

March 6, 2019

BY E-PORTAL

Mr. Adam Teitzman, Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

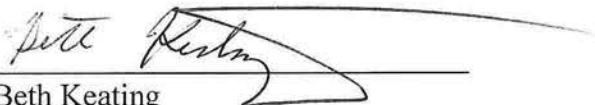
**Re: Petition of Cox Florida Telcom, L.P. for Relinquishment of Eligible
Telecommunications Carrier Status.**

Dear Mr. Teitzman:

Attached for filing, please find the Petition of Cox Florida Telcom, L.P. for Relinquishment of Eligible Telecommunications Carrier Status.

As always, thank you for your assistance. Please do not hesitate to contact me if you have any questions whatsoever.

Sincerely,


Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 South Monroe St., Suite 601
Tallahassee, FL 32301
(850) 521-1706

MEK

Enclosures

Cc: Office of Public Counsel (Kelly)
Office of Industry Development and Market Analysis (Hinton)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Cox Florida Telcom, L.P. for Relinquishment of Eligible Telecommunications Carrier Status.	DOCKET NO. DATED: March 6, 2019
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PETITION OF COX FLORIDA TELCOM, L.P. FOR RELINQUISHMENT OF ELIGIBLE
TELECOMMUNICATIONS CARRIER STATUS

Cox Florida Telcom, L.P. d/b/a Cox Communications d/b/a Cox Business d/b/a Cox, (“Cox”) pursuant to 47 U.S.C. § 214(e)(4), 47 U.S.C. § 214(e)(4), and Rules 25-22.036 and 28-106.201, Florida Administrative Code, hereby respectfully requests that the Florida Public Service Commission (“Commission”) issue an order acknowledging and confirming Cox’s relinquishment of its designation as a Lifeline-only Eligible Telecommunications Carrier (“ETC”). Cox respectfully requests an ETC relinquishment effective date of August 1, 2019.

I. Introduction

1. Cox Florida Telcom, LP is the holder of a Competitive Local Exchange Carrier (CLEC) certificate in Florida and is also registered as a long distance service provider (IXC) in Florida. Cox’s parent company, Cox Communications, Inc., through local subsidiaries, provides competitive telephone service to approximately 3 million customers, offering local and long distance service to both residential and commercial customers. Cox, as a facilities-based carrier, provides these services almost exclusively over the company’s own telephone facilities, including switches, loops and intercarrier transport. The name and mailing address of the Petitioner is:

Cox Florida Telcom, L.P.
6205-B Peachtree Dunwoody Road
Atlanta, GA 30328

Cox ETC Relinquishment

2. The names and mailing addresses of the persons authorized to receive notices and communications with respect to this petition are:

Beth Keating, Esq.
Gunster, Yoakley & Stewart, P.A.
215 South Monroe Street, Suite 601
Tallahassee, Florida 32301-1839

Esther Northrup
Executive Director/State Regulatory Affairs
Cox Communications
5887 Copley Drive, Ste 300, San Diego, CA
92111

3. Cox has been providing basic local telecommunications and long distance telephone service to residential and commercial customers in Florida since 2005. Cox's tariff for the provision of local exchange and long distance service is on file with the Commission as Florida Price List No. 1. Cox provides service in the Pensacola, Ft. Walton Beach and Gainesville/Ocala areas and its service territory includes significant areas where low income families live. While Cox serves many business customers, its customer base is primarily residential and the vast majority of Cox's customers are families and individuals.

II. Background

4. On May 31, 2012, Cox filed an application for designation as an ETC in the state of Florida for purposes of receiving Lifeline support in its non-rural service areas, as well as a second, separate application for designation as an ETC in its rural service areas¹. On September 28, 2012, and on October 17, 2012, the Commission issued orders granting Cox's applications for ETC designation, respectively.² As of January 2019, Cox had 498 Lifeline customers in Florida.

¹ Dockets Nos. 20120165 and 20120175-TP, respectively.

