

October 30, 2013

Monica Desai  
Direct Tel: 202-457-7535  
Direct Fax: 202-457-6315  
mdesai@pattonboggs.com

The Honorable Jessica Rosenworcel  
Commissioner  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: **Notice of Ex Parte: WC Docket No. 10-90 and WT Docket No. 10-208**  
**Adak Eagle Enterprises, LLC and Windy City Cellular, LLC**

Dear Commissioner Rosenworcel:

Adak Eagle Enterprises, LLC (“AEE”) and Windy City Cellular, LLC (“WCC”) were encouraged by your remarks at the Federal Communications Bar Association luncheon yesterday, emphasizing the importance of public safety, the value of wireline service, the need for universal service for all Americans regardless of where they live, and the unique challenges of providing service in areas such as remote Alaska. To follow up on your remarks, AEE and WCC would like to bring to your attention two recent filings made by the Marine Exchange of Alaska and the Minority Media and Telecom Council (“MMTC”) that address the critical services provided by AEE and WCC on remote Adak Island, Alaska. Given your remarks, the companies hope that you will take these filings, and other filings as described in this letter, into account as you evaluate the Application for Review filed by AEE and WCC, related to their petitions for waiver of the per line monthly caps on the companies’ high-cost universal service support.<sup>1</sup>

The Marine Exchange of Alaska filing, attached hereto, discusses how essential the services provided by AEE and WCC are for public safety – not only for the government agencies, residents, businesses, and workers on Adak Island but also for the many vessels and their crews that operate in the surrounding Alaskan seas.<sup>2</sup> As explained in the filing, the services and facilities provided by AEE and WCC played a critical role in supporting the recent rescue of five fishermen who had become stranded on a life raft 69 miles off the coast of Adak Island after their vessel caught on fire. The Marine Exchange emphasizes that “[i]f the Commission believes public safety is important, it must reverse its order [denying AEE and WCC’s waiver petitions]. ... If AEE and WCC were to

---

<sup>1</sup> See Application for Review, AEE and WCC, WC Docket No. 10-90 and WT Docket No. 10-208 (filed Aug. 14, 2013) (“Application for Review”); see also Petition for Reconsideration, AEE and WCC, WC Docket No. 10-90 and WT Docket No. 10-208 (filed Aug. 14, 2013).

<sup>2</sup> See Attachment 1, Letter from Bill Benning, Chief Technology Officer, Marine Exchange of Alaska, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 10-90 and WT Docket No. 10-208 (filed Oct. 28, 2013) (“Oct. 2013 Marine Exchange of Alaska Letter”).

October 30, 2013

Page 2

cease operations, public safety for the Adak community and the many vessels operating in the surrounding seas would be seriously jeopardized.”<sup>3</sup>

MMTC similarly emphasizes how critical it is for the denial of AEE and WCC’s waiver petitions to be reversed so that the companies can continue providing essential services to the remote Adak community.<sup>4</sup> In particular, MMTC notes:

It appears that the Bureaus support [General Communications, Inc. (“GCI”)] providing Adak Island with fewer services to a smaller geographic area, and to fewer customers, at more cost to the USF. At the same time, a small, minority-owned business is providing more and better services, including what appears to be the only 911 service, serving a larger geographic area and more customers, all while historically taking less support. We believe it does not make sense as a policy matter for the FCC to favor GCI over AEE under these circumstances.<sup>5</sup>

The critical public safety role played by AEE and WCC has been emphasized in filings throughout the waiver process. As explained in declarations submitted by the Adak City Manager, AEE and WCC provide the only reliable 911 service on the island.<sup>6</sup> The chief of the Adak Police Department gave a clear example of how critical this service is for the Adak community, explaining how WCC’s wireless service – which serves areas of Adak Island not served by any other provider – facilitated the rescue of an individual lost in a blizzard.<sup>7</sup> Without WCC’s service, the individual would not have had service to call 911 and could not have been rescued.<sup>8</sup>

Additionally, the harbor master on Adak Island explained in her declaration how WCC provides the only wireless service that she can rely on to receive calls from vessels when they are in distress or when they need medical or mechanical assistance.<sup>9</sup> In contrast, she explained that she is unable to rely on the service provided by GCI because its service is sporadic, reception is poor, and there are many dead spots in GCI’s service at the harbor.<sup>10</sup>

AEE and WCC remain dismayed by the Bureaus’ denial of their waiver petitions given that they have provided exhaustive amounts of detailed information demonstrating they satisfy the waiver

---

<sup>3</sup> *Id.*

<sup>4</sup> See Letter from David Honig, President of MMTC, *et al.*, to the Honorable Mignon Clyburn, Acting Chairwoman, FCC, *et al.*, WC Docket No. 10-90 and WT Docket No. 10-208 (filed Oct. 28, 2013) (“MMTC Letter”).

