



Your business is our business.

DOCKET FILE COPY ORIGINAL

REDACTED - FOR PUBLIC INSPECTION

7852 Walker Drive, Suite 200
Greenbelt, Maryland 20770
phone: 301-459-7590, fax: 301-577-5575
internet: www.jsitel.com, e-mail: jsi@jsitel.com

June 24, 2014

Accepted/Filed

JUN 24 2014

FCC Office of the Secretary

Via Hand Delivery

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

Re: **WC Docket No. 10-90, WC Docket No. 11-42**
2014 ETC Annual Report of Pigeon Telephone Company
Study Area Code 310721

Dear Ms. Dortch:

On behalf of Pigeon Telephone Company ("Pigeon"), 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.¹ Pigeon seeks confidential treatment under Protective Order for section 54.313(f)(2) financial information.² The redacted version is also being filed this date via the FCC's Electronic Comment Filing System. In addition, attached is a letter requesting confidential treatment under Sections 0.457 and 0.459 of the initial section 54.202(a) Five-Year Service Quality Improvement Plan.³

Please direct any questions regarding the filing to the undersigned.

Sincerely,

John Kuykendall
JSI Vice President
301-459-7590
jkuykendall@jsitel.com

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

No. of Copies rec'd 0+3
List ABCDE

¹ 47 C.F.R. §§ 54.313, 54.422.

² *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).

³ 47 C.F.R. §§ 0.457, 0.459, 54.202(a).



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

**Re: WC Docket No. 10-90, WC Docket No. 11-42
2014 ETC Annual Report of Pigeon Telephone Company
Study Area Code 310721
Request for Confidentiality**

Dear Ms. Dortch:

John Staurulakis, Inc. (“JSI”), on behalf of its client Pigeon Telephone Company (the “Company”) hereby requests, pursuant to Sections 0.457 and 0.459 of the Commission’s rules,¹ withholding from public inspection certain information contained in an attachment to the above referenced reporting requirement. The Company provides the following in support of its request, numbered consistent with the subparagraphs of Section 0.459(b).²

1. The information for which the Company is seeking confidential treatment is an attachment to the Company’s annual reporting information pursuant to Sections 54.313 and 54.422 of the Commission’s rules (“Report”).³
2. Rate-of-Return Eligible Telecommunications Carriers (“ETCs”) must file with the Commission an initial section 54.202(a) Five-Year Service Quality Improvement Plan (“Five-Year Plan”) which is contained in the attachment to the 2014 Report.⁴
3. The information contained in attachment for which the Company seeks the withholding from public inspection is the entirety of data pertaining to the Company’s Five-Year Plan provided at FCC Form 481 Line 112 attachment. Information of this nature is confidential commercial information routinely withheld from public inspection.

¹ 47 C.F.R. §§ 0.457, 0.459.

² 47 C.F.R. § 0.459(b)(1) through (9).

³ 47 C.F.R. §§ 54.313, 54.422.

⁴ See *In the Matter of Connect America Fund*, WC Docket No. 10-90, Order DA 14-591 (rel. May 1, 2014).

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
phone: 651-452-2660, fax: 651-452-1909

6849 Peachtree Dunwoody Road
Bldg. B-3, Suite 200, Atlanta, GA 30328
phone: 770-569-2105, fax: 770-410-1608

547 South Oakview Lane
Bountiful, UT 84010
phone: 801-294-4576, fax: 801-294-5124

4. With respect to identifying the degree to which the subject attachment concerns a service that is subject to competition, the information is of a financial and competitive nature regarding the provision of telecommunications services. The Line 112 attachment contains competitively sensitive information related to proposed improvements or upgrades and maintenance the Company's network.