² Order Nos. PSC-2012-0500-PAA-TP and PSC-2012-0552-PAA-TP.

Cox ETC Relinquishment

A. FCC changes to the Lifeline program

5. The Lifeline program has undergone a variety of changes since its inception. Perhaps the most relevant of these, as it relates to the Cox ETC relinquishment, are those contained in the Third Report and Order released on April 27, 2016, which directly impacts the future of the Lifeline voice program. In that decision, the FCC began to transition the Lifeline program from primarily supporting voice services to instead target support towards modern broadband services. Indeed, with one exception, the Order adopts a transition plan that ultimately eliminates support for standalone voice offerings. Based on that transition plan, after December 1, 2021, no support will generally be provided for voice-only service, except in certain circumstances.³ As a practical matter, after that time, except in the exception areas, there will be no Lifeline voice program – and consequently no need for a Lifeline voice ETC designation.

B. Changes in marketplace and customer demand

6. As noted above, Cox began offering Lifeline in 2012. After some initial growth, the number of Cox lifeline subscribers in Florida has been declining steadily over time. At the beginning of 2019, Cox had just 498 remaining Lifeline customers.

7. The decline in the number of Cox Lifeline subscribers is consistent with the overall trend in Florida, although there was a minimal 1% increase in subscribership participation rate over the past year.⁴ Between June 2013 and June 2018, overall subscribership dropped with only wireless carriers showing an increase in Lifeline subscribership. The total number of lifeline subscribers

³ The final phase-down level of Lifeline support (\$5.25) will be preserved even after December 1, 2021, for the provision of voice-only service to eligible subscribers by a provider that is the only Lifeline provider in a Census block.

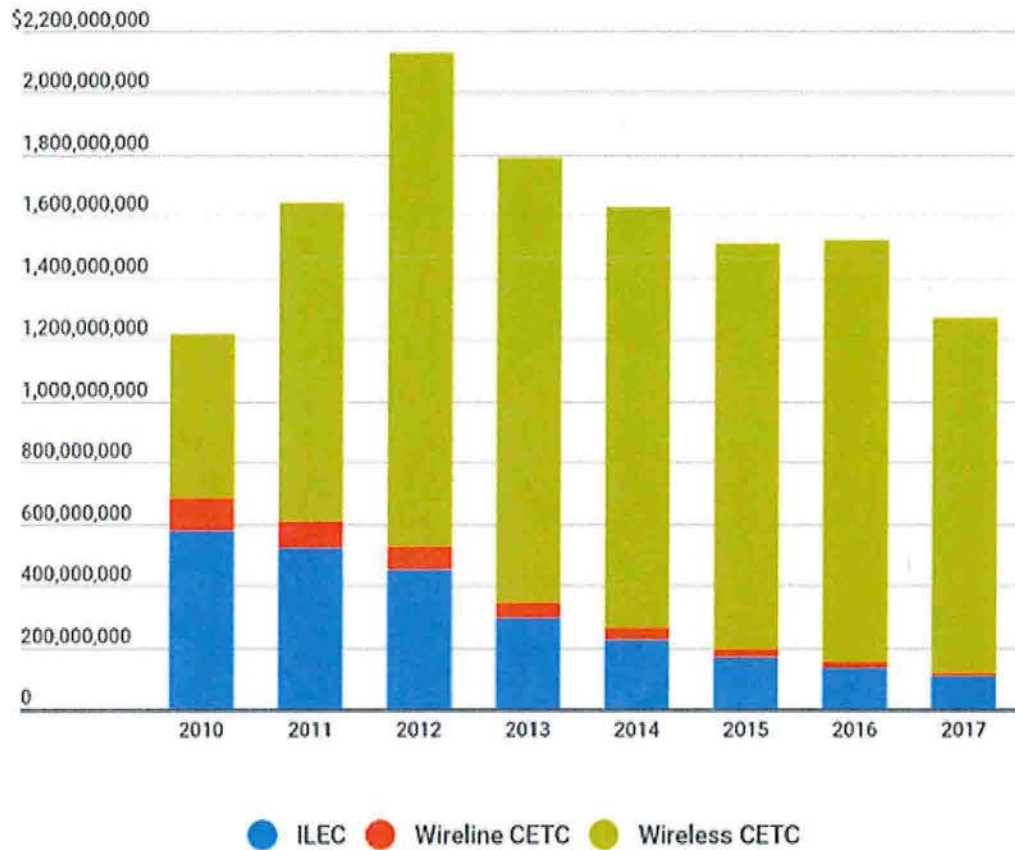
⁴ Florida Lifeline Service Report (December 2018), pages 5-7, Florida Public Service Commission.

