BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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|---|---|
| In re: State certification of rural telecommunications carriers pursuant to 47 C.F.R. 54.314, High Cost Universal Service. | DOCKET NO. 090168-TL<br>ORDER NO. PSC-09-0514-FOF-TL<br>ISSUED: July 21, 2009 |

The following Commissioners participated in the disposition of this matter:

MATTHEW M. CARTER II, Chairman
LISA POLAK EDGAR
KATRINA J. McMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

ORDER GRANTING ANNUAL CERTIFICATION

BY THE COMMISSION:

## I. Case Background

Section 254(e) of the Telecommunications Act of 1996 provides that a carrier that receives universal service support "...shall use that support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended." In its Fourteenth Report and Order, Twenty-Second Order on Reconsideration, and Further Notice of Proposed Rulemaking in CC Docket No. 00-256 (the Rural Task Force Order; hereafter, the RTF Order), the Federal Communications Commission (FCC) modified its rules pertaining to the provision of high-cost support for rural telephone companies. The FCC adopted a rule requiring that states who wish for rural carriers within their jurisdiction to receive federal high-cost support must file a certification annually with the FCC and with the Universal Service Administrative Company (USAC). This certification is to affirm that the federal high-cost funds flowing to rural carriers in the state, or to any competitive eligible telecommunications carriers seeking support for serving customers within a rural carrier's service area, will be used in a manner that comports with Section 254(e). 47 C.F.R. §54.314 provides the following:

> State certification of support for rural carriers.
>
> (a) *State certification.* States that desire rural incumbent local exchange carriers and/or eligible telecommunications carriers serving lines in the service area of a rural incumbent local exchange carrier within their jurisdiction to receive support pursuant to §§54.30 (local switching support), 54.305 (sale or transfer of exchanges), and/or 54.307 (support to competitive ETC) of this part and/or part 36, subpart F of this chapter must file an annual certification with the Administrator and the Commission stating that all federal high-cost support provided to such

> carriers within that State will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended...
>
> (c) *Certification format.* A certification pursuant to this section may be filed in the form of a letter from the appropriate regulatory authority for the State, and shall be filed with both the Office of the Secretary of the Commission clearly referencing CC Docket No. 96-45, and with the Administrator of the high-cost universal service support mechanism, on or before the deadlines set forth below in subsection (d). . . .

The FCC requires that certifications for the next calendar funding year must be submitted by the preceding October 1; thus, in order for a rural carrier to be eligible for high-cost universal service support for all of calendar year 2010, certification must be submitted by October 1, 2009.

On March 17, 2005, the FCC released Order No. FCC 05-46 establishing new annual certification and reporting requirements to comply with the conditions of Eligible Telecommunication Carrier (ETC) designation and to ensure universal service funds are used for their intended purposes. In making its decision, the FCC believed that the new reporting requirements were reasonable and consistent with the public interest and the Act, and will further the FCC's goal of ensuring that ETCs satisfy their obligation under Section 214(e) of the Act to provide supported services throughout their designated service areas. The FCC also believed that the administrative burden placed on carriers would be outweighed by strengthening the requirements and certification guidelines to help ensure that high-cost support is used in the manner that it was intended, and would help prevent carriers from seeking ETC status for purposes unrelated to providing rural and high-cost consumers with the access to affordable telecommunications and information services.

By Order No. PSC-05-0824-FOF-TL, issued August 15, 2005, and Order No. PSC-05-0824A-FOF-TL, issued August 17, 2005, we approved the establishment of the annual certification and reporting requirements.

Each of the rural carriers which are seeking state certification for 2010 have complied with our new reporting requirements. This Order pertains to certification of Florida's rural LECs for 2010.

## II. Analysis

Unless this Commission submits certifications to the FCC and to the USAC by October 1, 2009, Florida's rural carriers will receive no interstate high-cost universal service funds during the first quarter of 2010, and would forego all federal support for that quarter. Certifications filed after October 1, 2009, would cause rural carriers to be eligible for high-cost funds for only partial quarters of 2010. For example, certifications filed by January 1, 2010, would allow rural carriers to be eligible for high-cost funds in the second, third, and fourth quarters of 2010. Certifications filed by April 1, 2010, would only allow rural carriers to be eligible for high-cost funds in the third and fourth quarters of 2010. All of these rural ETCs are now under intrastate

price-cap regulation. However, the FCC anticipated that certain state commissions may have limited economic regulatory authority:

> In the case of non-rural carriers, we concluded that states nonetheless may certify to the FCC that a non-rural carrier in the state had accounted to the state commission for its receipt of federal support, and that such support will be 'used only for the provision, maintenance and upgrading of facilities and services for which the support is intended.' We determined that, in states in which the state commission has limited jurisdiction over such carriers, the state need not initiate the certification process itself. . . .We conclude that this approach is equally appropriate here with regard to rural carriers and competitive eligible telecommunications carriers serving lines in the service area of a rural local exchange carrier. (RTF Order, ¶188)

On February 27, 2004, the Federal-State Joint Board on Universal Service (Joint Board) recommended that the FCC encourage states to use the annual ETC certification process to ensure that federal universal service support is used to provide the supported services and for associated infrastructure costs.[1] Annual review affords states the opportunity for a periodic review of ETC fund use.[2] The Joint Board asserted that states should examine compliance with any build-out plans. Where an ETC fails to comply with the requirements in Section 214(e) and any additional requirements proposed by the state commission, the Joint Board noted that the state commission may decline to grant an annual certification or may rescind a certification granted previously.[3] To date, there have been no indications that the rural ETCs are in violation of any of the provisions of Section 214(e).

The FCC has noted that it may institute an inquiry on its own motion for companies for which it, rather than state commissions, has granted ETC status.[4] Such an inquiry could include an examination of the ETC's records and documentation to ensure that the high-cost support it receives is being used "only for the provision, maintenance, and upgrading of facilities and services." The FCC stated that failure to fulfill the requirements of the statute, its rules, and the terms of its designation order could result in the loss of the carrier's ETC designation.

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[1] *See Federal-State Joint Board on Universal Service*, Recommended Decision, CC Docket No. 96-45, FCC 04J-1, pars. 46-48 (2004).

[2] *See Federal-State Joint Board on Universal Service*, Ninth Report and Order and Eighteenth Order on Reconsideration, CC Docket No. 96-45, FCC 99-306, par. 95 (1999) (*Ninth Report and Order*) (stating that accountability for the use of federal funds in the state ratemaking process is an appropriate mechanism to ensure that non-rural carriers use high-cost support for the provision, maintenance and upgrading of facilities and services for which the support is intended); *see also Rural Task Force Order*, CC Docket 96-45, FCC 01-157, par. 187 (2001) (anticipating that states would take the appropriate steps to account for the receipt of high-cost support and ensure that federal support is being applied in a manner consistent with Section 254).

[3] *Federal-State Joint Board on Universal Service;* Western Wireless Corporation Petition for Preemption of an Order of the South Dakota Public Utilities Commission, Declaratory Ruling, CC Docket No. 96-45, (2000), recon. pending (Section 214(e) Declaratory Ruling), par. 15.

[4] *See Federal-State Joint Board on Universal Service*, Memorandum Opinion and Order, CC Docket No. 96-45, FCC 04-37, par. 43, (2004).