In its *March 5, 2013 Order*, the FCC. The FCC specified that for rate-of-return carriers, the five-year plans "should describe the carrier's network improvement plan, which should provide greater visibility into current plans to extend broadband service to unserved locations in rate-of-return service territories."⁵ Accordingly, because the Company is a rate-of-return carrier, it must file a five-year service improvement plan which contains proprietary, competitively sensitive information related to the Company's existing network including the specific locations of customers as well as describe proposed improvements or upgrades and maintenance of its network throughout its service area. Specifically, this information sets forth services provided by the Company over its existing network including specific locations of customers as well as planned network improvement and maintenance for the years 2015 through 2019 including project start and completion dates, population that will be impacted by the improvements and upgrades at the wire center level and projected capital costs associated with the improvements and upgrades and operating costs associated with maintaining the network including depreciation for investments that have already been made. As such, this information contains competitively sensitive information related to the Company's existing network as well as detailed plans at the wire center level for network upgrades and maintenance projected for the years 2015 through 2019.

5. With respect to identifying possible exposure to competitive harm, the information contained in the Line 112 attachment is information that is not customarily released to the public. This information is proprietary to the Company, is unique to the Company's serving territory and is only known to the Company and its authorized agents. If the Information is not protected, it would have economic value to potential competitors who would be able to target their marketing to specific customers. In a competitive telecommunications marketplace, this type of information is highly sensitive. If publicly disclosed, it would enable competitors to craft business plans that capitalize on their knowledge of the locations of the Company's customers which would place the Company at a competitive disadvantage.
6. With respect to steps the Company has taken to ensure against unauthorized disclosure of the information contained in the attachment, the Company is filing the attachment under seal. The Company uses the information contained in the Five-Year Plan to ensure that its customers continue to receive state-of-the-art

⁵ See *Connect America Fund et al.*, WC Docket 10-90 *et al.*, Order, DA 13-332 (rel. Mar. 5, 2013) ("*March 5, 2013 Order*") at para 9 citing Section 54.202(a) (1) (ii).

high quality telecommunications and broadband services that the Company has been providing to them for many years as well as to satisfy mandatory reporting requirements and does not share the information for which protection is sought. The Company protects the secrecy of this information with a security protocol that ensures the information is not inadvertently disclosed or disseminated. Only directors, managers and employees with a direct need to know are authorized to access the information.

7. Any previous versions of this information are not publicly available.
8. Because the information is not routinely available, a need exists for maintaining the confidentiality of this information permanently.
9. Not applicable.

Based on the preceding, JSI respectfully requests on behalf of the Company that the Commission grant confidential treatment under Section 0.459 to Company's Five-Year Plan provided at FCC Form 481 Line 112 attachment.

Please contact the undersigned with any questions regarding this request.

Sincerely,



John Kuykendall
JSI Vice President
301-459-7590
jkuykendall@jsitel.com

<010> Study Area Code 310721
 <015> Study Area Name PIGEON TEL CO
 <020> Program Year 2015
 <030> Contact Name: Person USAC should contact with questions about this data Mary Babcock
 <035> Contact Telephone Number: Number of the person identified in data line <030> 9894534391 ext.
 <039> Contact Email Address: Email of the person identified in data line <030> mbabcock@avci.net

Accepted/Filed
 JUN 24 2014
 FCC Office of the Secretary

ANNUAL REPORTING FOR ALL CARRIERS

	54.213 Completion Required	54.222 Completion Required
--	----------------------------------	----------------------------------