Cox ETC Relinquishment

in the state has decreased from 833,426 in June 2015 to 694,647 in June 2018, which represents an 16% decrease. Additionally, as shown in the chart below, A-1, countrywide, consumers are showing a strong preference for obtaining Lifeline voice service from wireless ETCs. As indicated in the chart, at the end of 2017, wireless ETCs accounted for almost 91% of national disbursements from the Lifeline program. Given these trends, Cox now only serves about .07% of the Lifeline subscribers in the state. With the upcoming decreases in federal support for Lifeline voice (and resultant rise in Lifeline rates), we expect this downward trend to remain the same or increase. Given this, it is clear that Cox's exit from the Lifeline voice market will have minimal impact in the state.

(Chart A-1 on following page)

Chart A-1



YEAR	ILEC	WIRESLINE CETC	WIRELESS CETC	TOTAL
2010	\$ 578,435,093	\$ 107,175,915	\$ 532,865,618	\$ 1,218,476,626
2011	\$ 523,863,464	\$ 84,150,427	\$ 1,032,007,426	\$ 1,640,021,317
2012	\$ 448,626,842	\$ 77,105,594	\$ 1,604,490,693	\$ 2,130,223,129
2013	\$ 295,571,744	\$ 50,865,366	\$ 1,440,575,671	\$ 1,787,012,781
2014	\$ 223,928,505	\$ 38,055,311	\$ 1,367,554,782	\$ 1,629,538,598
2015	\$ 165,643,617	\$ 24,867,727	\$ 1,319,553,601	\$ 1,510,064,945
2016	\$ 134,093,163	\$ 17,195,879	\$ 1,370,759,076	\$ 1,522,048,118
2017	\$ 104,542,224	\$ 11,070,072	\$ 1,151,107,697	\$ 1,266,719,993

<https://www.usac.org/li/about/process-overview/stats/historical-support-distribution.aspx>

III. Scope of relinquishment

8. Cox will be relinquishing its ETC designation throughout its entire service area in Florida. As such, a lifeline discount will no longer be available to customers that remain with Cox as of the effective date of its ETC relinquishment.

9. However, after relinquishment Cox will continue to offer its entire suite of services, including voice telephony, throughout its entire service area. Cox's standalone voice product is reasonably and competitively priced (currently \$19.99) and former lifeline customers may continue to subscribe to Cox's non- discounted telephone service.

10. Although Cox will exit the Lifeline voice market, the Company retains a strong commitment to serving the needs of the low-income segment. A primary example of this commitment is Cox's participation in the Connect2Compete ("C2C") program since 2012. Cox's C2C program offers reduced-priced internet service, low-cost computers and other equipment and support to eligible low-income families with school-aged children. C2C is available to families throughout Cox's footprint nationwide and is not part of the Lifeline or another subsidy program.

IV. Legal Standard

11. The ability for an ETC to relinquish its ETC designation is governed by Section 214 (e)(4) of the Communications Act and by the FCC's implementing rules codified at CFR Section 54.205. Section 214 (e)(4) states in pertinent part:

A State Commission shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. An eligible telecommunications carrier that seeks to relinquish its eligible telecommunications carrier designation for an area

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served by more than one eligible telecommunications carrier shall give advance notice to the State commission of such relinquishment.