<sup>5</sup> *Id.* at 3 (internal citations omitted).

<sup>6</sup> See Attachment 2, Declaration of Layton J. Lockett (dated Sept. 4, 2012); Attachment 3, Second Declaration of Layton J. Lockett (dated Sept. 9, 2013).

<sup>7</sup> See Attachment 4, Letter from Chief Darrell E. Tennehill Jr., Adak Police Department.

<sup>8</sup> *Id.*

<sup>9</sup> See Attachment 5, Declaration of Elaine Smiloff (dated Sept. 11, 2013).

<sup>10</sup> See *id.*

October 30, 2013

Page 3

standard set forth in the *USF/ICC Transformation Order*.<sup>11</sup> The denial is particularly perplexing given that the Bureaus relied on the unenforceable and unsubstantiated “assurances” of a competitor to provide hypothetical service at some point in the future as sufficient to qualify as a “terrestrial alternative” that is “available” under the Commission’s waiver standard.<sup>12</sup> AEE and WCC cannot understand how the Bureaus could rely on this type of unsubstantiated “pinky promise” as a basis to deny their waiver petitions without even examining GCI’s assertions and the impact on the Adak community if AEE and WCC were forced to shut down.

As AEE and WCC have emphasized, GCI specifically stated it does not commit to replicating AEE’s wireline service.<sup>13</sup> Moreover, WCC has demonstrated that it serves more customers on Adak Island than GCI, covers a significantly larger area on the island than GCI, provides better quality service, and provides the only reliable 911 service on the island – all while taking less USF support than GCI.<sup>14</sup> GCI currently does not serve significant portions of the study area beyond the downtown Adak area, does not even serve the entire downtown area, does not provide a working 911 system, and has never invested in the infrastructure, facilities, or equipment on the island to provide more than very limited service, all while taking more money from the USF.<sup>15</sup> GCI certainly cannot guarantee build-out quickly enough such that no customers would lose service, has made no enforceable promises regarding future service, and has provided no concrete plans or cost studies to back up its “assurances.” Instead, GCI appears to have been collecting more USF support than WCC by incentivizing its customers to take multiple lines through an airline miles scheme, and then collecting support from the USF for multiple lines per customer.<sup>16</sup> GCI does not deny this, and the Bureaus have not addressed this.

Strikingly, more than 16 government agencies, businesses, residents, and other entities – including the U.S. Department of Interior Fish and Wildlife Service, the City of Adak, the Adak Police Department, the U.S. Geological Survey, and the entire Alaskan delegation (twice) – have filed in support of AEE and WCC; no one has filed in support of GCI.<sup>17</sup>

---

<sup>11</sup> See *Connect America Fund, et al.*, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17633, Section VII(G), ¶¶ 539-544 (2011) (“*USF/ICC Transformation Order*”).

<sup>12</sup> See Application for Review at 1-2; see also *USF/ICC Transformation Order*, ¶ 540.

<sup>13</sup> See Opposition of General Communication, Inc. to AEE’s and WCC’s Application for Review and Petition for Reconsideration, WC Docket No. 10-90, *et al.*, at n. 8 (filed Aug. 30, 2013) (“... although GCI committed to continuing to provide voice service, it did not commit to providing ‘wireline’ service.”); see also Reply to Opposition to Application for Review, AEE and WCC, WC Docket No. 10-90, *et al.*, at 1 (filed Sept. 9, 2013) (“Reply to Opposition to Application for Review”).

<sup>14</sup> See Reply to Opposition to Application for Review at 1-2, 5; Application for Review at 4-5, 10.

<sup>15</sup> See Reply to Opposition to Application for Review at 2, 4; Application for Review at 4-6.

