

**VCI  
Company**

P.O. Box 98907  
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*Via E-Filing*

November 12, 2008

South Dakota Public Utilities Commission  
500 E. Capitol Avenue  
Pierre, SD 58501-5070

Re: VCI Company – COA Dockets TC04-181 and TC06-169; ETC Docket TC04-225

Notice of Intention to Discontinue Local Exchange Service in South Dakota and  
Petition to Relinquish Eligible Telecommunications Carrier (“ETC”) Designation

Sir/Madam:

This letter serves as notice, pursuant to A.R.S.D. 20:10:32:13, that VCI Company (“VCI”) intends to discontinue providing local exchange service throughout its certificated service area, served by Qwest Corporation. This letter also serves as the company’s petition requesting relinquishment of ETC designation pursuant to the provisions of A.R.S.C. 20:10:32:48, the Telecommunications Act of 1996<sup>1</sup> (“Act”) and the Federal Communications Commission’s (“FCC”) rules.<sup>2</sup>

The Commission granted VCI Company a Certificate of Authority (“COA”) to provide competitive local exchange and interexchange services by order issued October 20, 2004 in Case No. TC04-181. The Commission granted VCI expanded authority to provide prepaid local exchange service by order issued December 4, 2006 in Case No. TC06-169, for purposes of which VCI obtained and filed with the Commission a surety bond in the amount of \$25,000.00. VCI has never provided intraLATA interexchange service. The Commission designated VCI an ETC by order issued May 25, 2005 in Case No. TC04-225.

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<sup>1</sup> 47 USC Section 214(e)(4).

<sup>2</sup> 47 CFR Section 54.205.

A. In furtherance of its request to discontinue local exchange service in Qwest's service area, VCI provides the following information as required in A.R.S.D. 20:10:32:48:

1. The reasons for the proposed discontinuance of service or abandonment of service area:

VCI recently filed a Section 63.71 Application with the FCC informing the FCC of its intention to withdraw from the telecommunications market. A copy of VCI's Section 63.71 Application is attached hereto as Attachment A.

2. The number of customers affected and written verification that all affected customers have been given at least 30 days' notice of the proposed discontinuance or abandonment:

VCI currently has no South Dakota customers. Thus, VCI requests a waiver of this customer notice requirement.

3. The arrangements made for another local service provider to serve the affected customers:

As VCI has no customers, it is unnecessary to make arrangements for customers to be served by alternative carriers.

4. Where applicable, a plan for the refund of any deposits collected from affected customers:

VCI did not collect deposits from customers who subscribed to postpaid service. With respect to prepaid service customers, all prepaid service has been provided. VCI is not in possession of any deposits or prepayments pertaining to North Dakota intrastate services. VCI owes no further financial or service obligations to South Dakota consumers. As a result, VCI requests permission to cancel its South Dakota surety bond.

5. The arrangements made for satisfying outstanding debt to local exchange carriers or other carriers prior to or after the proposed discontinuance or abandonment:

VCI will make arrangements for payment of Qwest's bills in due course.

B. In furtherance of relinquishment of its ETC designation, VCI provides the following information as required in A.R.S.D. 20:10:32:48:

1. The service area to be relinquished and the identity of any other eligible telecommunications carrier serving the service area.

VCI seeks to relinquish its entire ETC service area, which also is Qwest's service area. Other ETCs designated by the Commission to serve in Qwest's service area include: Qwest, RC Communications, Inc. d/b/a RC Services, James Valley Wireless, LLC, SStelecom, Inc., Midstate Telecom, Inc., and Midcontinent Communications.