	54.213 Completion Required	54.222 Completion Required
<100> Service Quality Improvement Reporting (complete attached worksheet)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<200> Outage Reporting (voice) (complete attached worksheet)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<210> <input checked="" type="checkbox"/> <- check box if no outages to report	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<300> Unfulfilled Service Requests (voice) 0	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<310> Detail on Attempts (voice) (attach descriptive document)	<input type="checkbox"/>	<input type="checkbox"/>
<320> Unfulfilled Service Requests (broadband) 0	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<330> Detail on Attempts (broadband) (attach descriptive document)	<input type="checkbox"/>	<input type="checkbox"/>
<400> Number of Complaints per 1,000 customers (voice)		
<410> Fixed 0.50581	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<420> Mobile 0.0	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<430> Number of Complaints per 1,000 customers (broadband)		
<440> Fixed 0.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<450> Mobile 0.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<500> Service Quality Standards & Consumer Protection Rules Compliance (check to indicate certification)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<510> 310721mi510.pdf (attached descriptive document)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<600> Functionality in Emergency Situations (check to indicate certification)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<610> 310721mi610.pdf (attached descriptive document)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<700> Company Price Offerings (voice) (complete attached worksheet)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<710> Company Price Offerings (broadband) (complete attached worksheet)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<800> Operating Companies and Affiliates (complete attached worksheet)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<900> Tribal Land Offerings (Y/N)? <input type="radio"/> <input checked="" type="radio"/> (if yes, complete attached worksheet)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<1000> Voice Services Rate Comparability (check to indicate certification)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<1010> (attach descriptive document)	<input type="checkbox"/>	<input type="checkbox"/>
<1100> Terrestrial Backhaul (Y/N)? <input checked="" type="radio"/> <input type="radio"/> (if not, check to indicate certification)	<input type="checkbox"/>	<input type="checkbox"/>
<1110> (complete attached worksheet)	<input type="checkbox"/>	<input type="checkbox"/>
<1200> Terms and Condition for Lifeline Customers (complete attached worksheet)	<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

<2000> (check to indicate certification)	<input type="checkbox"/>	<input type="checkbox"/>
<2005> (complete attached worksheet)	<input type="checkbox"/>	<input type="checkbox"/>

Rate of Return Carriers, Proceed to ROR Additional Documentation Worksheet

<3000> (check to indicate certification)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<3005> (complete attached worksheet)	<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

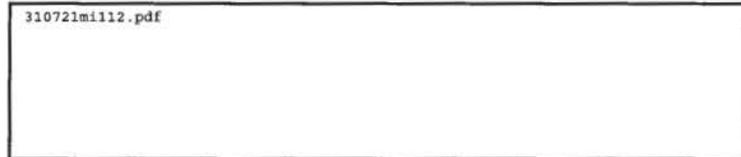
<010> Study Area Code	310721
<015> Study Area Name	PIGEON TEL CO
<020> Program Year	2015
<030> Contact Name - Person USAC should contact regarding this data	Mary Babcock
<035> Contact Telephone Number - Number of person identified in data line <030>	9894534391 ext.
<039> Contact Email Address - Email Address of person identified in data line <030>	mbabcock@avci.net

<110> Has your company received its ETC certification from the FCC? (yes / no)

If your answer to Line <110> is yes, do you have an existing §54.202(a) "5
<111> 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

Please check these boxes below to confirm that the attached document(s), 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.

(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	310721
<015> Study Area Name	PIGBON TEL CO
<020> Program Year	2015
<030> Contact Name - Person USAC should contact regarding this data	Mary Babcock
<035> Contact Telephone Number - Number of person identified in data line <030>	9894534391 ext.
<039> Contact Email Address - Email Address of person identified in data line <030>	mbabcock@avci.net

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

<920> Tribal Government Engagement Obligation

Name of Attached Document

If your company serves Tribal lands, please select (Yes, No, NA) for each these boxes to confirm the status described on the attached document(s), 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	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<010>	Study Area Code	310721
<015>	Study Area Name	PIGEON TEL CO
<020>	Program Year	2015
<030>	Contact Name - Person USAC should contact regarding this data	Mary Babcock
<035>	Contact Telephone Number - Number of person identified in data line <030>	9894534391 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	mbabcock@avci.net

<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	FCG Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<010> Study Area Code	310721
<015> Study Area Name	PIGEON TEL CO
<020> Program Year	2015
<030> Contact Name - Person USAC should contact regarding this data	Mary Babcock
<035> Contact Telephone Number - Number of person identified in data line <030>	9894534391 ext.
<039> Contact Email Address - Email Address of person identified in data line <030>	mbabcock@avci.net