<sup>16</sup> See Reply to Opposition to Application for Review at 4; Application for Review at 12-13, Exhibit 2 (Declaration of Layton J. Lockett, dated Sept. 4, 2012) and Exhibit 3 (Letter from Clesson Zaima, dated April 12, 2013).

<sup>17</sup> See, e.g., Petition for Waiver of Adak Eagle Enterprises, LLC, WC Docket No. 10-90, *et al.*, at Attachment A (filed May 22, 2012); Letter from Monica Desai, Counsel, AEE and WCC, to Marlene H. Dortch, Secretary, FCC, Notice of Ex Parte, WC Docket No. 10-90, *et al.*, at Attachment 3 (dated May 31, 2013); Letter from Monica Desai, Counsel, AEE and WCC, to Marlene H. Dortch, Secretary, FCC, Notice of Ex Parte and Submission of Further Supplemental

October 30, 2013

Page 4

AEE and WCC recognize that you were not responsible for the 84 percent overnight flash-cut in WCC's funding and the rapid phasedown of AEE's funding which took effect in early 2012, and which have destabilized and nearly destroyed the companies. Nor were you responsible for the costly and overly complicated waiver process that has continued for over a year and a half, and has left both companies on the brink of bankruptcy. Now that an Application for Review is before you, based on your recent remarks on the importance of public safety and universal service for all Americans, the companies are hopeful that you will take the opportunity to correct the Commission's course and support the only wireline service, the only working 911 service, the most comprehensive wireless service, and the only broadband service available to consumers in the remote community on Adak Island. We thank you for your attention to these issues.

Respectfully submitted,



---

Monica S. Desai  
Patton Boggs, LLP  
2550 M Street, NW  
Washington, DC 20037  
(202) 457-7535  
*Counsel to Adak Eagle Enterprises, LLC  
and Windy City Cellular, LLC*

cc:

Priscilla Delgado Argeris  
Christianna Lewis Barnhart  
Amy Bender  
Christopher Cook  
Nicholas Degani  
Rebekah Goodheart

---

Information, WC Docket No. 10-90, *et al.*, at Attachment 8 (dated April 12, 2013) (Letter of Support filed by Sen. Mark Begich, Sen. Lisa Murkowski, and Congressman Don Young (first of two); the City of Adak; Marine Exchange of Alaska (first of two); Aleut Corporation; Adak Community Development Corporation; Alaska Maritime National Wildlife Refuge, U.S. Department of the Interior, Fish and Wildlife Service; Icicle Seafoods, Inc.; Eastern Aleutian Tribes; National Telecommunications Cooperative Association; U.S. Geological Survey; Southwest Alaska Municipal Conference; and the Adak Police Department); *see also* Letter from Monica Desai, Counsel, AEE and WCC, to Marlene H. Dortch, Secretary, FCC, Notice of Ex Parte, WC Docket No. 10-90, *et al.*, Declaration of Elaine Smiloff (filed Sept. 12, 2013); *see also* Reply of NTCA – The Rural Broadband Association and the Western Telecommunications Alliance to Opposition of General Communication, Inc., WC Docket No. 10-90 and WT Docket No. 10-208 (filed Sept. 9, 2013); *see also* Letter from Shannon M. Heim, Counsel, Alaska Rural Coalition, to Marlene H. Dortch, Secretary, FCC, Notice of Ex Parte, WC Docket No. 10-90 and WT Docket No. 10-208 (filed Sept. 19, 2013); Letter from John Charles Padalino, Administrator, Rural Utilities Service, to Acting Chairwoman Mignon Clyburn, FCC, WT Docket No. 10-208, *et al.*, at 3 (dated Aug. 14, 2013); Letter from the Rep. Don Young, Sen. Lisa Murkowski, and Sen. Mark Begich to Acting Chairwoman Clyburn, FCC (dated Oct. 17, 2013) (second of two); Oct. 2013 Marine Exchange of Alaska Letter (second of two); MMTIC Letter.

