the person identified in data line &lt;030&gt;</b>	706-697-5519	
<b>&lt;039&gt; Contact Email Address: Email of the person identified in data line &lt;030&gt;</b>	darrellh@ellijay.com	

<b>ANNUAL REPORTING FOR ALL CARRIERS</b>	<b>54.313 Completion Required</b>	<b>54.422 Completion Required</b>
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			(check box when complete)	
<b>&lt;100&gt;</b>	Service Quality Improvement Reporting	<i>(complete attached worksheet)</i>	<input type="checkbox"/>	<input type="checkbox"/>
<b>&lt;200&gt;</b>	Outage Reporting (voice)	<i>(complete attached worksheet)</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>&lt;210&gt;</b>	<input checked="" type="checkbox"/> <-- check box if no outages to report			
<b>&lt;300&gt;</b>	Unfulfilled Service Requests (voice)	<input type="text" value="0"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>&lt;310&gt;</b>	Detail on Attempts (voice)	<i>(attach descriptive document)</i>	<input type="checkbox"/>	<input type="checkbox"/>
<b>&lt;320&gt;</b>	Unfulfilled Service Requests (broadband)		<input type="checkbox"/>	<input type="checkbox"/>
<b>&lt;330&gt;</b>	Detail on Attempts (broadband)	<i>(attach descriptive document)</i>	<input type="checkbox"/>	<input type="checkbox"/>
<b>&lt;400&gt;</b>	Number of Complaints per 1,000 customers (voice)		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>&lt;410&gt;</b>	Fixed	<input type="text" value="0.0"/>		
<b>&lt;420&gt;</b>	Mobile	<input type="text"/>		
<b>&lt;430&gt;</b>	Number of Complaints per 1,000 customers (broadband)		<input type="checkbox"/>	<input type="checkbox"/>
<b>&lt;440&gt;</b>	Fixed	<input type="text"/>		
<b>&lt;450&gt;</b>	Mobile	<input type="text"/>		
<b>&lt;500&gt;</b>	Service Quality Standards & Consumer Protection Rules Compliance	<i>(check to indicate certification)</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>&lt;510&gt;</b>	220360GA510	<i>(attached descriptive document)</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>&lt;600&gt;</b>	Functionality in Emergency Situations	<i>(check to indicate certification)</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>&lt;610&gt;</b>	220360GA610	<i>(attached descriptive document)</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>&lt;700&gt;</b>	Company Price Offerings (voice)	<i>(complete attached worksheet)</i>	<input type="checkbox"/>	<input type="checkbox"/>
<b>&lt;710&gt;</b>	Company Price Offerings (broadband)	<i>(complete attached worksheet)</i>	<input type="checkbox"/>	<input type="checkbox"/>
<b>&lt;800&gt;</b>	Operating Companies and Affiliates	<i>(complete attached worksheet)</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>&lt;900&gt;</b>	Tribal Land Offerings (Y/N)? <input type="radio"/> <input checked="" type="radio"/>	<i>(if yes, complete attached worksheet)</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>&lt;1000&gt;</b>	Voice Services Rate Comparability	<i>(check to indicate certification)</i>	<input type="checkbox"/>	<input type="checkbox"/>
<b>&lt;1010&gt;</b>		<i>(attach descriptive document)</i>	<input type="checkbox"/>	<input type="checkbox"/>
<b>&lt;1100&gt;</b>	Terrestrial Backhaul (Y/N)? <input checked="" type="radio"/> <input type="radio"/>	<i>(if not, check to indicate certification)</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>&lt;1110&gt;</b>		<i>(complete attached worksheet)</i>	<input type="checkbox"/>	<input type="checkbox"/>
<b>&lt;1200&gt;</b>	Terms and Condition for Lifeline Customers	<i>(complete attached worksheet)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Price Cap Carriers, Proceed to Price Cap Additional Documentation Worksheet**  
 Including Rate-of-Return Carriers affiliated with Price Cap Local Exchange Carriers

<b>&lt;2000&gt;</b>		<i>(check to indicate certification)</i>	<input type="checkbox"/>	<input type="checkbox"/>
<b>&lt;2005&gt;</b>		<i>(complete attached worksheet)</i>	<input type="checkbox"/>	<input type="checkbox"/>