C. Company Contact Information

Questions regarding this filing should be directed to:

Stanley Johnson  
President  
VCI Company  
P.O. Box 98907  
Lakewood, WA 98496-8907  
Telephone: (253) 973-2476  
Facsimile: (253) 475-6328  
Electronic mail: [stanj@vcicompany.com](mailto:stanj@vcicompany.com)

and to:

Stan Efferding  
Secretary/Treasurer  
VCI Company  
P.O. Box 98907  
Lakewood, WA 98496-8907  
Telephone: (206) 419-5948  
Facsimile: (253) 475-6328  
Electronic mail: [Vilaire@comcast.net](mailto:Vilaire@comcast.net)

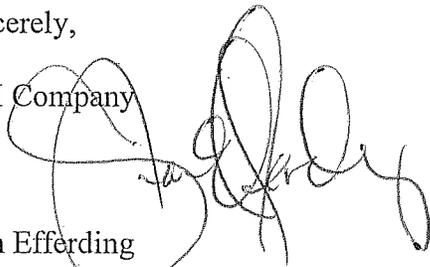
In conclusion, because VCI no longer has customers in South Dakota, the public convenience and necessity is not adversely affected by VCI's discontinuance of service or relinquishment of its ETC designation. The provisions of the Act, the FCC's rules and the Commission's rules require a carrier to notify a state commission that it seeks to relinquish its ETC designation. The Act, the FCC's rules and the Commission's rules further provide that an ETC in an area served by more than one ETC shall be permitted to relinquish its designation. As more than one ETC serves in Qwest's service area, VCI's relinquishment of ETC designation is proper.

Accordingly, VCI requests the Commission to 1) cancel its COA; 2) permit relinquishment of its ETC designation; and 3) permit cancellation of its surety bond.

Sincerely,

VCI Company

Stan Efferding  
Secretary/Treasurer

A handwritten signature in black ink, appearing to read "Stan Efferding", is written over the printed name and title. The signature is fluid and cursive, with a large loop at the end.

**ATTACHMENT A**

**VCI COMPANY SECTION 63.71 APPLICATION  
FILED WITH THE FCC**

Before the  
 FEDERAL COMMUNICATIONS COMMISSION  
 Washington, D.C.

In the Matter of )  
 Section 63.71 Application of )  
 VCI Company ) WC Docket No. \_\_\_\_\_  
 For Authority to Discontinue )  
 Local Exchange Service in )  
 California, Iowa, Louisiana, Michigan, )  
 Minnesota, Montana, New Mexico, )  
 North Dakota, South Dakota, Tennessee, )  
 Texas and Wyoming. )

SECTION 63.71 APPLICATION

Pursuant to Section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, and Section 214(a) of the Communications Act of 1934, as amended, VCI Company ("VCI") hereby files this Application to discontinue providing flat rate, basic local exchange service to residential customers throughout its service areas in the states listed below:

<u>State</u>	<u>Service Area</u>	<u>Doing Business As</u>
California	Pacific Bell Telephone Company d/b/a AT&T California, Verizon West Coast, Inc.	Vilaire
Iowa	Qwest Corporation	VCI Company
Louisiana	BellSouth Telecommunications, Inc. d/b/a AT&T Louisiana and AT&T Southeast	VCI Company
Michigan	Michigan Bell Telephone Company d/b/a AT&T Michigan	Vilaire Communications
Minnesota	Qwest Corporation	Vilaire Communication Company
Montana	Qwest Corporation	VCI Company
New Mexico	Qwest Corporation	VCI Company
North Dakota	Qwest Corporation	VCI Company
South Dakota	Qwest Corporation	VCI Company

<u>State (Cont'd)</u>	<u>Service Area (Cont'd)</u>	<u>Doing Business As</u>
Tennessee	BellSouth Telecommunications, Inc. d/b/a AT&T Tennessee	VCI Company
Texas	Southwestern Bell Telephone Co. d/b/a AT&T Texas	VCI Company
Wyoming	Qwest Corporation	VCI Company

Service will be discontinued upon approval of this Application by the Federal Communication Commission ("Commission"), and upon the approval of documentation filed with the regulatory bodies in these states, where such approval is required by rule or law.