As has been done in prior years, each of the seven Florida rural ETCs has provided this Commission with an affidavit (see Attachments A through G) in which they have certified that their use of interstate high-cost universal service support received during 2010 will comport with Section 254(e) of the Act and applicable FCC rules. Given these ETCs' certifications, we hereby certify to the FCC and to the USAC that for the year 2010 Windstream Florida, Inc., Frontier Communications of the South, LLC, GTC, Inc. d/b/a FairPoint Communications, ITS Telecommunications Systems, Inc., Northeast Florida Telephone Company d/b/a NEFCOM, Quincy Telephone Company d/b/a TDS Telecom/Quincy Telephone, and Smart City Telecommunications, LLC, d/b/a Smart City Telecom will only use the federal high-cost support they receive for the provision, maintenance and upgrading of facilities and services for which the support is intended.

This docket shall be closed and subsequent annual certifications of rural telephone companies shall be addressed in a new docket.

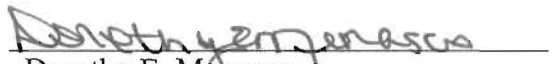
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that we hereby certify to the FCC and to the USAC that for the year 2010 Windstream Florida, Inc., Frontier Communications of the South, LLC, GTC, Inc. d/b/a FairPoint Communications, ITS Telecommunications Systems, Inc., Northeast Florida Telephone Company d/b/a NEFCOM, Quincy Telephone Company d/b/a TDS Telecom/Quincy Telephone, and Smart City Telecommunications, LLC, d/b/a Smart City Telecom will only use the federal high-cost support they receive for the provision, maintenance and upgrading of facilities and services for which the support is intended. It is further

ORDERED that this Docket shall be closed.

By ORDER of the Florida Public Service Commission this 21st day of July, 2009.

ANN COLE
Commission Clerk

By: 
Dorothy E. Menasco
Chief Deputy Commission Clerk

(SEAL)

AJT

## NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Office of Commission Clerk, and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

Attachment A

**State of Florida**

**Public Service Commission**

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

RECEIVED-FPSC
09 JUN 22 PM 3:59
COMMISSION CLERK

**-M-E-M-O-R-A-N-D-U-M-**

**DATE:** June 22, 2009

**TO:** Ann Cole, Commission Clerk - PSC, Office of Commission Clerk

**FROM:** James S. Polk, Regulatory Analyst, Division of Regulatory Compliance

**RE:** Docket No. 090168-TL - State certification of rural telecommunications carriers pursuant to 47 C.F.R. 54.314, High Cost Universal Service.

Please file the attached Affidavit from Windstream Communication in the above docket file. Thank you for your assistance in this matter. If you have any questions, please give me a call at 413-6510.

cc: Division of Regulatory Compliance ( Casey)
Office of General Counsel (Teitzman)

DOCUMENT NUMBER-DATE
06210 JUN 22 8
FPSC-COMMISSION CLERK

Attachment A



windstream communications

**FAX**

Date: 6/22/09

Number of Pages Including Cover Sheet: 4

To: Jim Polk

Phone:

Fax No 850-413-6511

cc:

From Bettye Willis

Phone: (501) 748-5692

Fax No.: (501) 748-7996

REMARKS: ☐ Urgent ☐ For your review ☐ Reply ASAP ☐ Please Comment

Per your request

IF YOU HAVE PROBLEMS RECEIVING THIS FAX, PLEASE CONTACT:
JEAN WOOD AT (501) 748-5354.

Attachment A



**AFFIDAVIT**

BEFORE ME, the undersigned authority appeared Michael D. Rhoda who deposed and said:

1. My name is Michael D. Rhoda. I am Windstream Florida, Inc.'s, ("Windstream" or the "Company") Senior Vice President, Governmental Affairs. I am an officer of the Company and am authorized to give this affidavit on behalf of the Company. This affidavit is being given to support the Florida Public Service Commission's certification as contemplated in 47 C.F.R. §54.314.

2. Windstream hereby certifies that it will only use the federal high-cost support it receives during 2010 for the provision, maintenance and upgrading of facilities and service for which such support is intended.

3. Windstream hereby certifies that it has submitted via annual NECA filings, expenditures in support of its universal service filing and refers to these filings in lieu of providing formal network plans. USF disbursements received by the Company and other rural incumbent local exchange companies are divided into four categories: Interstate Common Line Support ("ICLS"), Local Switching Support ("LSS"); High Cost Loop Support ("HCLS"); and Safety Net Additive Support ("SNAS"). The FCC in conjunction with the Federal-State Joint Board on Universal Service has created each of these mechanisms, except ICLS. This means that representatives from State Commissions have also been involved in the development of these mechanisms through their representation in the Joint Board process.

ICLS is a universal service mechanism which is based on the embedded, interstate loop costs of rate-of-return companies and allows these companies to recover from the fund the difference between their interstate common line costs and the subscriber line charge ("SLC") revenues collected from their customers. ICLS provides support to rate-of-return ILECs for investments and expenses already incurred. The ICLS calculation uses the interstate cost studies submitted and certified by the companies and received by NECA.

LSS rules established by the FCC use the embedded costs of the rural ILECs associated with switching investments, depreciation, maintenance, expenses, taxes and an FCC prescribed rate of return. Therefore, LSS provides support to rural ILECs for investments and expenses already incurred. This amount is used to offset the rural ILECs' interstate switching revenue requirement. Therefore, the difference between the interstate switching revenue requirement again as set forth in the company's annual interstate cost study, and LSS is used to calculate the local switching rate charged to interexchange carriers.

Rural ILECs are eligible for HCLS based upon their embedded, unseparated loop costs. These costs are calculated using a set of complex algorithms approved by the FCC, the inputs for which

are scrutinized by NECA. Therefore, HCLS provides support to rural ILECs for investments and expenses already incurred.

Pursuant to FCC Orders, SNAS is support above the HCL cap for carriers that make significant investments in rural infrastructure. To receive SNAS, a rural carrier must show that growth in telecommunications plant in service (TPIS) per line is at least 14 percent greater than the study area's TPIS in the prior year. Therefore, SNAS is providing support to rural ILECs for investments and expenses already incurred. Carriers seeking to qualify for safety net additive support must provide written notice to USAC that a study area meets the 14 percent TPIS trigger.

All of these programs are administered through USAC, a private, not-for-profit corporation. USAC assists NECA in data collection necessary for the remittance of universal service funds. What this means is that each company submits, no less frequently than annually, detailed information requested by NECA in the USF data collection process necessary for the remittance of universal service funds.

Rural ILECs must attest to the information submitted. Further, NECA and its auditors must attest to the validity and integrity of NECA's process. In other words, the ILEC cost studies and responses to data collection requests are subject to audit. The information provided in response to all of the universal service fund mechanisms utilizes FCC accounts for regulated costs and must be in compliance with FCC rules in Parts 32, 36, 54 and 64.

All cost studies submitted by rural ILECs and all USF funding received by rural ILECs must be based upon financial statements. In addition, NECA performs focus reviews of cost studies as well as the USF filings for the cost companies involved in the NECA process. In addition, an officer of the rural ILEC must certify the accuracy and validity of the filed information.

HCLS data used in the HCLS calculations by NECA must also be filed with the FCC in October of each year. This data contains the regulated financial inputs into the algorithm as well as the number of loops that will receive universal service support.

Windstream is eligible for and receives ICLS.