October 30, 2013

Page 5

Jane Jackson  
Michael Jacobs  
Travis Litman  
Scott Mackoul  
Carol Matthey  
Sue McNeil  
Ruth Milkman  
Louis Peraertz  
Kelly Quinn  
Kimberly Scardino  
Gary Seigel  
Joseph Sorresso  
Jamie Susskind  
Julie Veach  
Margaret Wiener  
Chin Yoo

**Attachment 1**

Marine Exchange of Alaska Letter

October 28th, 2013

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Dear Ms. Dortch:

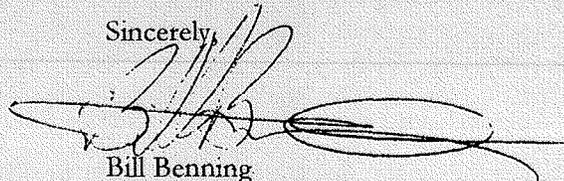
The Marine Exchange of Alaska submits this letter to emphasize how essential the services provided by Adak Eagle Enterprises, LLC ("AEE") and Windy City Cellular, LLC ("WCC") are for public safety – not only for the government agencies, residents, businesses, and workers on Adak Island but also for the many vessels and their crews that operate in the surrounding Alaskan seas.

The critical role played by AEE and WCC in supporting public safety operations was demonstrated just last week, on October 22, when five fisherman became stranded on a life raft 69 miles west of Adak Island after their vessel caught fire in the Bering Sea. The telecom services and facilities provided by AEE and WCC enabled the Marine Exchange to detect vessel locations in and around this remote island and display their positions within our vessel tracking system (PACTRACS). The U.S. Coast Guard, using this system, was able to quickly identify and communicate with a vessel of opportunity and coordinate their assistance in this successful rescue operation. Without the services and facilities provided by AEE and WCC, which are vital to the Marine Exchange's operations on Adak, this successful rescue, no doubt, would have ended much differently.

The Marine Exchange is aware that the FCC has issued an order that could put these critical companies out of service soon. If this order stands, the lives of many people beyond those living on the island will be put at risk. If the Commission believes public safety is important, it must reverse its order. Given the critical role AEE and WCC play in meeting otherwise unmet public safety operations on and surrounding Adak Island, the Marine Exchange strongly urges the Commission to grant the companies' waiver requests. If AEE and WCC were to cease operations, public safety for the Adak community and the many vessels operating in surrounding waters will be seriously jeopardized.

Thank you for your attention to this important matter. Please feel free to contact the undersigned should you have any questions.

Sincerely,



Bill Benning  
Chief Technology Officer  
Marine Exchange of Alaska  
1000 Harbor Way  
Suite 204  
Juneau, AK 99801

**Attachment 2**

First Declaration of Layton J. Lockett  
Adak City Manager

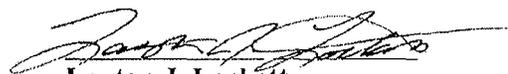
## DECLARATION OF LAYTON J. LOCKETT

I, Layton J. Lockett, declare that the following is true and correct to the best of my knowledge and belief:

1. I am the City Manager for the City of Adak in Alaska.
2. Currently the City of Adak pays for service from General Communications, Inc D/B/A GCI/Alaska Wireless ("GCI") for five cellular telephone lines, and received five free phones from GCI, but the service from GCI is not actually used. The City originally signed a contract for five lines with GCI in 2010 in order to gain the mileage that was being offered by GCI as a promotion. The previous city clerk signed up for the offer which gave the City 250,000 Alaska Airlines miles if the City would sign up for 5 lines of service from GCI (50,000 per line). Given our fiscal position at the time, these air miles allowed staff to travel for business without using the limited cash the City had on hand (the City at that time was near insolvency).
3. Within three months of my employment in 2010 I sought to cancel the contract because the City of Adak did not use the five lines from GCI. Unfortunately, after looking at the costs I decided it made more fiscal sense to just pay the bill for the unused phone lines and let the contract expire. GCI came back to Adak in April of 2012 and at the time the promotion was still active, The promotion however was reduced to offering 25,000 miles per line (125,000) total for a maximum of five lines. Since phones were also given for free, I recalculated the cost of purchasing the miles vs. paying the monthly bill for the unused phone lines, and it was still cheaper to renew the contract with GCI for five cellular lines that we won't use rather than purchase airline mileage.
4. Although we have not actively used the GCI service, we have deployed one of the phones we received from GCI for our mobile 911 service. I installed a Windy City Cellular ("WCC") sim card in the GCI phone and exclusively use the WCC service. One sim chip from GCI is being held for immediate backup for the 911 mobile system as protection should Windy City Cellular's network fail for any prolonged period of time. It is my hope that possessing the GCI sim card will at some point allow us to decipher data from their network to determine which of their phones call 911 since they do not currently transmit usable, tracable data to 911.
5. In the third quarter of 2010, I had experimented with using the GCI wireless service for the mobile 911 system, however we immediately abandoned using that service less than a week later when their network went down. I had to plea with the senior management in Unalaska for them to reboot the network as they had no on-island presence. Furthermore, I had to explain that our mobile 911 system was on their network and could not answer any emergency calls while their network was down. As a result, I immediately cancelled the experiment as WCC has 24/7 staff on island that can respond immediately.
6. I personally have an iPhone and plan with AT&T, the plan and phone number of which I have had since 2002, and I use this phone on the island. It should be noted that I am aware that on Adak I am roaming on the WCC network.