In support of this Application, VCI submits the following information:

I. Description of Discontinuance

1. Name and Address of Carrier

VCI Company  
2228 S. 78<sup>th</sup> Street  
Tacoma, Washington 98409-9050

Correspondence and communications concerning this Application should be directed to:

Stanley Johnson, President  
VCI Company  
P.O. Box 98907  
Lakewood, Washington 98496-8907  
Telephone: 253.973.2476  
Facsimile: 253.475.6328  
Electronic mail: [stanj@vcicompany.com](mailto:stanj@vcicompany.com)

And to:

Stan Efferding  
Secretary/Treasurer  
VCI Company  
P.O. Box 98907  
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Telephone: 206.419.5948  
Facsimile: 253.475.6328  
Electronic mail: [vilaire@comcast.net](mailto:vilaire@comcast.net)

2. Date of Planned Service Discontinuance

The anticipated date for the discontinuance of local exchange services is upon approval of this application by the Commission, and the approval of requests for cancellations of certificates and tariffs, as well as notices of intention to relinquish ETC designation, where such approval is required by state regulatory commissions.

3. Points of Geographic Areas of Service Affected

By this Application, VCI seeks authority to discontinue the provision of basic local exchange service throughout its certificated service areas in each state listed above.

4. Brief Description of the Type of Service Affected

VCI provides flat rated, basic local exchange service permitting customers unlimited calling within the local calling area and ancillary services, such as toll limitation service.

5. Brief Description of the Dates and Methods of Notice to all Affected Customers

VCI requests a waiver of the notice requirement because it has no customers in any state.

6. Non-dominance of the Carrier with Respect to the Service to be Discontinued

VCI is non-dominant with respect to the services that it proposes to discontinue.

7. Service of this Application

In accordance with 47 C.F.R. § 63.71(a), VCI has filed a copy of this Application with each of the state regulatory commissions listed above, the governors of each such state, and the Secretary of Defense.

II. Circumstances of Discontinuance

Due to the economic recession, which has negatively affected VCI's business, VCI intends to exit the telecommunications industry. VCI no longer has customers in any state. Numerous competitive carriers have been certified to provide service in the Incumbent Local Exchange Company ("ILEC") service areas of each state VCI serves. Furthermore, the ILEC and other competitive carriers have been designated ETCs in the service areas VCI is exiting. Residential, flat rated, basic local exchange service, permitting unlimited calling within the customer's local service area, is a common service readily available in all ILEC service areas through the ILEC or competitive carriers. Thus, VCI's services are not unique or difficult for

customers to find elsewhere.

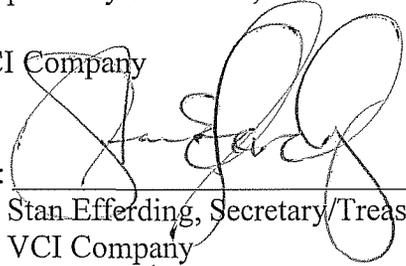
III. Conclusion

VCI believes that the proposed discontinuance of service in the above listed states is reasonable and necessary and that such discontinuance is not disruptive to the current or future public convenience and necessity. For the foregoing reasons, VCI respectfully requests, pursuant to Section 214(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 214(a), and Section 63.71 of the Commission's Rules, 47 C.F.R. § 63.71, that the Commission permit VCI to discontinue the provision of basic local exchange service in the above listed states.

Respectfully submitted,

VCI Company

By:



Stan Efferding, Secretary/Treasurer  
VCI Company  
2228 S. 78<sup>th</sup> Street  
Tacoma, Washington 98409-9050

## Anti-Drug Abuse Act Certification

Answer YES if all parties to the application are in compliance with Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862, the federal law which provides federal and state court judges the discretion to deny federal benefits to individuals convicted of offenses consisting of the distribution of controlled substances. For a definition of "party" for these purposes, see 47 C.F.R. Section 1.2002(b). See also Amendment of Part 1 of the Commission's Rules to Implement Section 5301 of the Anti-Drug Abuse Act of 1988, 6 FCC Rcd 7551, 57 Fed. Reg. 00186 (1991).