4. Windstream hereby certifies that it follows appropriate procedures for network outage reporting in accordance with the Federal Outage Reporting Order and State Outage Reporting Requirements. For the period between March 1, 2008 and March 1, 2009, Windstream had __4__ FCC reportable outages. Windstream had ___5____PSC reportable outages.

5. Windstream hereby certifies that it did fulfill all requests for service from potential customers.

6. Windstream hereby certifies that for the period from March 1, 2008 through March 1, 2009 __5____ FCC complaints and __37____state PSC complaints were received.

7. Windstream hereby certifies that it is able to function in emergency situations, offers a tariffed local usage plan and provides equal access to long distance carriers.

Attachment A



FURTHER AFFIANT SAYETH NOT.

Michael D. Rhoda
Senior Vice President, Governmental Affairs

STATE OF ARKANSAS
COUNTY OF PULASKI

Acknowledged before me this 22nd day of June 2009, by Michael D. Rhoda, as Senior Vice President, Governmental Affairs of Windstream Florida, Inc. who is personally known to me or produced identification and who did take an oath.

Sandra Jean Wood
– Notary Public

SANDRA JEAN WOOD NOTARY PUBLIC GRANT COUNTY, ARK. My Comm Expires SEPT. 1, 2011

Personally Known ✓
Produced Identification _____
Type of Identification Produced _____

Attachment B

frontier Communications



Government & External Affairs
180 S. Clinton Ave.
5th Floor
Rochester, NY 14646

April 15, 2009

Ann Cole, Director
Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Frontier Communications of the South, LLC
Study Area Code: 210318
47 USC 254(e); 47 CFR § 54.314
Docket No. 010977-TL

Dear Ms. Cole:

This letter is to request that the Florida Public Service Commission notify the Federal Universal Fund Administrator and the Federal Communications Commission that Frontier Communications of the South, LLC ("Frontier") is eligible to receive federal high-cost support in accordance with the above-referenced statute, federal rule and docket.

The amount of federal high-cost support Frontier will receive in 2010 will continue to be used for the services and functionalities outlined in 47 C.F.R. §54.101(a) and, as the attached affidavit shows, Frontier certifies that it will only use the federal high-cost support it receives for the provision, maintenance and upgrading of facilities and service for which such support is intended.

This state certification for federal support will be an annual process. In order to receive federal support beginning January 1 of each year, the Florida Public Service Commission must file its annual certification on or before October 1 of the year before.

Frontier respectfully requests that the Commission notify the FCC prior to October 1 of this year that Frontier is eligible to receive federal high-cost support for 2010.

Sincerely,

Deborah Fasciano

Deborah Fasciano
Sr. Analyst – Regulatory Compliance

CC: Beth Salak
Director, Competitive Markets & Enforcement
Florida Public Service Commission

Enclosure

Attachment B

**AFFIDAVIT**

STATE OF NEW YORK
COUNTY OF MONROE

BEFORE ME, the undersigned authority, appeared Gregg C. Sayre, who deposed and said:

1. My name is Gregg Sayre. I am Assistant Secretary of Frontier Communications of the South, LLC ("Frontier" or the "Company"). As an officer of the Company, I am authorized to give this affidavit on behalf of the Company. This affidavit is being given to support the Florida Public Service Commission's certification as contemplated in 47 C.F.R. §54.314. Please refer to Docket No. 010977-TL.

2. Frontier hereby certifies that it will only use the federal high-cost support it receives during 2010 for the provision, maintenance and upgrading of facilities and service for which such support is intended.

3. Frontier Communications of The South currently holds ETC status and is an ILEC offering a ubiquitous network throughout the service area. The FCC has clarified that, for the ETCs that it designates, the "service quality improvements in the five-year plan do not necessarily require additional construction of network facilities." *FCC 05-46*, ¶ 23. In such situations, the FCC has stated that the ETC Applicant may provide "an explanation of why service improvements in a particular wire center are not needed and how funding will otherwise be used to further the provision of supported services in that area." *FCC 05-46*, ¶ 23.

   Because Frontier Communications of The South has coverage throughout the service area, the company will continue to use USF support to maintain its existing network, rather than to construct additional facilities to expand the coverage area. The company will replace and upgrade facilities and equipment on an "as needed" basis and for this reason, providing projected start and completion dates for projects, and specific geographic locations of such projects, is very difficult.

   Frontier has submitted via annual NECA filings, the supporting documentation on network improvements and expenditures in support of our universal service filing and refer to this in lieu of formal network plans.

4. Frontier experienced two outages that lasted more than 30 minutes and affected more than ten percent of the end users in its service area.

   a. Date and Time of Outage – August 6, 2008 at 1:20 pm CT to 1:52 pm CT (32 minutes)
   b. Cause – Local forces were in process of moving fiber due to road construction in area.
   c. Services Affected – toll isolation
   d. Site – Molino-RNS
   e. Steps Taken – Fiber was moved and spliced
   f. Customers affected – 3,750

   a. Date and Time of Outage – December 21, 2008 at 10:55 am CT to 3:01 pm CT (4:06 hrs)
   b. Cause – SS7 links were riding over a bad fiber
   c. Services Affected – Toll isolation
   d. Site – Molino RNS & Remotes
   e. Steps Taken – bad fiber was swapped between nodes to a spare fiber
   f. Customers affected – 2,196

5. Frontier did not have any requests for service that were unfulfilled in 2008.

6. Frontier certifies that during 2008 Frontier received two complaints. The rate of troubles per 1,000 access lines was 0.55.

7. Frontier certifies that the company is complying with applicable service quality standards and consumer protection rules.

8. Frontier hereby certifies that it is able to function in emergency situations.

9. Frontier is the incumbent LEC in the relevant exchange area and offers a tariffed local flat rate plan and provides equal access to long distance carriers.

FURTHER AFFIANT SAYETH NOT.

Gregg C. Sayre
Assistant Secretary
Frontier Communications of the South, LLC

STATE OF NEW YORK
COUNTY OF MONROE

Acknowledged before me this 15th day of April 2009 by Gregg C. Sayre, as Assistant Secretary for Frontier Communications of the South, LLC, who is personally known to me or produced identification and who did take an oath.

Holly M. James
NOTARY PUBLIC

HOLLY M. JAMES
Notary Public, State of New York
Qualified in Monroe County
My Commission Expires Nov. 30, 2010

Printed Name of Notary

Personally Known X
Produced Identification
Type of Identification Produced

Attachment C

RUTLEDGE, ECENIA & PURNELL
PROFESSIONAL ASSOCIATION
ATTORNEYS AND COUNSELORS AT LAW

STEPHEN A. ECENIA
RICHARD M. ELLIS
JOHN M. LOCKWOOD
MARTIN P. McDONNELL
J. STEPHEN MENTON

POST OFFICE BOX 551, 32302-0551
215 SOUTH MONROE STREET, SUITE 420
TALLAHASSEE, FLORIDA 32301-1841

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R. DAVID PRESCOTT
HAROLD F. X. PURNELL
MARSHA E. RULE
GARY R. RUTLEDGE
MAGGIE M. SCHULTZ

GOVERNMENTAL CONSULTANTS
JONATHAN M. COSTELLO
MARGARET A. MENDUNI

April 22, 2009

RECEIVED-FPSC
09 APR 22 PM 3:10
COMMISSION CLERK

VIA HAND DELIVERY

Ms. Ann Cole, Director
Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Betty Easley Conference Center, Room 110
Tallahassee, Florida 32399-0850

Re: Docket No. 090168-TL

Dear Ms. Cole:

Enclosed for filing on behalf of GTC, Inc. d/b/a FairPoint Communications are the original and fifteen copies of the Affidavit of Patrick L. Morse. Mr. Morse's Affidavit is filed in compliance with Order No. PSC-05-0824-FOF-TL issued August 15, 2005, as amended by Amendatory Order No. PSC-05-0824A-FOF-TL issued August 17, 2005, and by Order No. PSC-08-0551-FOF-TL issued August 20, 2008 in PSC Docket No. 010977-TL.