7. After several GCI visits to the island, each time with the airline promotion and phones, I decided to personally sign up for the GCI promotion by purchasing five lines. Paying for GCI service (all five lines) is less expensive than paying for the equivalent mileage and/or flights to/from Adak Island. If I purchased the equivalent of the air miles from Alaska Airlines, I would pay \$3,695 (125\*29.56 [includes the 7.5% tax]) versus \$2,276 (94.82\*24 months) practically financed at 0% (technically the present value would be even less) so from a finance perspective I signed up. I also received 5 smart phones (several Samsung Galaxy II phones and HTC Acquire phones) valued at over \$200 each that conceivably reduces my net present value cost even further. Four of these phones I have in storage, though I did give one phone to a family member, who does not live on Adak, to use in a few communities where AT&T does not have a roaming agreement. This family member, when they do visit Adak, forwards the GCI phone number to the AT&T phone. On occasion, I will forward one of the phone numbers to my AT&T cell phone to mask my permanent number..
8. When I do use a GCI phone I have reception problems and therefore cannot rely on the coverage for much. In residing in the Kuluk neighborhood the signal strength is significantly less than what I receive through WCC. With the new tower at White Alice that Windy City Cellular installed, the coverage for myself and the city's 911 phone allows us to venture outside the core area while being accessible. As an example, when travelling to the northern areas of the city limits, to monitor our water/refuse infrastructure we regularly are outside GCI service area but not the WCC service area. Furthermore, the building materials the U.S. Navy utilized (consisting of dense metals, concrete, etc) reduce signal strength in areas of town and in most buildings.
9. Attached is my Alaska Airlines statement showing the miles being deposited into my personal airline mileage account after I bought five lines from GCI, that I do not use, notwithstanding the phone mentioned in item 7. Furthermore, attached is the Alaska Airlines statement showing the miles deposited in to the City's corporate airline mileage account for the five lines the City of Adak pays for but does not use.

I declare the foregoing under penalty of perjury. Executed on this 4<sup>th</sup> day of September 2012.



**Layton J. Lockett**  
City Manager  
City of Adak, Alaska  
Phone: 907-592-4500 ext. 302



	[REDACTED]				
07/25/2012	[REDACTED]	1333	[REDACTED]	[REDACTED]	[REDACTED]
07/25/2012	[REDACTED]	1537	[REDACTED]	[REDACTED]	[REDACTED]
07/24/2012	[REDACTED]	3990	[REDACTED]	[REDACTED]	[REDACTED]
07/24/2012	[REDACTED]	1593	[REDACTED]	[REDACTED]	[REDACTED]
07/22/2012	[REDACTED]	138	[REDACTED]	[REDACTED]	[REDACTED]
07/12/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
07/08/2012	[REDACTED]	160	[REDACTED]	[REDACTED]	[REDACTED]
07/07/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
07/07/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
07/07/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
07/05/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
07/01/2012	SPECIAL SERVICES AIR CARE KIT	161	[REDACTED]	0	[REDACTED]
06/24/2012	SPECIAL SERVICES AIR CARE KIT	460	[REDACTED]	0	[REDACTED]
06/23/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
06/06/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
06/06/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
06/04/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
06/04/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
06/02/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
05/29/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
05/29/2012	[REDACTED]		[REDACTED]	0	[REDACTED]