The Florida Commission has exercised this authority in the past. To date, the Commission has allowed at least 9 carriers to relinquish their ETC designations, including partial relinquishment by one ILEC, AT&T Florida.⁵

12. While the Commission has no specific rule addressing relinquishment of ETC status, the Company's request is consistent with the applicable FCC requirements. In addition, to the extent that Commission Rule 25-4.0665(9), Florida Administrative Code, may be deemed to apply, given that relinquishment of ETC designation will result in termination of Lifeline support for Cox's customers, the Company fully intends to provide written notice to its customers regarding the termination of Lifeline service by Cox, along with additional information to further assist these customers, as further explained herein.

V. Standard for Grant of Relinquishment

13. The simple standard for a State Commission to permit the relinquishment of an ETC designation is whether the service area in question is served by more than one ETC. That standard is easily met in this case. In support of the Petition, Cox has analyzed its service area in Florida and determined that multiple ETCs provide service throughout the entire serving area. This analysis was conducted on a zip code basis from information obtained by USAC. These results are presented in Exhibit A, which is attached hereto. As indicated in the exhibit, each zip code in the Cox service area has at least three (3) other ETCs, and in some cases as many as six (6) other ETCs, that have been designated and approved by the Florida Commission.

⁵ Order No. PSC-2017-0290-PAA-TP, issued July 24, 2017.

VI. Customer Notice and Transition Plan

14. To ensure that current Cox lifeline subscribers have adequate time to choose another Lifeline provider should they choose to do so, the company will provide two customer notifications. At least 60 days prior to the ETC relinquishment effective date, Cox will provide a letter via U.S. Mail to all its impacted customers that describes the upcoming elimination of the Lifeline discount. Then, at least 30 days prior to the ETC relinquishment date Cox will provide a bill message to impacted customers. Exhibit B provides a sample of the language these letter and bill messages will contain. Impacted customers will automatically be transitioned to Cox Voice service at a new promotional rate of \$9.99 per month for 12 months⁶ by contacting Cox, or have the option to select other available promotional offers that better meet their needs. In addition, to avoid customer confusion and assist with a smooth transition process, Cox will stop accepting new Lifeline applications at least 30 days prior to its discontinuance of Lifeline. Cox will inform potential customers of its intent to cease providing Lifeline service and will provide those customers with information regarding Cox's other voice telephony offers.

VII. Request for Relief

15. Cox respectfully requests that the Commission issue an Order granting this Petition and establishing a relinquishment date of August 1, 2019. In order to allow Cox adequate time to provide notice to its affected customers, Cox further requests that the Commission issue its

⁶ Impacted customers will be responsible for monthly recurring charges and all taxes, fees, and surcharges, including the End User Common Line charge.

Cox ETC Relinquishment

Order, if possible, by May 1, 2019.

Respectfully submitted this 6th day of March, 2019,

By:

A handwritten signature in cursive script, appearing to read "Beth Keating", is written over a horizontal line.

Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 South Monroe St., Suite 601
Tallahassee, FL 32301
(850) 521-1706
Attorneys for Cox Florida Telecom, L.P.

EXHIBIT A

*(COX customers per Florida Zip Code
And Florida ETCs per relevant Zip Codes)*

EXHIBIT A

Cox ETC Customers per Zip

32439	8
32501	13
32502	4
32503	12
32504	15
32505	39
32506	32
32507	16
32514	16
32526	21
32533	9
32534	7
32536	10
32539	21
32541	6
32547	16
32548	21
32550	1
32569	3
32578	18
32579	4
32601	6
32605	8
32606	10
32607	19
32608	15
32609	15
32615	7
32641	18
32653	14
32669	6
34470	25
34471	17
34474	6
34475	11
34468	16
34480	6
34482	4
34488	3