If you have any questions, please do not hesitate to contact me. Thank you for your assistance with this filing.

COM
ECR
GCL 1
OPC
RCP
SSC
SGA 1
ADM
CLK

Sincerely,

Martin P. McDonnell

MPM/vp
Enclosures
cc: Mr. R. Mark Ellmer, with enclosure
Mr. James Polk, with enclosure

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DOCUMENT NUMBER-DATE
03735 APR 22 09
FPSC-COMMISSION CLERK

Attachment C

DOCKET NO. 010977-TL

**AFFIDAVIT**

BEFORE ME, the undersigned authority appeared Patrick L. Morse who deposed and said:

1. My name is Patrick L. Morse. I am employed by GTC, Inc. d/b/a FairPoint Communications (the "Company") as its Senior Vice President - Governmental Affairs. I am authorized to give this affidavit on behalf of the Company. This affidavit is being given to support the Florida Public Service Commission's certification as contemplated in 47 C.F.R. §54.314.

2. GTC, Inc. d/b/a FairPoint Communications hereby certifies that it will only use the federal high-cost support it receives during 2010 for the provision, maintenance and upgrading of facilities and service for which such support is intended.

3. GTC, Inc. d/b/a FairPoint Communications hereby certifies that it has submitted via annual NECA filings, the supporting documentation on network improvements and expenditures in support of our universal service filing and refer to this in lieu of formal network plans. USF disbursement received by the Company and other rural incumbent local exchange companies is divided into four categories: Interstate Common Line Support ("ICLS"), Local Switching Support ("LSS"), High Cost Loop Support ("HCLS") and Safety Net Additive Support ("SNAS"). Each of these mechanisms has been created by the FCC in conjunction with the Federal-State Joint Board on Universal Service. This means that representatives from State Commissions have also been involved in the development of these mechanisms through their representation in the Joint Board process.

ICLS is a universal service mechanism which is based upon each company's embedded, interstate loop costs and allows rate-of-return companies to offset interstate common line access charges and recover its interstate common line revenue requirement and still allow SLCs to remain affordable to customers. ICLS is reimbursing ILECs for investments and expenses already incurred. The ICLS calculation uses the interstate cost structure of a rural incumbent local exchange carrier ("ILEC") based upon annual interstate cost studies that are submitted and certified by the companies and received by NECA. The difference between the interstate common line revenue requirement, again as set forth in the company's annual interstate cost study and the SLC revenue collected from end users, makes up the ICLS.

LSS rules established by the FCC use the embedded costs of the rural ILECs associated with switching investments, depreciation, maintenance, expenses, taxes and an FCC established rate of return. Therefore, LSS is reimbursing ILECs for investments and expenses already incurred. This amount is used to offset the rural ILECs interstate switching revenue requirement. The difference between the interstate switching revenue requirement, again as set forth in the company's annual interstate cost study and LSS, makes up the switching rate which is charged to interexchange carriers.

The HCLS for rural ILECs is based upon each company's embedded, unseparated loop costs. These costs are calculated using a set of complex algorithms approved by the FCC, the inputs for which are scrutinized by NECA. Therefore, HCLS is reimbursing ILECs for investments and expenses already incurred.

Pursuant to the FCC Order, SNAS is support above the HCL cap for carriers that make significant investment in rural infrastructure in years in which HCL is capped. To receive SNAS, a rural carrier must show that growth in telecommunications plant in service (TPIS) per line is at least 14 percent greater than the study area's TPIS in the prior year. Therefore, SNAS is reimbursing ILECs for investments and expenses already incurred. Carriers seeking to qualify for safety net additive support must provide written notice to USAC that a study area meets the 14 percent TPIS trigger.

All of these programs are administered through the USAC. USAC, as a private, not-for-profit corporation, is responsible for providing every state and territory of the United States with access to affordable telecommunications service through the federal USF. USAC has contracted with NECA to assist in data collection necessary for the remittance of universal service funds. What this means is that each company submits, no less frequently than annually, detailed information requested by NECA in the USF data collection process.

Rural ILECs must attest to the information submitted. Further, NECA and its auditors must attest to the validity and integrity of NECA's process. In other words, the ILEC cost studies and responses to data collection requests are subject to audit. The information provided in response to all of the universal service fund mechanisms utilizes FCC accounts for regulated costs and must be in compliance with FCC rules in Parts 32, 36, 54 and 64.

All cost studies submitted by rural ILECs and all USF funding submitted by rural ILECs must be based upon financial statements. In addition, NECA performs focus reviews of cost studies as well as the USF filings for the cost companies involved in the NECA process. In addition, an officer of the rural ILEC must certify the accuracy and validity of the filed information.

HCLS data used in the HCLS calculations by NECA must also be filed with the FCC in October of each year. This data contains the regulated financial inputs into the algorithm as well as the number of loops that will receive universal service support.

4. GTC, Inc. d/b/a FairPoint Communications hereby certifies that it follows appropriate procedures for network outage reporting as per the Federal Outage Reporting Order and State Outage Reporting Requirements. For the period between March 1, 2008 and February 28, 2009, GTC, Inc. d/b/a FairPoint Communications did not have any Federal FCC reportable outages and had three State PSC reportable outages (3/25/2008, 5/14/2008, & 8/8/2008).

5. GTC, Inc. d/b/a FairPoint Communications hereby certifies that it did fulfill all requests for service from potential customers.

6. GTC, Inc. d/b/a FairPoint Communications hereby certifies that for the period from March 1, 2008 and February 28, 2009 one FCC complaint was received, processed and resolved per FCC rules. During the same period seventeen state PSC complaints were received, processed and resolved per PSC rules.

7. GTC, Inc. d/b/a FairPoint Communications hereby certifies that for the period ending February 28, 2009 the company had one requests for service that was unfulfilled due to company construction requirements.

8. GTC, Inc. d/b/a FairPoint Communications hereby certifies that the company is complying with all applicable service qualify standards and consumer protection rules in accordance with Florida Statutes and Florida Administrative Code.

9. GTC, Inc. d/b/a FairPoint Communications hereby certifies that it is able to function in emergency situations, offers a tariffed local usage plan and provides equal access to long distance carriers.

FURTHER AFFIANT SAYETH NOT.

Patrick L. Morse
Senior Vice President - Governmental Affairs

STATE OF KANSAS
COUNTY OF FORD

Acknowledged before me this 16th day of April, 2009, by Patrick L. Morse, as Senior Vice President – Governmental Affairs, GTC, Inc. d/b/a FairPoint Communications, who is personally known to me or produced identification and who did take an oath.

