

# GUNDERSON, PALMER, NELSON & ASHMORE, LLP

## ATTORNEYS AT LAW

ASSURANT BUILDING  
440 MT. RUSHMORE ROAD  
POST OFFICE BOX 8045  
RAPID CITY, SOUTH DAKOTA 57709-8045

TELEPHONE (605) 342-1078  
www.gundersonpalmer.com

ATTORNEYS LICENSED TO PRACTICE IN  
SOUTH DAKOTA, NORTH DAKOTA, NEBRASKA  
COLORADO, WYOMING & MINNESOTA

TERRI LEE WILLIAMS  
SARA FRANKENSTEIN  
AMY K. KOENIG  
JASON M. SMILEY  
MATTHEW E. NAASZ  
QUENTIN L. RIGGINS  
JEFFREY R. CONNOLLY  
REBECCA L. MANN  
WYNN A. GUNDERSON  
*Of Counsel*

J. CRISMAN PALMER  
JAMES S. NELSON  
DANIEL E. ASHMORE  
DONALD P. KNUDSEN  
PATRICK G. GOETZINGER  
TALBOT J. WIECZOREK  
JENNIFER K. TRUCANO  
DAVID E. LUST  
THOMAS E. SIMMONS

June 1, 2009

## E FILING

Patricia Van Gerpen  
Executive Director  
South Dakota Public Utilities Commission  
500 East Capitol Avenue  
Pierre, SD 57501

RE: WWC LICENSE LLC d/b/a Alltel Communications, LLC - In the Matter of  
Annual Eligible Telecommunications Carriers Certification and Annual Report  
GPNA File No. 05925.0029

Dear Ms. Van Gerpen:

Enclosed you will find Alltel Communications, LLC's annual filing requesting certification by the South Dakota Public Utilities Commission for use of Federal Universal Service support. The Request for Certification shows that all support received will be used "only for the provision, maintenance and upgrading of facilities and services for which such support is intended." I request that the above matter be filed and Alltel Communications, LLC be certified. In support of the filing are several exhibits.

The list of the exhibits is attached to Request for Certification. The pleadings and the table of contents of exhibits are not confidential. **All exhibits are confidential.** The information contained in the exhibits is confidential under A.R.S.D. 20:10:1:39(4) and (5). Because of this, Alltel Communications, LLC requests confidential treatment of all exhibits pursuant to A.R.S.D. 20:10:01:41 and that the material be held confidential for ten years and then destroyed. This information is confidential as the information is internal and proprietary, can be used adversely by competitors, and the development and financial planning constitutes trade secrets as recognized by law. If there are any inquiries as to the confidential treatment, I may be contacted at the above address.

On the last page of Exhibit A – Attachment 2, a map is provided. The multiple page exhibit is in black and white, as is the map attached to that exhibit. To aid in the review of that material though, a colored map has been also provided but is not labeled as an exhibit as it is simply supplementary to the map of Exhibit A – Attachment 2. The colored map is also confidential.

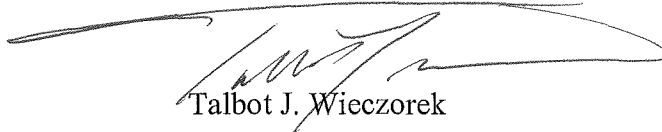
**GUNDERSON, PALMER, NELSON & ASHMORE, LLP**

June 1, 2009

Page - 2 -

Finally, as a supplement to the filings, I have also provided a copy of Alltel's 2009 Lifeline and Link-Up Report provided pursuant to ARSD 20:10:32:55. If the Commission needs anything else to certify Alltel or if you have any questions, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read 'Talbot J. Wiczorek', is written over a horizontal line. The signature is fluid and cursive.

Talbot J. Wiczorek

TJW:klw  
Enclosures  
c: Client

Alltel Communications, LLC.  
One Allied Drive  
Little Rock, Arkansas 72202



June 1, 2009

Ms. Rolayne Wiest  
General Counsel  
South Dakota Public Utilities Commission  
State Capitol, 500 East Capitol Street  
Pierre, SD 57501-3809

Dear Ms. Wiest:

As a designated Eligible Telecommunications Carrier ("ETC") in the state of South Dakota, WWC License LLC, a wholly owned subsidiary of and d/b/a Alltel Communications, LLC. ("Alltel") provides Lifeline and Link-Up reduced rate service to qualifying consumers.

Pursuant to ARSD: 20:10:32:55, Alltel is providing the Commission with an annual report describing Alltel's Lifeline and Link-Up outreach activities for the previous year. In 2008, Alltel advertised its Lifeline services in media of general distribution. Examples of advertising and outreach include annual newspaper advertising<sup>1</sup>, website advertising on the Company's website at [www.alltel.com/lifeline](http://www.alltel.com/lifeline), and through the Universal Service Administrative Company ("USAC") at [www.universalservice.org](http://www.universalservice.org). Alltel also advertised its Lifeline Services through its retail stores and local events on tribal lands in the State of South Dakota.