X \_\_\_\_\_ YES      NO \_\_\_\_\_

By checking yes, the applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. 862, or, in the case of a non-individual applicant (e.g., corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits that includes FCC benefits pursuant to that section. For the definition of a party for these purposes, see 47 C.F.R. Section 1.2002(b).

I certify that the statements made in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

VCI Company

Name of Applicant

Signature and Date

Stan Efferding

Printed Name of Person Signing

Secretary/Treasurer

Title

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing Section 63.71 Application was served on the following individuals and entities on November 13, 2008. Service has been made by placing such copy in the United States mail, first class, postage prepaid, unless electronic service is permitted.

California Public Utilities Commission 505 Van Ness Ave. San Francisco, CA 94102-3298	Gov. Arnold Schwarzenegger State Capitol Building Sacramento, CA 95814	Iowa Utilities Board 350 Maple Street Des Moines, IA 50319-0069	Gov. Chet Culver Office of the Governor State Capitol Des Moines, IA 50319
Louisiana Public Service Commission PO Box 91154 Baton Rouge, LA 70821	Gov. Bobby Jindal Office of the Governor P.O. Box 94004 Baton Rouge, LA 70804-9004	Michigan Public Service Commission 6545 Mercantile Way Lansing, MI 48911-7721 (via electronic filing)	Gov. Jennifer M. Granholm P.O. Box 30013 Lansing, MI 48909
Minnesota Public Utilities Commission 121 Seventh Place East, Suite 350 St. Paul, MN 55101-2147 (via electronic filing)	Gov. Tim Pawlenty Office of the Governor 130 State Capitol 75 Rev. Dr. Martin Luther King Blvd. St. Paul, MN 55155	Montana Public Service Commission 1701 Prospect Avenue P.O. Box 202601 Helena, MT 59620-2601	Gov. Brian Schweitzer Office of the Governor P.O. Box 200801 State Capitol Helena, MT 59620-0801
New Mexico Public Regulation Commission 1120 Paseo de Peralta PERA Building Santa FE, NM 87501-1269	Gov. Bill Richardson State Capitol, 4 <sup>th</sup> Floor Santa Fe, NM 87501	North Dakota Public Service Commission 600 E. Boulevard Ave. Dept. 408 Bismarck, ND 58505-0480	Gov. John Hoeven State Capitol 600 East Boulevard Ave. , Dept. 101 Bismarck, ND 58505-0001
South Dakota Public Utilities Commission State Capitol 500 East Capitol Ave. Pierre, S.D. 57501-5070	Gov. Mike Rounds Office of the Governor 500 East Capitol Ave. Pierre, SD 57501	Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243	Gov. Phil Bredesen State Capitol Nashville, TN 37243-0001

CERTIFICATE OF SERVICE, Cont'd.

Public Utility Commission of Texas P.O. Box 13326 Austin, TX 78701 (via e-filing or U.S. mail)	Gov. Rick Perry Office of the Governor P.O. Box 12428 Austin, TX 78711	Wyoming Public Service Commission 2515 Warren Avenue Suite 300 Cheyenne, WY 82002	Gov. Dave Freudenthal State Capitol Bldg., Room 124 Cheyenne, WY 82002
Secretary of Defense, Attn. Special Assistant for Telecommunications, Pentagon, Washington, DC 20301	Qwest Corporation Director - Interconnection Compliance 1801 California Street, Suite 2410 Denver, CO 80202	Qwest Law Department Attention: Corporate Counsel - Interconnection 1801 California Street, Suite 4900 Denver, CO 80202	AT&T Local Service Specialist 600 North 19th Street, 10th floor Birmingham, AL 35203
Business Markets Attorney Suite 4300 675 West Peachtree Street Atlanta, GA 30375	Contract Management Attn: Notices Manager AT&T Inc. Four AT&T Plaza 311 S. Akard, 9th Floor Dallas, Texas 75202		

  
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 Stacey A. Klinzman