Notary Public

NOTARY PUBLIC - State of Kansas
BETTYE J. YOUNG
My Appt. Exp. 7/6/10

Attachment D

*ITS TELECOMMUNICATIONS SYSTEMS, INC.*
15925 SW Warfield Blvd. • P. O. Box 277
Indiantown, Florida 34956
772-597-2111



May 6, 2009

Mrs. Ann Cole, Director
Division of the Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RE: Docket No. 090168-TL
State Certification of Rural Telecommunication Carriers pursuant to 47 C.F.R. §54.314

Dear Mrs. Cole:

Enclosed for filing in the above referenced are the original and three (3) copies of the signed Affidavit of Michael Abramson on behalf of ITS Telecommunications.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning same to me.

Thank you for your assistance in this matter and should you have any questions, please contact me at (772) 597-3129.

Sincerely,

Mary Ann Holt
Administrative Services Manager

COM ___
ECR ___
GCL 1
OPC ___
RCP 1
SSC ___
SGA 1
ADM ___
CLK ___

cc: Jeffrey S, Leslie, President
Michael Abramson, Vice President

**FPSC DOCKET NO. 090168-TL**
**State Certification of Rural Telecommunication Carriers Pursuant to 47 C.F.R. §54.314**

**AFFIDAVIT**

**STATE OF FLORIDA**
**COUNTY OF MARTIN**

BEFORE ME, the undersigned authority, personally appeared **Michael Abramson**, known to me to be a credible person and of lawful age, who deposed and said:

My name is Michael Abramson. I am employed by **ITS Telecommunications Systems, Inc.** (ITS or the "Company") as Vice President. I possess substantial knowledge of the Company's operations and am an officer authorized to give this affidavit on behalf of the Company. This affidavit is being given to support the certification of the Florida Public Service Commission ("Commission") as contemplated in 47 C.F.R. §54.314.

ITS hereby certifies that it will utilize all federal high-cost support it receives during 2010 only for the provision, maintenance and upgrading of facilities and services for which the support is intended, consistent with 47 U.S.C. § 254(e) of the Telecommunications Act of 1996.

1. In lieu of providing progress reports on a five-year service quality improvement plan, ITS submits that certain requirements, procedures and processes to which the Company adheres, and which are further explained in the following paragraphs, constitute the Company's progress report with respect to the receipt and utilization of federal universal service support. Under the existing rules and processes discussed the federal support funds received by the Company and other rural incumbent local exchange carriers ("ILECs") are, in fact, an integral part of the rural ILEC's recovery of expenditures incurred in the provision, maintenance and upgrading of its provision of universal service. Essentially, the Company receives federal universal service support ("USF") through various programs which are administered through the Universal Service Administrative Company ("USAC"). USAC has contracted with the National Exchange Carrier Association, Inc. ("NECA") to assist in data collection necessary for the remittance of USF. The company submits, not less frequently than annually, detailed information requested by NECA in the USF data collection process. USF data used in the USF calculations by NECA must also be filed with the FCC by November 1st of each year.

   Rural ILECs must attest to the information submitted. Further, NECA and its auditors must attest to the validity and integrity of NECAs process. In other words, the ILEC cost studies and responses to data collection requests are subject

to audit. The information provided in response to all of the universal service fund mechanisms utilizes FCC accounts for regulated costs and must be in compliance with FCC rules in Parts 32, 36, 54 and 64.

All cost studies submitted by rural ILECs and all USF funding submitted by rural ILECs must be based upon financial statements. In addition, NECA performs focus reviews of cost studies as well as the USF filings for the cost companies involved in the NECA process. In addition, an officer of the rural ILEC must certify the accuracy and validity of the filed information. This process ensures that the Company will not be deprived of the USF funding upon which the Company depends to provide rural telephone customers with affordable and quality telecommunications services.

The federal USF received by the Company and other rural ILECS is divided into four categories: High Cost Loop Support ("HCLS"); Local Switching Support ("LSS"); Interstate Common Line Support ("ICLS"); and Safety Net Additive Support ("SNAS"). Each of these mechanisms has been created by the FCC in conjunction with the Federal-State Joint Board on Universal Service. This means that representatives from State Commissions have also been involved in the development of these mechanisms through their representation in the Joint Board process.

HCLS for rural ILECs is based upon each company's embedded, unseparated loop cost. These costs are calculated using a set of complex algorithms approved by the FCC, the inputs for which are scrutinized by NECA. Therefore, HCLS is reimbursing ILECs for investments and expenses already incurred.

LSS rules established by the FCC use the embedded costs of the rural ILECs associated with switching investments, depreciation, maintenance, expenses, taxes and an FCC established rate of return. Therefore, LSS is reimbursing ILECs for investments and expenses already incurred. This amount is used to offset the rural ILECs interstate switching revenue requirement. The difference between the interstate switching revenue requirement, again as set forth in the company's annual interstate cost study and LSS, makes up the switching rate which is charged to interexchange carriers.

ICLS is a universal service mechanism which is based upon each company's embedded, interstate loop cost and allows rate-of-return companies to offset interstate common line access charges and recover its interstate common line

revenue requirement and still allow SLCs to remain affordable to customers. ICLS is reimbursing ILECs for investments and expenses already incurred. The

ICLS calculation uses the interstate cost structure of a rural incumbent local exchange carrier ("ILEC") based upon annual interstate cost studies that are submitted and certified by the companies and received by NECA. The difference between the interstate common line revenue requirement, again as set forth in the company's annual interstate cost study and the SLC revenue collected from end users, makes up the ICLS.

LSS rules established by the FCC use the embedded costs of the rural ILECs associated with switching investments, depreciation, maintenance, expenses, taxes and an FCC established rate of return. Therefore, LSS is reimbursing ILECs for investments and expenses already incurred. This amount is used to offset the rural ILECs interstate switching revenue requirement. The difference between the interstate switching revenue requirement, again as set forth in the company's annual interstate cost study and LSS, makes up the switching rate which is charged to interexchange carriers.

SNAS is support above the HCLS cap for carriers that make significant investment in rural infrastructure in years in which HCLS is capped. To receive this support, a rural ILEC must show that growth in telecommunications plant in service (TPIS) per line is at least 14 percent greater than the study area's TPIS in the prior year. Carriers seeking to qualify for SNAS must provide written notice to USAC that a study area meets the 14 percent TRIS trigger.

2.&3. ITS hereby certifies that it follows appropriate procedures for network outage reporting as per the Federal Outage Reporting Order and State Outage Reporting Requirements. For the period between March 1, 2008 and March 1, 2009, ITS did not have any Federal FCC reportable outages.

ITS did not have any State PSC reportable outages during the same period.

4. ITS hereby certifies that it did fulfill all requests for service from potential customers.

5. ITS hereby certifies that it received zero FCC complaints during the period March 1, 2008 through March 1, 2009. ITS received one (1) complaint filed with the FPSC during the period March 1, 2008 to March 1, 2009.

Attachment D



6. ITS hereby certifies that it complies with the applicable state PSC quality of service standards and state consumer protection rules in accordance with Florida Statutes and the Florida Administrative Code.

7. ITS hereby certifies that it is able to function in emergency situations.

8. ITS hereby certifies that it provides equal access to long distance carriers.

**FURTHER AFFIANT SAYETH NOT.**

Michael Abramson
Vice President
ITS Telecommunications Systems, Inc.