**Rate of Return Carriers, Proceed to ROR Additional Documentation Worksheet**

<b>&lt;3000&gt;</b>		<i>(check to indicate certification)</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>&lt;3005&gt;</b>		<i>(complete attached worksheet)</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**(100) Service Quality Improvement Reporting  
Data Collection Form**

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

<010>	Study Area Code	220360
<015>	Study Area Name	ELLIJAY TEL CO
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Darrell Harper
<035>	Contact Telephone Number - Number of person identified in data line <030>	706-697-5519
<039>	Contact Email Address - Email Address of person identified in data line <030>	darrellh@ellijay.com

<110>	Has your company received its ETC certification from the FCC?	(yes / no )	<input type="radio"/>	<input checked="" type="radio"/>
<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 )	<input type="radio"/>	<input type="radio"/>

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.

<input type="checkbox"/>	<input type="checkbox"/>









**(900) Tribal Lands Reporting  
Data Collection Form**

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

<010>	Study Area Code	220360
<015>	Study Area Name	ELLIJAY TEL CO
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Darrell Harper
<035>	Contact Telephone Number - Number of person identified in data line <030>	706-697-5519
<039>	Contact Email Address - Email Address of person identified in data line <030>	darrellh@ellijay.com

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

<920> Tribal Government Engagement Obligation

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:

- <921> Needs assessment and deployment planning with a focus on Tribal community anchor institutions;
- <922> Feasibility and sustainability planning;
- <923> Marketing services in a culturally sensitive manner;
- <924> Compliance with Rights of way processes
- <925> Compliance with Land Use permitting requirements
- <926> Compliance with Facilities Siting rules
- <927> Compliance with Environmental Review processes
- <928> Compliance with Cultural Preservation review processes
- <929> Compliance with Tribal Business and Licensing requirements.

Select (Yes,No, NA)

**(1100) No Terrestrial Backhaul Reporting  
Data Collection Form**

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

<010>	Study Area Code	220360
<015>	Study Area Name	ELLIJAY TEL CO
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Darrell Harper
<035>	Contact Telephone Number - Number of person identified in data line <030>	706-697-5519
<039>	Contact Email Address - Email Address of person identified in data line <030>	darrellh@ellijay.com

<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)

<b>(1200) Terms and Condition for Lifeline Customers</b> <b>Lifeline</b> <b>Data Collection Form</b>	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<010>	Study Area Code	220360
<015>	Study Area Name	ELLIJAY TEL CO
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Darrell Harper
<035>	Contact Telephone Number - Number of person identified in data line <030>	706-697-5519
<039>	Contact Email Address - Email Address of person identified in data line <030>	darrellh@ellijay.com

<1210> Terms & Conditions of Voice Telephony Lifeline Plans 220360GA1210

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Name of attached document (.pdf)

<1220> Link to Public Website HTTP \_\_\_\_\_

"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.

<b>(2000) Price Cap Carrier Additional Documentation</b> <b>Data Collection Form</b> <i>Including Rate-of-Return Carriers affiliated with Price Cap Local Exchange Carriers</i>	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<b>&lt;010&gt;</b>	Study Area Code	220360
<b>&lt;015&gt;</b>	Study Area Name	ELLIJAY TEL CO
<b>&lt;020&gt;</b>	Program Year	2014
<b>&lt;030&gt;</b>	Contact Name - Person USAC should contact regarding this data	Darrell Harper
<b>&lt;035&gt;</b>	Contact Telephone Number - Number of person identified in data line <030>	706-697-5519
<b>&lt;039&gt;</b>	Contact Email Address - Email Address of person identified in data line <030>	darrellh@ellijay.com

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 \_\_\_\_\_

<b>(3000) Rate Of Return Carrier Additional Documentation</b> Data Collection Form	FCC Form 481 OMB Control No. 3060-0986/GMB Control No. 3060-0819 July 2013
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<010>	Study Area Code	220360
<015>	Study Area Name	ELLIJAY TEL CO
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Darrell Harper
<035>	Contact Telephone Number - Number of person identified in data line <030>	706-697-5519
<039>	Contact Email Address - Email Address of person identified in data line <030>	darrellh@ellijay.com