Total 498

34479		X			X	X	X	X
34480		X			X	X	X	
34481	X	X			X	X	X	X
34482	X	X			X	X	X	X
34488	X				X	X	X	X
36561	X				X	X	X	X

FL - ETCs
per Zip

	AT&T (L)	C-LINK (L)	FairPoint Communi- cations (L)	FRONTIER COMM (L)	GLOBAL CONNECTION OF AMERICA (L)	Phone Club Corporation (L)	WIND- STREAM (L)	ACCESS (W)	ASSURANCE (W)	SAFELINK (W)	T- MOBILE (W)
32439		X						X	X	X	
32459		X						X	X	X	
32501	X				X			X	X	X	
32502	X				X			X	X	X	
32503	X				X			X	X	X	X
32504	X				X			X	X	X	X
32505	X				X			X	X	X	X
32506	X				X			X	X	X	X
32507	X				X			X	X	X	X
32508	X							X	X	X	
32509	X							X	X	X	
32511	X							X	X	X	
32514	X				X			X	X	X	X
32526	X				X			X	X	X	X
32531	X	X	X					X	X	X	
32533	X			X	X			X	X	X	X
32534	X				X			X	X	X	
32536		X						X	X	X	
32539		X						X	X	X	
32541		X						X	X	X	
32542	X							X	X	X	
32544								X	X	X	
32547		X						X	X	X	X
32548		X						X	X	X	X
32550		X						X	X	X	X
32561	X							X	X	X	
32563	X				X			X	X	X	X
32566	X					X		X	X	X	X
32567		X	X						X	X	
32569		X						X	X	X	X
32578		X						X	X	X	X
32579		X						X	X	X	X
32580		X						X	X	X	
32601	X				X			X	X	X	X
32603	X							X	X	X	X
32605	X				X			X	X	X	X
32606	X				X			X	X	X	X
32607	X				X			X	X	X	X
32608	X				X	X		X	X	X	X
32609	X				X		X	X	X	X	
32612								X	X	X	X
32615	X						X	X	X	X	X
32616							X	X	X	X	
32617		X					X	X	X	X	
32618	X				X			X	X	X	X
32641	X				X			X	X	X	
32653	X				X		X	X	X	X	
32667	X				X		X	X	X	X	
32669	X							X	X	X	
34470		X						X	X	X	X
34471		X						X	X	X	X
34472		X						X	X	X	
34474		X						X	X	X	
34475		X						X	X	X	X
34476		X						X	X	X	

EXHIBIT B
SAMPLE
COX FLORIDA TELCOM LETTERHEAD

Dear Lifeline Customer,

Beginning August 1, 2019, Cox will no longer provide a Lifeline discount in Florida. If you receive a notification from the Universal Service Administrative Company (USAC) to recertify your eligibility in the Lifeline program after receipt of this letter or if you receive such notice in the future, please disregard as Cox will no longer provide a Lifeline discount in Florida as of August 1, 2019.

How does this impact you? Your voice service from Cox will not change, but you will no longer receive a monthly Lifeline discount on your bill. Cox has a special offer of \$9.99 month for 12 months plus all applicable taxes, fees, and surcharges. Please contact Cox at xxx-xxx-xxxx for more information about this and other offers. . However, if you continue your existing Cox telephone service without this offer, you will be billed at the standard price for that service plus all applicable taxes, fees and surcharges.

If you wish to keep a Lifeline discount, you will need to contact another Lifeline provider. Below is a list of providers that may offer Lifeline in your area. You can contact these providers directly to determine if they provide service at your location.

AT&T
C-Link
Fairpoint
Safelink Wireless
Frontier
Global Connection
Phone Club
Windstream
Access
Assurance
T-Mobile

USAC maintains a list of Lifeline service providers on its website. You can enter your zip code at the following URL to find companies that may provide Lifeline service at your location:

- <https://data.usac.org/publicreports/CompaniesNearMe/Download/Report>

USAC also has general Lifeline information available on its website at the following URL:

- <https://www.lifelinesupport.org/ls/default.aspx>

Thank you,

Cox Communications