Additionally, Alltel sent notices to local employment/carrer centers and social security offices throughout its ETC service area advising these offices that Alltel offers Lifeline and Link-Up to those customers who qualify<sup>2</sup>. The letter requested that these local offices post Alltel's Lifeline and Link-Up information in the local office.

Furthermore, new Alltel customers are notified about the Lifeline and Link-Up programs within 30 days after receiving service because the Terms and Conditions of Service (which specifically mention the availability of Lifeline and Link-Up for qualifying customers) and other informational documents are given to the customer within this time frame. Annual bill messages are also provided to all South Dakota customers as another method of informing customers about the Lifeline and Link-Up services that Alltel offers.

---

<sup>1</sup> Newspapers include Aberdeen American News, Arlington Sun, Belle Fourche Post, Bennet County Booster, Bison Courier, Black Hills Pioneer, Britton Journal, Brookings Register, Capital Journal, Central Dakota Times, Clark County Courier, Clear Lake Courier, Corsica Globe, Corson/Sioux City News-Messenger, Custer County Chronicle, Huron Daily Plainsman, Faulk County Record, Freeman Courier, Grant County Review, Gregory Times-Advocate, Hamlin County Herald-Enterprise, Highmore Herald, Hot Springs Star, Leader-Courier, Lyman County Herald, Madison Daily Leader, Melette County News, Miller Press, Miner County Pioneer, Mitchell Daily Republic, Mobridge Tribune, Moody County Enterprise, Múrdó Coyote, Nation's Center News, New Era, Northwest Blade, Pioneer Review, Potter County News, Prairie Pioneer, Press (Kadoka), Rapid City Journal, Redfield Press, Webster Reporter and Farmer, Salem Special, Sanborn Weekly journal, Sioux Falls Argus Leader, Sisseton Courier, Stickney Argus, Todd City Tribune, Tyndall Tribune and Register, Tri-State Livestock News, True Dakotan, Wagner Post, Onida Watchman, Watertown Public Opinion, Winner Advocate, Yankton Daily Press and Dakotan.

<sup>2</sup> Alltel sent notices to Career Centers in Aberdeen, Brookings, Hot Springs, Huron, Lake Andes, Madison, Mitchell, Mobridge, North Sioux City, Pierre, Pine Ridge, Rapid City, Sioux Falls, Sisseton, Spearfish, Vermillion, Watertown, Winner and Yankton. Alltel sent notices to social security offices in Aberdeen, Huron, Pierre, Pine ridge, Rapid City, Sioux Falls, Watertown and Yankton.

As a result of Alltel's diverse and extensive outreach efforts, there are several thousand customers on Alltel's Lifeline rate plans in South Dakota. In fact, according to USAC's 2007 Lifeline Participation Rate Data, Alltel had more Lifeline subscribers in the state of South Dakota than any other carrier including Qwest Communications.<sup>3</sup> Alltel is proud of the work it has done, to make communications services available to those that previously did not have access to or could not afford it, and look forward to continuing those efforts going forward.

Please call Rae Ann Kelsch at (701) 222-2176 or myself at (501) 905-6037 if you have any questions or need additional information.

Sincerely,



Rohan M. Ranaraja  
Associate Director – Compliance

---

<sup>3</sup> [http://www.usac.org/\\_res/documents/li/pdf/lifeline-subscribers-etc-2007.pdf](http://www.usac.org/_res/documents/li/pdf/lifeline-subscribers-etc-2007.pdf)

**BEFORE THE SOUTH DAKOTA PUBLIC UTILITIES COMMISSION**

In the Matter of Annual Eligible  
Telecommunications Carriers (ETCs) Use of  
Federal Universal Service Support

**ELIGIBLE TELECOMMUNICATIONS CARRIER CERTIFICATION  
AND ANNUAL REPORT ON BEHALF OF  
WWC LICENSE LLC, D/B/A ALLTEL COMMUNICATIONS, LLC  
BY MANAGEMENT TRUST**

## I. INTRODUCTION

In accordance with the standards and requirements established by the South Dakota Public Utilities Commission (“Commission”),<sup>1</sup> WWC License LLC, d/b/a Alltel Communications, LLC by Management Trust<sup>2</sup> (“Company” or “Alltel”) submits its ETC Certification and Annual Report, based on the Commission’s Order designating Alltel as an ETC<sup>3</sup>, as well as Commission-adopted rules regarding the annual ETC certification process.<sup>4</sup> Alltel respectfully requests the Commission to certify its eligibility for high-cost support from the federal universal service fund for calendar year 2010. In the *Annual Certification Rules*, the Commission adopted the annual reporting and certification requirements as established by the Federal Communications Commission (“FCC”) and codified at 47 C.F.R. §§ 54.202 and 54.209, with modifications to allow for a two-year service improvement plan to be filed on a wire center basis.<sup>5</sup> Alltel’s demonstrated compliance with the Commission’s annual reporting and certification standards will reference the FCC’s regulations.