**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, 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.	Name of Attached Document Listing Required Information _____ <input style="width: 100px; height: 15px;" type="checkbox"/>	
(3012) Community Anchor Institutions (47 CFR § 54.313(f)(1)(ii)) (3013) Is your company a Privately Held ROR Carrier (47 CFR § 54.313(f)(2)) (3014) If yes, does your company file the RUS annual report 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 (3018) If the response is no on line 3014, Is your company audited? 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 _____ <input checked="" type="checkbox"/> (Yes/No) <input type="checkbox"/> (Yes/No)  <input type="checkbox"/> <input type="checkbox"/>  Name of Attached Document Listing Required Information _____ <input checked="" type="checkbox"/> (Yes/No)  <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>  Name of Attached Document Listing Required Information _____ 220360GA3026	

<b>Certification - Reporting Carrier Data Collection Form</b>	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<b>&lt;010&gt;</b>	<b>Study Area Code</b>	220360
<b>&lt;015&gt;</b>	<b>Study Area Name</b>	ELLIJAY TEL CO
<b>&lt;020&gt;</b>	<b>Program Year</b>	2014
<b>&lt;030&gt;</b>	<b>Contact Name - Person USAC should contact regarding this data</b>	Darrell Harper
<b>&lt;035&gt;</b>	<b>Contact Telephone Number - Number of person identified in data line &lt;030&gt;</b>	706-697-5519
<b>&lt;039&gt;</b>	<b>Contact Email Address - Email Address of person identified in data line &lt;030&gt;</b>	darrellh@ellijay.com

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

<b>Certification of Officer as to the Accuracy of the Data Reported for the Annual Reporting for CAF or LI Recipients</b>	
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:	
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.	

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

<010> Study Area Code	220360
<015> Study Area Name	ELLIJAY TEL CO
<020> Program Year	2014
<030> Contact Name - Person USAC should contact regarding this data	Darrell Harper
<035> Contact Telephone Number - Number of person identified in data line <030>	706-697-5519
<039> Contact Email Address - Email Address of person identified in data line <030>	darrellh@ellijay.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) <u>John Staurulakis, Inc.</u> 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:	John Staurulakis, Inc.
Name of Reporting Carrier:	ELLIJAY TEL CO
Signature of Authorized Officer:	CERTIFIED ONLINE Date: 09/23/2013
Printed name of Authorized Officer:	Cora Payne
Title or position of Authorized Officer:	Assistant Secretary
Telephone number of Authorized Officer:	706-276-2271
Study Area Code of Reporting Carrier:	220360 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.	

**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:	ELLIJAY TEL CO
Name of Authorized Agent or Employee of Agent:	John Staurulakis, Inc.
Signature of Authorized Agent or Employee of Agent:	CERTIFIED ONLINE Date: 09/23/2013
Printed name of Authorized Agent or Employee of Agent:	Bob Ragsdale
Title or position of Authorized Agent or Employee of Agent:	Manager - Regulatory Affairs
Telephone number of Authorized Agent or Employee of Agent:	770-569-2105
Study Area Code of Reporting Carrier:	220360 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.	

## Attachments



In establishing this certification in its *2005 ETC Order*,<sup>1</sup> the FCC found that an ETC must make “a specific commitment to objective measures to protect consumers.”<sup>2</sup> The Commission found that for wireless ETCs, compliance with CTIA’s Consumer Code for Wireless Service would satisfy this requirement” and that the sufficiency of other commitments would be considered on a case-by-case basis.<sup>3</sup> In this context, the FCC stated, “to the extent a wireline or wireless ETC applicant is subject to consumer protection obligations under state law, compliance with such laws may meet our requirement.”<sup>4</sup>

Ellijay Telephone Company, Inc. (“Ellijay”) hereby certifies that it is in compliance with applicable service quality standards and consumer protection rules. Ellijay is subject to consumer protection obligations under Georgia state law. These obligations include, but are not limited to, the following: (1) filing a Local Exchange Tariff pursuant to the requirements of the Rules of the Georgia Public Service Commission which discloses rates, and terms and conditions of service to customers (Chapter 515-12-1-.02(5)(a) and .04(5) of the Rules of the Georgia Public Service Commission); (2) adherence to state consumer protection requirements governing telephone providers which require Service Standards (Chapter 515-12-1-.17 and .18 of the Rules of the Georgia Public Service Commission); Customer Billing (Chapter 515-

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<sup>1</sup> *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, FCC 05-46 (rel. Mar. 17, 2005) (“*2005 ETC Order*”).

<sup>2</sup> *Id.* at para. 28.