STATE OF FLORIDA
COUNTY OF MARTIN

Acknowledged before me this 6th day of May, 2009 by Michael Abramson, as Vice President of ITS Telecommunications Systems, Inc., who is personally known to me and did not take an oath.

JOAN SHEVLIN
Comm# DD0822642
Expires 11/2/2012
Florida Notary Assn., Inc

Joan Shevlin
Notary Public

Personally known X
Produced Identification
Type of Identification Produced

Attachment E

**TOWNES TELECOMMUNICATIONS SERVICES CORPORATION**

April 15, 2009

Florida Public Service Commission
Ann Cole, Commission Clerk
Office of Commission Clerk
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RECEIVED-FPSC
09 APR 17 PM 2:25
COMMISSION CLERK

Re: FPSC Docket No. 010977-TL
Northeast Florida Telephone Company
State Certification of Rural Telecommunications Carriers Pursuant to 47 C.F.R. §54.314

Dear Ms. Cole:

Enclosed herewith for filing in the above referenced docket, is the signed affidavit of Northeast Florida Telephone Company, Inc. d/b/a/ NEFCOM ("NEFCOM") certifying that all federal high-cost support received by NEFCOM in 2010 will only be used for the provision, maintenance and upgrading of facilities and services for which such support is intended. In addition, NEFCOM has certified to the new ETC reporting requirements established by Order No. PSC-05-0824-FOF-TL, issued August 15, 2005 in the above referenced docket.

Please contact me at (904) 688-0029 should you have any questions regarding this filing.

Sincerely,

Deborah Nobles
Vice President of Regulatory Affairs

DN:

Enclosure

Cc: Robert J. Casey, FPSC Public Utilities Supervisor, Div of Competitive Markets & Enforcement
Mike Griffis, NEFCOM General Manager

DOCUMENT NUMBER-DATE
03582 APR 17 8
FPSC-COMMISSION CLERK

505 Plaza Circle, Suite 200 • Orange Park, FL 32073 • (904) 688-0017 • (904) 688-0049 Fax

DOCKET NO. 010977-TL

**AFFIDAVIT**

STATE OF FLORIDA
COUNTY OF CLAY

BEFORE ME, the undersigned authority, appeared Deborah Nobles who deposed and said:

1. My name is Deborah Nobles. I am employed by Northeast Florida Telephone Company, Inc. d/b/a NEFCOM ("NEFCOM" or the "Company") as its Vice President of Regulatory Affairs. I am an officer of the Company and am authorized to give this affidavit on behalf of the Company. This affidavit is being given to support the Florida Public Service Commission's certification as contemplated in 47 C.F.R. §54.314.

2. NEFCOM hereby certifies that it will only use the federal high-cost support it receives during 2010 for the provision, maintenance and upgrading of facilities and service for which such support is intended.

3. NEFCOM hereby certifies that it has submitted via annual NECA filings, the supporting documentation on network improvements and expenditures in support of our universal service filing and refers to this in lieu of formal network plans. USF disbursement received by the Company and other rural incumbent local exchange companies is divided into four categories: Interstate Common Line Support ("ICLS"), Local Switching Support ("LSS"); High Cost Loop Support ("HCLS"); and Safety Net Additive Support ("SNAS"). The FCC in conjunction with the Federal-State Joint Board on Universal Service has created each of these mechanisms. This means that representatives from State Commissions have also been involved in the development of these mechanisms through their representation in the Joint Board process.

ICLS is a universal service mechanism which is based upon each companies embedded, interstate loop costs and allows rate-of-return companies to offset interstate common line access charges and recover its interstate common line revenue requirement and still allow SLCs to remain affordable to customers. ICLS is reimbursing ILECs for investments and expenses already incurred. The ICLS calculation uses the interstate cost structure of a rural incumbent local exchange carrier ("ILEC") based upon annual interstate cost studies that are submitted and certified by the companies and received by NECA. The difference between the interstate common line revenue requirement, again as set forth in the company's annual interstate cost study and the SLC revenue collected from end users, makes up the ICLS.

LSS rules established by the FCC use the embedded costs of the rural ILECs associated with switching investments, depreciation, maintenance, expenses, taxes and an FCC established rate of return. Therefore, LSS is reimbursing ILECs for investments and expenses already incurred. This amount is used to offset the rural ILECs' interstate switching revenue requirement. The difference between the interstate switching revenue requirement, again as set forth in the

company's annual interstate cost study and LSS, makes up the switching rate which is charged to interexchange carriers.

The HCLS for rural ILECs is based upon each company's embedded, unseparated loop costs. These costs are calculated using a set of complex algorithms approved by the FCC, the inputs for which are scrutinized by NECA. Therefore, HCLS is reimbursing ILECs for investments and expenses already incurred.

Pursuant to the FCC Order, SNAS is support above the HCL cap for carriers that make significant investment in rural infrastructure in years in which HCL is capped. To receive SNAS, a rural carrier must show that growth in telecommunications plant in service (TPIS) per line is at least 14 percent greater than the study area's TPIS in the prior year. Therefore, SNAS is reimbursing ILECs for investments and expenses already incurred. Carriers seeking to qualify for safety net additive support must provide written notice to USAC that a study area meets the 14 percent TPIS trigger.

All of these programs are administered through the USAC. USAC, as a private, not-for-profit corporation, is responsible for providing every state and territory of the United States with access to affordable telecommunications service through the federal USF. USAC has contracted with NECA to assist in data collection necessary for the remittance of universal service funds. What this means is that each company submits, no less frequently than annually, detailed information requested by NECA in the USF data collection process.

Rural ILECs must attest to the information submitted. Further, NECA and its auditors must attest to the validity and integrity of NECA's process. In other words, the ILEC cost studies and responses to data collection requests are subject to audit. The information provided in response to all of the universal service fund mechanisms utilizes FCC accounts for regulated costs and must be in compliance with FCC rules in Parts 32, 36, 54 and 64.

All cost studies submitted by rural ILECs and all USF funding submitted by rural ILECs must be based upon financial statements. In addition, NECA performs focus reviews of cost studies as well as the USF filings for the cost companies involved in the NECA process. In addition, an officer of the rural ILEC must certify the accuracy and validity of the filed information.

HCLS data used in the HCLS calculations by NECA must also be filed with the FCC in October of each year. This data contains the regulated financial inputs into the algorithm as well as the number of loops that will receive universal service support.

4. NEFCOM hereby certifies that it follows appropriate procedures for network outage reporting as per the Federal Outage Reporting Order and State Outage Reporting Requirements. For the period between March 1, 2008 and March 1, 2009, NEFCOM did not have any Federal FCC reportable outages and 1 (one) State PSC reportable outages (reported 1/5/09) that lasted approximately 7 hours and resulted in the loss of dial tone for 509 subscribers in the Conner remote area.

5. NEFCOM hereby certifies that it did fulfill all requests for service from potential customers.

6. NEFCOM hereby certifies that for the period from March 1, 2008 and March 1, 2009, zero FCC complaints were received and 1 (one) state PSC service complaint was received.

7. NEFCOM hereby certifies that it complies with the applicable state PSC quality of service standards, federal and state consumer protection rules, is able to function in emergency situations, offers a tariffed local usage plan and provides equal access to long distance carriers.

FURTHER AFFIANT SAYETH NOT.