310721m11210.pdf

<1210> Terms & Conditions of Voice Telephony Lifeline Plans

Name of Attached Document

<1220> Link to Public Website

HTTP

"Please check these boxes below to confirm that the attached document(s), 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 <i>Including Rate-of-Return Carriers affiliated with Price Cap Local Exchange Carriers</i>	FCC Form 483 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
---	--

<010>	Study Area Code	310721
<015>	Study Area Name	PIGEON TEL CO
<020>	Program Year	2015
<030>	Contact Name - Person USAC should contact regarding this data	Mary Babcock
<035>	Contact Telephone Number - Number of person identified in data line <030>	9894534391 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	mbabcock@avci.net

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 document(s), 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

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(2000) Rate Of Return Carrier Additional Documentation

Data Collection Form

ICC Form No. 2000-0987 (Rev. 04/01/01)
July 2013

<010> Study Area Code	310721
<015> Study Area Name	PIGON TEL CO
<020> Program Year	2015
<030> Contact Name - Person USAC should contact regarding this data	Mary Babcock
<035> Contact Telephone Number - Number of person identified in data line <030>	9894534391_ext.
<039> Contact Email Address - Email Address of person identified in data line <030>	mbabcock@avci.net

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.

(3010) Progress Report on 5 Year Plan
Milestone Certification (47 CFR § 54.313(f)(1)(i))

Name of Attached Document Listing Required Information

(3011) Please check this box to confirm that the attached document(s), on line 3012 contains the required information pursuant to § 54.313 (f)(1)(ii), the carrier 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 document(s), 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) Document(s) for 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) Document(s) for 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) Document(s) for Balance Sheet, Income Statement and Statement of Cash Flows

(3026) Attach the worksheet listing required information

310721m13026.pdf

Name of Attached Document Listing Required Information

Certification - Reporting Carrier Data Collection Form	POC Form #81 OMB Control No. 3025-0046 OMB Control No. 3025-0046 July 2013
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<010>	Study Area Code	310721
<015>	Study Area Name	PIGEON TEL CO
<020>	Program Year	2015
<030>	Contact Name - Person USAC should contact regarding this data	Mary Babcock
<035>	Contact Telephone Number - Number of person identified in data line <030>	9894534391 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	mbabcock@avci.net

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:	
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:
<small>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.</small>	

Certification - Agent / Carrier Data Collection Form	FCC Form 481 OMB Control No. 3050-0065/OMB Control No. 3050-0069 July 2013
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<010>	Study Area Code	310721
<015>	Study Area Name	PIGSON TBL CO
<020>	Program Year	2015
<030>	Contact Name - Person USAC should contact regarding this data	Mary Babcock
<035>	Contact Telephone Number - Number of person identified in data line <030>	9894534391 ext.
<039>	Contact Email Address - Email Address of person identified in data line <030>	mbabcock@avci.net

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>Neal B Eichler</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:	Neal B Eichler
Name of Reporting Carrier:	PIGSON TBL CO
Signature of Authorized Officer:	CERTIFIED ONLINE Date: 06/23/2014
Printed name of Authorized Officer:	Neal Eichler
Title or position of Authorized Officer:	Vice President
Telephone number of Authorized Officer:	9894534391 ext.
Study Area Code of Reporting Carrier:	310721 Filing Due Date for this form: 07/01/2014
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:	PIGSON TEL CO
Name of Authorized Agent or Employee of Agent:	John Staurulakis, Inc.
Signature of Authorized Agent or Employee of Agent:	CERTIFIED ONLINE Date: 06/23/2014
Printed name of Authorized Agent or Employee of Agent:	Amanda Molina
Title or position of Authorized Agent or Employee of Agent:	Staff Consultant Regulatory Affairs
Telephone number of Authorized Agent or Employee of Agent:	7705692105 ext.
Study Area Code of Reporting Carrier:	310721 Filing Due Date for this form: 07/01/2014
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.	