<sup>3</sup> *Id.* The FCC noted that under the CTIA Consumer Code, wireless carriers agree to: “(1) disclose rates and terms of service to customers; (2) make available maps showing where service is generally available; (3) provide contract terms to customers and confirm changes in service; (4) allow a trial period for new service; (5) provide specific disclosures in advertising; (6) separately identify carrier charges from taxes on billing statements; (7) provide customers the right to terminate service for changes to contract terms; (8) provide ready access to customer service; (9) promptly respond to consumer inquiries and complaints received from government agencies; and (10) abide by policies for protection of consumer privacy.” *Id.* at n. 71.

<sup>4</sup> *Id.* at n. 72.

12-1-.04(4) of the Rules of the Georgia Public Service; and Customer Complaints (Chapter 515-12-1-.08 of the Rules of the Georgia Public Service Commission); (3) truth-in-billing requirements (Chapter 515-12-1-.04(4) of the Rules of the Georgia Public Service Commission); and (4) CPNI, Red Flag Rules and other applicable federal and state requirements governing the protection of customers' privacy.

Ellijay Telephone Company, Inc. (“Ellijay”) hereby certifies that it is able to function in emergency situations as set forth in 47 C.F.R. §54.202(a)(2)<sup>1</sup> and Chapter 515-12-1-.11(4) of the Rules of the Georgia Public Service Commission. Ellijay’s network is designed to remain functional in emergency situations without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations as required by 47 C.F.R. §54.202(a)(2) and Chapter 515-12-1-.11(4) of the Rules of the Georgia Public Service Commission. Ellijay can change call routing translations as needed to reroute traffic around damaged facilities. Changing call routing translations will also allow Ellijay to manage traffic spikes throughout its network, as emergency situations require.

Specifically, each central office building is supplied with standby generators and battery back-up that enable the central office to keep running until power is restored so long as fuel is available, or until system changes are made to reroute traffic. Ellijay has battery backup at all office locations and in its electronic equipment sites. Length of run time is determined by the equipment serving the area and the number of customers working out of the equipment. Generators are installed at all Central Office locations.

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<sup>1</sup> Section 54.202(a)(2) requires ETCs that are designated by the Commission to “demonstrate its ability to remain functional in emergency situations, including a demonstration that it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations.”

GENERAL SUBSCRIBER SERVICES TARIFF

Section B  
 Contents  
 Original Sheet 1

Ellijay Telephone Company

GENERAL REGULATIONS

	<u>Contents</u>	<u>Sheet No.</u>	
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GENERAL REGULATIONS

B.1 Application of Regulations

B.1.1 Authority

The regulations set forth herein apply to intrastate services and facilities furnished within the State of Georgia by Ellijay Telephone Company hereinafter referred to as the Company, subject to the jurisdiction of the Georgia Public Service Commission. When services and facilities are provided in part by the Company and in part by other companies, the regulations of the Company apply to that portion of the service or facilities furnished by it.

(N)

B.1.2 Capped Rates

Pursuant to Georgia Senate Bill 137, which was effective July 1, 1995, basic residence, single-line business rates as well as the Touchtone Calling services rates associated with these services, are capped for five years beginning November 15, 1995.. The rates for customers with more than one line (multi-line) are not capped. Accounts are classified as multi-line when an end user is provided more than one local exchange service in a state by the same Telephone Company.

(N)

(N)

B.2 Limitations and Use of Service

B.2.1 Use of Subscriber's Service

1. Telephone equipment and facilities are furnished for the use of the subscriber's employees, agents or representatives of the subscriber or members of the subscriber's domestic establishment except in connection with semipublic telephone service and except as the use of the service may be extended, in addition to other service which may be separately ordered, patrons of hospitals or of hotels, members of clubs, students living in quarters furnished by schools, colleges, or universities to persons temporarily subleasing a subscriber's residential premises, or to tenants living in retirement complexes.
2. Except as otherwise provided in this tariff, service furnished by the Company is intended only for communications in which the subscriber has a direct interest and shall not be used for any purpose for which a payment of other compensation shall be received by him from any other person, firm, or corporation for use, or in the collection, transmission or delivery of any communication for others. This prohibition shall not apply to a subscriber who is engaged as a communications common carrier for message telegraph communications.
3. In view of the fact that the subscriber has exclusive control of his communications over the facilities furnished him by the Company, and of the other uses for which facilities may be furnished him by the Company, and because of the unavailability of errors incident to the services and to the use of such facilities of the Company, the services and facilities furnished by the Company are subject to the terms, conditions, and limitations herein specified.