Deborah Nobles
Vice President of Regulatory Affairs

STATE OF FLORIDA
COUNTY OF CLAY

Acknowledged before me this 15th day of April 2009, by Deborah Nobles, as Vice President of Regulatory Affairs of Northeast Florida Telephone Company, Inc. d/b/a NEFCOM, who is personally known to me or produced identification and who did take an oath.

Kim Jackson – Notary Public

KIM JACKSON
Commission DD 669912
Expires August 28, 2011
Bonded Thru Troy Fain Insurance 800-385-7019

Personally Known ✓
Produced Identification _____
Type of Identification Produced _____

Attachment F



April 27, 2009

Ann Cole – Commission Clerk
Division of Communications Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

090168-TL

Re: Docket No. 010977-TL
Quincy Telephone Company d/b/a TDS Telecom

Dear Ms. Cole;

This letter is to request that the Florida Public Service Commission notify the Universal Service Administrative Company (USAC) and the Federal Communications Commission (FCC) that Quincy Telephone Company d/b/a TDS Telecom/Quincy Telephone ("Quincy") is eligible to receive federal high-cost support in accordance with the above-referenced statute and federal rule.

The amount of federal high-cost support that Quincy will receive in 2010 will continue to be used for the services and functionalities outlined in 47 C.F.R. §54.101(a) and as the attached affidavit shows Quincy certifies that it will only use the federal high-cost support it receives for the provision, maintenance and upgrading of facilities and service for which such support is intended.

This state certification for federal support is an annual process. In order to receive federal support beginning January 1 of each year, the Florida Public Service Commission must file its annual certification on or before October 1 of the year before.

Quincy respectfully requests that the Commission notify the FCC prior to October 1 of this year that Quincy is eligible to receive federal high-cost support for 2010. If there any questions, please contact Tom McCabe at 850-875-5207.

Sincerely,

Kristine M. Haskin
Manager – Federal Affairs

Attachment

cc: Beth Salak
Tom McCabe (TDS Telecom)
5 copies

COM ____
ECR ____
GCL 2
OPC ____
RCP ____
SSC ____
SGA ____
ADM ____
CLK ____

DOCKET NO. 010977-TL

**AFFIDAVIT**

BEFORE ME, the undersigned authority appeared Kevin G. Hess who deposed and said:

My name is Kevin G. Hess. I am employed by TDS Telecommunications Corporation, the parent company of Quincy Telephone Company d/b/a TDS Telecom/Quincy ("TDS" or the "Company") as its Senior Vice President, Government & Regulatory Affairs. I am an officer of the Company and am authorized to give this affidavit on behalf of the Company. This affidavit is being given to support the Florida Public Service Commission's certification as contemplated in 47 C.F.R. §54.314.

TDS hereby certifies that it will only use the federal high-cost support it receives during 2010 for the provision, maintenance and upgrading of facilities and service for which such support is intended.

1. TDS hereby certifies that it has submitted via annual NECA filings, the supporting documentation on network improvements and expenditures in support of our universal service filing and refer to this in lieu of formal network plans. USF disbursement received by the Company and other rural incumbent local exchange companies is divided into four categories: Interstate Common Line Support ("ICLS"), Local Switching Support ("LSS"); High Cost Loop Support ("HCLS"); and Safety Net Additive Support ("SNAS"). Each of these mechanisms has been created by the FCC in conjunction with the Federal-State Joint Board on Universal Service. This means that representatives from State Commissions have also been involved in the development of these mechanisms through their representation in the Joint Board process.

ICLS is a universal service mechanism which is based upon each companies embedded, interstate loop costs and allows rate-of-return companies to offset interstate common line access charges and recover its interstate common line revenue requirement and still allow SLCs to remain affordable to customers.. ICLS is reimbursing ILECs for investments and expenses already incurred. The ICLS calculation uses the interstate cost structure of a rural incumbent local exchange carrier ("ILEC") based upon annual interstate cost studies that are submitted and certified by the companies and received by NECA. The difference between the interstate common line revenue requirement, again as set forth in the company's annual interstate cost study and the SLC revenue collected from end users, makes up the ICLS.

LSS rules established by the FCC use the embedded costs of the rural ILECs associated with switching investments, depreciation, maintenance, expenses, taxes and an FCC established rate of return. Therefore, LSS is reimbursing ILECs for investments and expenses already incurred. This amount is used to offset the rural ILECs' interstate switching revenue requirement. The difference between the interstate switching revenue requirement, again as set forth in the company's annual interstate cost study and LSS, makes up the switching rate which is charged to interexchange carriers.

The HCLS for rural ILECs is based upon each company's embedded, unseparated loop costs. These costs are calculated using a set of complex algorithms approved by the FCC, the inputs for which are scrutinized by NECA. Therefore, HCLS is reimbursing ILECs for investments and expenses already incurred.

Pursuant to the FCC Order, SNAS is support above the HCL cap for carriers that make significant investment in rural infrastructure in years in which HCL is capped. To receive SNAS, a rural carrier must show that growth in telecommunications plant in service (TPIS) per line is at least 14 percent greater than the study area's TPIS in the prior year. Therefore, SNAS is reimbursing ILECs for investments and expenses already incurred. Carriers seeking to qualify for safety net additive support must provide written notice to USAC that a study area meets the 14 percent TPIS trigger.

All of these programs are administered through the USAC. USAC, as a private, not-for-profit corporation, is responsible for providing every state and territory of the United States with access to affordable telecommunications service through the federal USF. USAC has contracted with NECA to assist in data collection necessary for the remittance of universal service funds. What this means is that each company submits, no less frequently than annually, detailed information requested by NECA in the USF data collection process.

Rural ILECs must attest to the information submitted. Further, NECA and its auditors must attest to the validity and integrity of NECA's process. In other words, the ILEC cost studies and responses to data collection requests are subject to audit. The information provided in response to all of the universal service fund mechanisms utilizes FCC accounts for regulated costs and must be in compliance with FCC rules in Parts 32, 36, 54 and 64.

All cost studies submitted by rural ILECs and all USF funding submitted by rural ILECs must be based upon financial statements. In addition, NECA performs focus reviews of cost studies as well as the USF filings for the cost companies involved in the NECA process. In addition, an officer of the rural ILEC must certify the accuracy and validity of the filed information.

HCLS data used in the HCLS calculations by NECA must also be filed with the FCC in October of each year. This data contains the regulated financial inputs into the algorithm as well as the number of loops that will receive universal service support.

2 & 3. TDS hereby certifies that it follows appropriate procedures for network outage reporting as per the Federal Outage Reporting Order and State Outage Reporting Requirements. For the period between March 1, 2008 and March 1, 2009, TDS did not have any Federal FCC reportable outages or State PSC reportable outages.

4. TDS hereby certifies that it did fulfill all requests for service from potential customers.

5. TDS hereby certifies that for the period from March 1, 2008 and March 1, 2009 zero FCC complaints were received and four state PSC complaints were received.

6. TDS hereby certifies that it is complying with applicable service quality standards and consumer protection rules, in accordance with Florida Statutes and the Florida Administrative Code.

Attachment F

DOCKET NO. 010977-TL
Page 3 of 3

7. TDS hereby certifies that it is able to function in emergency situations,

8. TDS already provides equal access to long distance carriers.

FURTHER AFFIANT SAYETH NOT.