REDACTED FOR PUBLIC INSPECTION

Attachments

REDACTED FOR PUBLIC INSPECTION

REDACTED – FOR PUBLIC INSPECTION

PIGEON TELEPHONE COMPANY (SAC 310721)

ATTACHMENT - LINE 112

FIVE YEAR SERVICE QUALITY IMPROVEMENT PLAN

ATTACHMENT REDACTED IN ENTIRETY

Pigeon Telephone Company's demonstration of complying with applicable service quality standards and consumer protection rules for voice and broadband services:

In establishing this certification in its *2005 ETC Order*,¹ the FCC found that an ETC must make "a specific commitment to objective measures to protect consumers."² 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.³ 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."⁴

This document details the processes and procedures that the Company follows to ensure compliance. As an incumbent licensed local exchange carrier in Michigan, the Company has operated for many years in the telecommunications industry, an industry that has had varying degrees of regulation over time. The Company's long-time operations in this regulated industry have made it aware of applicable standards and rules. The Company periodically reviews and stays abreast of changes in standards and rules. The Company has long been and still is a member of a state industry association that monitors these changes and provides information to its members. The Company also regularly calls on the services of consultants and attorneys to assist when reasonable or necessary and help

¹ *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*").

² *Id.* at para. 28.

³ *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.

⁴ *Id.* at n. 72.

stay informed on all changes in the federal and state law.

As a licensed telecommunications carrier in Michigan, the Company is subject to the Michigan Telecommunications Act (MTA), MCL 484.2101 *et seq.*, and Michigan Public Service Commission's (MPSC) jurisdiction. The Company must comply with the numerous obligations relating to telecommunications service set out in the MTA, rules the MPSC adopts under the MTA, the federal Communications Act (FTA), and rules the FCC adopts under the FTA. Also, the Company must comply with generally applicable state consumer protection laws.

Some obligations imposed by state law relate to both service quality and consumer protection. There are also several obligations imposed by state law that are specifically for consumer protection.

The Company's obligations include:

- (1) filing a local exchange service tariff pursuant to the requirements of the MPSC in accordance with MTA Section 202(b), MCL 484.202(b), that complies with cost and rate rules stated in the MTA and the MPSC's orders, including the order in MPSC Case No. U-11103 (June 5, 1996), which discloses the rates and service terms to customers;
- (2) complying with Michigan's consumer protection law, MCL 445.901 *et seq.*;
- (3) complying with the MTA's consumer-oriented conduct requirements set forth in MCL 484.2502, which prohibit, among other things, false, deceptive or misleading statements, cramming, inappropriate charges, causing a probability of confusion, misleading representations regarding the delivery of service, and certain disconnections;
- (4) complying with Michigan Anti-Slamming Procedures, including those in the

MTA, MCL 484.2305, and related rules the MPSC adopted, such as those adopted in Orders in MPSC Case Nos. U-11757 and U-11900;

(5) complying with state and federal requirements regarding truth-in-billing, E 9-1-1 service, and basic local exchange service per Section 2305b(c) of the MTA, MCL 484.2305b(c); and

(6) complying with state and federal requirements relating to protecting customers' privacy, including state and federal requirements as to confidential proprietary network information (CPNI) and identity theft.

The Company has consistently complied with all of the above by, among other things, the following: it has adopted a CPNI compliance manual consistent with all applicable laws; it notifies its customers of their rights; it notifies its customers regarding the *67 feature and similar functions; it notifies its customers of the Do-Not-Call list and how to participate; it has adopted an Identity Theft Prevention Policy consistent with all applicable "Red Flag" rules; and passes through to its customers all state and federal Lifeline and Link-up discounts, and notifies its customers of the Lifeline and Link-up programs and how to apply if eligible. Also, the Company certified to the FCC in February 2013 that it complies with the FCC's CPNI rules.