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GENERAL REGULATIONS

B.2 Limitations and Use of Service-Continued

B.2.1 Use of Subscriber's Service-Continued

4. Telephone equipment and facilities are for the use of the subscribers, employees, or representatives of the subscribers or authorized user of the Telephone Company, and are the property of the Telephone Company and furnished with the expressed understanding and conditions that such equipment, instruments, and lines, unless expressly provided in other sections of this tariff, must be installed, relocated and maintained by the Telephone Company and that the employees or agents of the Company may enter the premises at any reasonable hour to collect from coin boxes, to install, to inspect, or to make repairs and at the termination or cancellation of the service to remove equipment and lines.

(L)

(L)

B.2.2 Establishment of Identity

1. The calling party shall establish his identity in the course of any communication as often as may be necessary.
2. The calling party shall be solely responsible for establishing the identity of the person or station with whom connection is made at the called location.

(D)

B.2.4 Minimum Contract Period

1. Except as specified elsewhere in this Tariff, the minimum contract period is one month from the date service or additions to service are established and the minimum charge is the authorized rate for one month. For purposes of rate administration each month is considered to have 30 days.

(D)

GENERAL SUBSCRIBER SERVICES TARIFF

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GENERAL REGULATIONS

B.2 Limitations and Use of Service-Continued

B.2.4 Minimum Contract Period-Continued

2. The Company may require a contract period longer than one month at the same location in connection with special types or arrangements of equipment or for unusual construction necessary to meet specific demands for service.

B.2.5 Cancellation or Suspension of Service

1. The Company may without notice either suspend service or terminate the subscriber's contract without suspension of service or, following a suspension of service, disconnect the service and remove any of its equipment from the subscriber's premises upon:

(1) Abandonment of the Service

(2) Failure of a subscriber to make suitable deposit as required by this tariff.

(3) Impersonation of another with fraudulent intent.

(4) Use of service in such a way as to impair or interfere with the service of other subscribers; such improper use includes, but is not limited to, the use of telephone service by a subscriber or with his permission in connection with a plan or attempt to secure a large volume of telephone calls, to be directed to such subscriber at or about the same time which may result in preventing, obstructing, or delaying the telephone service of others.

(5) Abuse or fraudulent use of service; such abuse or fraudulent use includes:

(a) The use of service or facilities of the Company to transmit a message or to locate a person or otherwise to give or obtain information without payment of the charge applicable for the service;

(b) The obtaining, or attempting to obtain, or assisting another to obtain or to attempt to obtain, long distance message telephone service, by rearranging, tampering with, or making connection with any facilities of the Company, or by any trick, scheme, false representation, or false credit device, or by or through any other fraudulent means or device whatsoever, with intent to avoid the payment, in whole or in part, or the regular charge for such service;

(c) The use of service or facilities of the Company for a call or calls; anonymous or otherwise, if in a manner reasonably expected to frighten or torment another;

(D)

(T)

(T)

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GENERAL REGULATIONS

B.2 Limitations and Use of Service-Continued

B.2.5 Cancellation or Suspension of Service-Continued

- (d) The use of profane or obscene language;
  - (e) The use of the service in such a manner as to interfere unreasonably with the use of the service by one or more other customers.
  - (6) Any other violation of the Company's regulations.
2. The Company reserves the right to cancel any contract for service with and to discontinue service to any person who uses or permits the use of obscene, profane or grossly abusive language over or by means of the Company's facilities, and who, after reasonable notice fails, neglects or refuses to cease and refrain from such practice or to prevent the same, and to remove its property from the premises of such person.
3. The Company may terminate the service and remove its equipment for nonpayment of any sum due for exchange, long distance, or other services when the following requirements are met:
- (1) No basic residential service shall be disconnected for local service charge until at least 29 days from the date of the bill.
  - (2) No residential service can be disconnected for local service charges unless the utility has given the affected customer a written notice of the proposed disconnection at least five (5) days before the proposed date of disconnection. The notice must include:
    - (a) The final payment date of the amount due;
    - (b) The reason for the disconnection, including the unpaid balance due;
    - (c) A telephone number which the customer may call for information about the proposed disconnection; and
    - (d) The procedure for medical emergencies, as hereinafter described.
  - (3) If contact with the customer was not previously made and notice of the disconnection was by mail or by leaving it at the premises, the utility must make a good faith effort to contact the customer at least two (2) days before the proposed disconnection.