05/29/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
05/29/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
05/29/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
05/29/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
05/24/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
05/07/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
05/07/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
04/16/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
04/16/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
04/09/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
04/09/2012	GCI ALASKA GCI SWEEPSTAKES		125,000	0	125,000
04/09/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
04/09/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
04/09/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
04/05/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
04/05/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
03/29/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
03/07/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
03/07/2012	[REDACTED]		[REDACTED]	0	[REDACTED]
03/06/2012	ALASKA AIRLINES [REDACTED]	731	[REDACTED]	[REDACTED]	[REDACTED]
03/06/2012	ALASKA AIRLINES [REDACTED]	7	[REDACTED]	[REDACTED]	[REDACTED]
03/02/2012	[REDACTED]	8	[REDACTED]	[REDACTED]	[REDACTED]



City of Adak

EasyBiz® Account

EasyBiz Wallet

EasyBiz® Mileage - Activity

Transactions

Expiration Dates

EasyBiz Mileage

EasyBiz Discount Codes

Valid

Used

FormName:

UCMyEasyBizActivity

Member Name: CITY OF ADAK

Mileage Plan Number: [REDACTED]

Available Miles: [REDACTED]

Show By:

All Activity

Activity Date

Past 6 Months

Activity Date	Activity Type	Flight	Miles	Bonus	Total
08/20/2012	ALASKA AIRLINES [REDACTED]		[REDACTED]	0	[REDACTED]
08/20/2012	ALASKA AIRLINES [REDACTED]		[REDACTED]	0	[REDACTED]
08/20/2012	ALASKA AIRLINES [REDACTED]		[REDACTED]	0	[REDACTED]
08/20/2012	ALASKA AIRLINES [REDACTED]		[REDACTED]	0	[REDACTED]
08/16/2012	ALASKA AIRLINES [REDACTED]		[REDACTED]	0	[REDACTED]
08/10/2012	ALASKA AIRLINES [REDACTED]		[REDACTED]	0	[REDACTED]
08/10/2012	ALASKA AIRLINES [REDACTED]		[REDACTED]	0	[REDACTED]
08/10/2012	ALASKA AIRLINES [REDACTED]		[REDACTED]	0	[REDACTED]
08/10/2012	ALASKA AIRLINES [REDACTED]		[REDACTED]	0	[REDACTED]
07/18/2012	EASYBIZ [REDACTED]		[REDACTED]	0	[REDACTED]
07/18/2012	EASYBIZ [REDACTED]		[REDACTED]	0	[REDACTED]

07/18/2012	ALASKA AIRLINES [REDACTED]	[REDACTED]	0	[REDACTED]
07/18/2012	ALASKA AIRLINES [REDACTED]	[REDACTED]	0	[REDACTED]
07/17/2012	ALASKA AIRLINES [REDACTED]	[REDACTED]	0	[REDACTED]
07/17/2012	ALASKA AIRLINES [REDACTED]	[REDACTED]	0	[REDACTED]
07/17/2012	ALASKA AIRLINES [REDACTED]	[REDACTED]	0	[REDACTED]
07/17/2012	ALASKA AIRLINES [REDACTED]	[REDACTED]	0	[REDACTED]
07/17/2012	ALASKA AIRLINES [REDACTED]	[REDACTED]	0	[REDACTED]
07/17/2012	ALASKA AIRLINES [REDACTED]	[REDACTED]	0	[REDACTED]
05/10/2012	ALASKA AIRLINES [REDACTED]	[REDACTED]	0	[REDACTED]
04/25/2012	GCI ALASKA GCI SWEEPSTAKES	125,000	0	125,000
04/24/2012	EASYBIZ [REDACTED]	[REDACTED]	0	[REDACTED]
04/24/2012	ALASKA AIRLINES [REDACTED]	[REDACTED]	0	[REDACTED]

Note: Depending on the partnership, activity will appear on your account 30-60 days after you have earned miles. If you do not see activity after 60 days, contact Mileage Plan.