The Company is subject to consumer protection obligations for broadband services under federal law. These obligations include, but are not limited to, the following: public disclosure of accurate information regarding network management practices, performance, and commercial terms of broadband internet access services; as a means of providing sufficient information for consumers to make informed choices regarding use of such

services, and for content, application, service and device providers to develop, market, and maintain internet offerings as specified in F.C.C. 47 C.F.R. Part 8 §8.3.

Pigeon Telephone Company's demonstration of ability to function in emergency situations for voice and broadband services:

Pigeon Telephone Company (the "Company") certifies that it is able to function in emergency situations as set forth in 47 CFR 54.202(a)(2)¹ and the Michigan Telecommunications Act (MTA), MCL 484.2305c.² The Company complies with all of these requirements. As to the requirement in 47 CFR 54.202(a)(2), the Company operates in three exchanges: Pigeon, MI (the Pigeon Exchange); Twining, MI (the Twining Exchange); and Mancelona, MI (called the Lakes of the North Exchange). The Company has a central office in each exchange. Each central office is equipped with permanent battery back-up power – with battery packs (sometimes called battery books or battery lines) bolted to the floor. The Twining Exchanges' battery back-up provides up to 20 hours of battery back-up functionality. The Lakes of the North battery back-up provides up to 15 hours of battery back-up functionality. The Pigeon Exchange provides up to 15 hours of battery back-up functionality. It also has three standby generators in place – one in each central office. Those generators, coupled with the permanent battery back-up, enable each of the Company's central offices to keep running for up to about at least 15 hours – at a minimum – on pure battery back-up power, and indefinitely until either power is restored on generator power (so long as fuel is available for the generators) or system changes are made to re-route traffic.

¹ Section 54.201(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."

² MCL 484.2305c states:

"A facilities-based provider shall equip each central office, remote switch, remote line unit, and interexchange toll switching office or access tandem with a minimum of 3 hours of peak load battery reserve, if permanent auxiliary power is installed, and 5 hours of battery reserve, if permanent emergency power is not installed, or 8 hours of battery reserve if the central office is in a remote location. A facilities-based provider shall have available a mobile power unit to be delivered and connected to central offices, remote switches, and remote line units within 8 hours."

So at each central office location, the Company is able to remain functional in emergency situations as it has at least 15 hours of back-up power to ensure functionality without an external power source. The Company also has a permanent generator at the Pigeon central office, which could run non-stop and provide power if there is no external power source for an unlimited amount of time (as long as fuel was available).

The Company has implemented industry practices to re-route traffic around certain damaged facilities and to manage traffic spikes resulting from emergency situations. It also can re-route traffic around damaged facilities by through its electrical redundancy for all routes that come to the Company's three exchanges. Electrical redundancy means that if the Company had problems with one fiber, it could shift the traffic from that one fiber to another fiber in the same sheath since a fiber sheath has several fiber strands within it.

Further, the Company can manage traffic spikes resulting from an emergency situation by having back-up power ready and available and having electrical redundancy, meaning that all of the Company's facilities are able to keep traffic moving and connecting so as to manage any traffic spikes that may arise from emergency situations. The Company can also change call routing translations as needed to re-route traffic around damaged facilities. Changing call routing translations also allows the Company to manage traffic spikes throughout its network, as emergency situations require.

As to the requirement in MCL 484.2305c, as explained above, the Company also fully complies. It has equipped each central office, remote switch, and remote line unit, and interexchange toll switching office or access tandem with far above the minimum of number of hours of peak load battery reserve. It also has permanent battery back-up power at each central office, and also has a permanent generator at each central office. And it has available a mobile power unit that it can deliver and connect to its central offices, remote switches, and remote line units within 8 hours.

The company's standby generators and battery back-up support both voice and broadband network equipment should an emergency situation occur.