Kevin G. Hess
Kevin G. Hess
Senior Vice President
Government & Regulatory Affairs

STATE OF WISCONSIN
COUNTY OF DANE

Acknowledged before me this 27th day of April, 2009, by Kevin G. Hess, as Senior Vice President, Government & Regulatory Affairs of TDS Telecommunications Corporation d/b/a TDS TELECOM/Quincy Telephone, who is personally known to me or produced identification and who did take an oath.

Irmgard F. Metz
Irmgard F. Metz – Notary Public
My Commission expires: May 8, 2011

Personally Known ✓
Produced Identification _____
Type of Identification Produced _____

Attachment G

SmartCity.

www.smartcity.com

April 15, 2009

**SENT VIA FEDERAL EXPRESS**

Ms. Ann Cole
Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

090168-TL per RCP/Polk -DM

Re: Docket No. ~~010977-TL~~
State Certification of Rural Telecommunications Carriers Pursuant to 47 C.F.R. §54.314

Dear Ms. Cole:

Enclosed for filing in the above referenced Docket, is an original and fifteen (15) copies of the signed Affidavit of James T. Schumacher on behalf of Smart City Telecommunications LLC d/b/a Smart City Telecom.

Should you have any questions, please contact me at (407) 828-6730.

Sincerely,

Lynn B. Hall

Lynn B. Hall
Director – Contracts and Support Services

RECEIVED-FPSC
09 APR 16 PM 2:34
COMMISSION CLERK

Enclosures

cc: Robert J. Casey, FPSC
Jim Polk, FPSC

COM ___
ECR ___
GCL 4
OPC ___
RCP ___
SSC ___
SGA ___
ADM ___
CLK ___

DOCUMENT NUMBER-DATE
03512 APR 16 8
FPSC-COMMISSION CLERK

Post Office Box 22555 Lake Buena Vista, FL 32830-2555 phone (407) 827-2000 fax (407) 828-6651

Florida Public Service Commission
Docket No. 010977-TL

**AFFIDAVIT**

BEFORE ME, the undersigned authority, appeared **James T. Schumacher**, who deposed and said:

1. My name is James T. Schumacher. I am employed by Smart City Telecommunications LLC d/b/a Smart City Telecom ("Smart City Telecom" or the "Company") as its Vice President – Finance and Administration. I am an officer of the Company and am authorized to give this affidavit on behalf of the Company. This affidavit is being given to support the Florida Public Service Commission's certification as contemplated in 47 C.F.R. §54.314.

2. Smart City Telecom hereby certifies that it will only use the federal high-cost support it receives during 2010 for the provision, maintenance and upgrading of facilities and service for which such support is intended.

3. Smart City Telecom hereby certifies that it has submitted via annual NECA filings, the supporting documentation on network improvements and expenditures in support of its universal service filing and refers to this in lieu of formal network plans. USF disbursement received by the Company and other rural incumbent local exchange companies is divided into four categories: Interstate Common Line Support ("ICLS"), Local Switching Support ("LSS"); High Cost Loop Support ("HCLS"); and Safety Net Additive Support ("SNAS"). Each of these mechanisms has been created by the FCC in conjunction with the Federal-State Joint Board on Universal Service. This means that representatives from State Commissions have also been involved in the development of these mechanisms through their representation in the Joint Board process.

ICLS is a universal service mechanism which is based upon each companies embedded, interstate loop costs and allows rate-of-return companies to offset interstate common line access charges and recover its interstate common line revenue requirement and still allow SLCs to remain affordable to customers. ICLS is reimbursing incumbent local exchange carriers ("ILECs") for investments and expenses already incurred. The ICLS calculation uses the interstate cost structure of a rural ILEC based upon annual interstate cost studies that are submitted and certified by the companies and received by NECA. The difference between the interstate common line revenue requirement, again as set forth in the company's annual interstate cost study and the SLC revenue collected from end users, makes up the ICLS.

LSS rules established by the FCC use the embedded costs of the rural ILECs associated with switching investments, depreciation, maintenance, expenses, taxes and an FCC established rate of return. Therefore, LSS is reimbursing ILECs for investments and expenses already incurred. This amount is used to offset the rural ILECs' interstate switching revenue requirement. The difference between the interstate switching revenue requirement, again as set forth in the

company's annual interstate cost study and LSS, makes up the switching rate which is charged to interexchange carriers.

The HCLS for rural ILECs is based upon each company's embedded, unseparated loop costs. These costs are calculated using a set of complex algorithms approved by the FCC, the inputs for which are scrutinized by NECA. Therefore, HCLS is reimbursing ILECs for investments and expenses already incurred.

Pursuant to the FCC Order, SNAS is support above the HCL cap for carriers that make significant investment in rural infrastructure in years in which HCL is capped. To receive SNAS, a rural carrier must show that growth in telecommunications plant in service (TPIS) per line is at least 14 percent greater than the study area's TPIS in the prior year. Therefore, SNAS is reimbursing ILECs for investments and expenses already incurred. Carriers seeking to qualify for safety net additive support must provide written notice to USAC that a study area meets the 14 percent TPIS trigger.

All of these programs are administered through the USAC. USAC, as a private, not-for-profit corporation, is responsible for providing every state and territory of the United States with access to affordable telecommunications service through the federal USF. USAC has contracted with NECA to assist in data collection necessary for the remittance of universal service funds. What this means is that each company submits, no less frequently than annually, detailed information requested by NECA in the USF data collection process.

Rural ILECs must attest to the information submitted. Further, NECA and its auditors must attest to the validity and integrity of NECA's process. In other words, the ILEC cost studies and responses to data collection requests are subject to audit. The information provided in response to all of the universal service fund mechanisms utilizes FCC accounts for regulated costs and must be in compliance with FCC rules in Parts 32, 36, 54 and 64.

All cost studies submitted by rural ILECs and all USF funding submitted by rural ILECs must be based upon financial statements. NECA also performs focus reviews of cost studies as well as the USF filings for the cost companies involved in the NECA process. In addition, an officer of the rural ILEC must certify the accuracy and validity of the filed information.

HCLS data used in the HCLS calculations by NECA must also be filed with the FCC in October of each year. This data contains the regulated financial inputs into the algorithm as well as the number of loops that will receive universal service support.

4. SCT hereby certifies that it follows appropriate procedures for network outage reporting as per the Federal Outage Reporting Order and State Outage Reporting Requirements. For the period between March 1, 2008 and March 1, 2009, SCT did not have any Federal FCC reportable outages or Florida Public Service Commission reportable outages.

5. SCT hereby certifies that it did fulfill all requests for service from potential customers.

6. SCT hereby certifies that for the period from March 1, 2008 and March 1, 2009 no FCC or Florida Public Service Commission complaints were received.

7. SCT hereby certifies that it is able to function in emergency situations, offers a tariffed local usage plan and provides equal access to long distance carriers.

FURTHER AFFIANT SAYETH NOT.

James T. Schumacher
Vice President – Finance and Administration

STATE OF FLORIDA
COUNTY OF ORANGE

Acknowledged before me this 15th the day of April, 2009, by James T. Schumacher, as Vice President – Finance and Administration of Smart City Telecommunications LLC d/b/a Smart City Telecom, who is personally known to me or produced identification and who did take an oath.

Lynn B. Hall
Notary Public – State of Florida

LYNN B. HALL
Notary Public - State of Florida
My Commission Expires Jul 23, 2011
Commission # DD 687999

Personally Known X
Produced Identification
Type of Identification Produced