**Attachment 3**

Second Declaration of Layton J. Lockett  
Adak City Manager

## SECOND DECLARATION OF LAYTON J. LOCKETT

I, Layton J. Lockett, declare that the following is true and correct to the best of my knowledge and belief:

1. I am the City Manager for the City of Adak in Alaska. In this capacity, I oversee the administrative and fiscal operations of the Department of Public Safety, including but not limited to Adak's 911 system.
2. The 911 service provided by General Communication, Inc. ("GCI") is inadequate and unreliable.
3. Unlike Adak Eagle Enterprises, LLC ("AEE"), GCI does not provide the City of Adak with regular customer information reports to proactively help emergency responders identify and find 911 callers.
4. GCI has a history of being unresponsive when asked by the City of Adak for assistance with its service and has no technicians on the Island to respond to service outages.
5. In contrast, AEE and Windy City Cellular, LLC ("WCC") work closely with the City of Adak and its Department of Public Safety to provide prompt, reliable assistance with its 911 service whenever requested. Furthermore, AEE and WCC have technicians on Adak Island to support their 911 service and respond to any service outages if necessary.
6. Unlike AEE and WCC, GCI does not pay any 911 fees to support Adak Island's basic 911 system.

Executed on this 9<sup>th</sup> day of September 2013.



Layton J. Lockett  
City Manager  
City of Adak, Alaska  
Phone: 907-592-4500 ext. 302

**Attachment 4**

Adak Police Department Letter

# Adak Police Department

Report # 20130102

On January 13 2013 at approximately 1900 hours I received a 911 call from Ivan Hodes. Ivan stated he had gone skiing at 1200 hours on the north side of Mount Moffett when a blizzard with white out conditions started. He got turned around, and did not know where he was all he knew he was in a ravine with water to one side of him and a tower on the other side of that. Then the phone disconnected. Ivan called back; he was advised to go to high elevation to see if he could give us a better location. A search and rescue party was formed and went out to look for Ivan. When Ivan called back the reception was in and out due to weather conditions. The airport runway lights were activated to use as a beacon for Ivan to get his bearings so he could give us a better directions to find him. Ivan called back seeing the lights headed toward town. I noticed that every time he called the 911 phone during the process the signal got better. After five hours Ivan arrived at the White Alice phone tower sight with great cell service and was able to call the 911 line once again, and inform the search party of his exact location. Ivan was retrieved from the blizzard without injury. In my opinion the White Alice cell sight added in the recovery of Ivan Hodes. Without the White Alice Cell sight Ivan would not have had cell phone service, and could not have made the 911 call.



Chief Darrell E. Tannehill Jr.

Adak Police Department

P.O. Box 2043 Adak AK. 99549

(907)592-3323

**Attachment 5**

Declaration of Elaine Smiloff  
Harbor Master, Port of Adak  
Adak Marine Services LLC

## DECLARATION OF ELAINE SMILOFF

I, Elaine Smiloff, declare that the following is true and correct to the best of my knowledge and belief:

1. I am the Harbor Master for Adak Marine Services LLC in Adak Alaska. My duties as Harbor Master require that I have reliable cell service to receive calls from vessels when they are in distress or when they need assistance, such as medical or mechanical help.
2. I have both Windy City Cellular, LLC ("WCC") and General Communication, Inc. ("GCI") phone service.
3. At work, I am unable to rely on GCI phone service to receive critical calls because GCI service is sporadic, reception is poor, and there are many dead spots in GCI's service at the harbor. In contrast, WCC's service at the harbor is consistent with good reception.
4. I live in the Kuluk subdivision of the City of Adak in Alaska. Approximately half the population of Adak resides in Kuluk.
5. At home, I am unable to rely on GCI service because service is sporadic and reception is poor in Kuluk even though the subdivision is located approximately one mile from GCI's antenna. In contrast, WCC's service in Kuluk is consistent with good reception.
6. As an example of the unreliability of GCI's service, when searching for an individual lost in Adak during blizzard conditions, who called 911 for help, WCC phones worked while GCI phones were unable to get service.
7. Unlike WCC, GCI has no technicians on the island to respond to service outages. GCI's sales representative comes to Adak only periodically.
8. Due to GCI's unreliable service, poor reception quality, and lack of technical support on Adak, I strongly prefer WCC's service over GCI's service.

Executed on this 11 day of September 2013.



---

Elaine Smiloff  
Harbor Master  
Port of Adak  
Adak Marine Services LLC  
Phone: 907-572-9689