## II. BACKGROUND

The Commission designated Alltel as a competitive Eligible Telecommunications Carrier (“ETC”) in certain non-rural wire centers served by Qwest Corporation, and the full

---

<sup>1</sup> RM06-001 - In the Matter of the Adoption of Rules Regarding Eligibility, Certification and Reporting Requirements for Eligible Telecommunications Carriers. Adopted July 3, 2006. (“Annual Certification Order” or “ETC Rules”).

<sup>2</sup> As of January 9, 2009 Cellco Partnership d/b/a Verizon Wireless acquired Alltel Corporation and its subsidiaries including Alltel Communications, LLC. In connection with the approval, the Department of Justice and the FCC have required Verizon Wireless to divest certain markets including South Dakota. Until the divestiture occurs, a Trustee was appointed to manage the divested markets. This filing is on behalf of the Management Trustee, with respect to the Alltel markets that will be divested.

<sup>3</sup> *In the Matter of the Filing By WWC License LLC d/b/a CellularOne for Designation as an Eligible Telecommunications Carrier in Other Rural Areas*, Docket No. TC03-191 (January 3, 2005) (“Amended Order”).

<sup>4</sup> ETC Rule 20:10:32:54 (“Annual Certification Rules”).

<sup>5</sup> *ETC Rule 20:10:32:52*, p. 16.

study areas of several rural telephone companies.<sup>6</sup> As an ETC, Alltel provides the nine supported services, including:

- Voice grade access to the Public Switched Telephone Network;
- Local Usage;
- Dual tone multi-frequency signaling or its functional equivalent;
- Single party service or its functional equivalent;
- Access to 911 or E911;
- Access to operator services;
- Access to interexchange services;
- Access to directory assistance; and
- Toll limitation for qualifying low-income customers.

### **III. ALLTEL'S ANNUAL ETC CERTIFICATION AND ANNUAL REPORT**

In the *Annual Certification Rules*, the Commission adopted FCC Rule 54.209(a) and required carriers previously designated ETC status to annually report the information identified in Rule 20:10:32:54 no later than June 1 of each calendar year ("Annual ETC Certification").<sup>7</sup> Previously, the Commission through its January 3, 2005 Order in Docket No. TC03-191 ("January 3 Order"), required Alltel to submit similar information annually ("Annual Report"). By Order issued April 24, 2007 in Docket No. TC 03-191, the Commission granted Alltel's request to file the Annual ETC Certification and the Annual Report concurrently. Therefore, Alltel respectfully submits the following information in satisfaction of the above requirements.

#### **A. Progress Report on its Service Improvement Plan**

In the *Annual Certification Order*, the Commission adopted FCC Rule 54.209(a)(1)

---

<sup>6</sup> *In the Matter of the Filing by GCC License Corporation for Designation as an Eligible Telecommunications Carrier*, Docket No. TC98-146 (October 18, 2001) ("*Rural ETC*" Order); *In the Matter of the Filing by GCC License Corporation for Designation as an Eligible Telecommunications Carrier*, Docket No. TC98-146 (October 18, 2001) ("*Non-Rural ETC*" Order); *In the Matter of the Filing By WWC License LLC d/b/a CellularOne for Designation as an Eligible Telecommunications Carrier in Other Rural Areas*, Docket No. TC03-191 (January 3, 2005) ("*Amended Order*")

<sup>7</sup> Rule 20:10:32:52

requiring an ETC to file a progress report on its Service Improvement Plan. In its January 3, 2005 Order, the Commission required Alltel to submit information relating to its capital expenditures during the preceding year and its proposed capital budget for the ensuing year. In compliance with the above requirements, Alltel has incorporated the following documents: (a) Alltel's total 2008 High Cost Universal Service Receipts (Confidential Exhibit A, Attachment 1); (b) A comprehensive Progress Report that identifies Alltel's capital investments and operating expenditures incurred in the Designated Areas during calendar year 2008 (Confidential Exhibit A, Attachment 2); and (c) the most current and detailed Two-Year Service Improvement Plan that identifies the projected investments and operating expenses in the Designated Areas for the period from January 1, 2009 through December 31, 2010 (Confidential Exhibit A, Attachment 3).

**B. Network Outages In South Dakota Designated Areas**

The Commission adopted FCC Rule 54.209(a)(2), which requires an ETC to annually report network outages within its Designated Areas. FCC Rule 54.209(a)(2) specifically requires:

detailed information on any outage, as that term is defined in 47 C.F.R. § 4.5, of at least 30 minutes in duration for each service area in which an eligible telecommunications carrier is designated for any facilities it owns, operates, leases, or otherwise utilizes that potentially affect (a) at least ten percent of the end users served in a designated service area; or (b) a 911 special facility, as defined in 47 C.F.R. § 4.5(e). Specifically, the eligible telecommunications carrier's annual report must include information detailing: (a) the date and time of onset of the outage; (b) a brief description of the outage and its resolution; (c) the particular services affected; (d) the geographic areas affected by the outage; (e) steps taken to prevent a similar situation in the future; and (f) the number of customers affected.



This information, for the time period January 1, 2008 through December 31, 2008,<sup>8</sup> is contained within **Confidential Exhibit B**. Alltel has compiled and reported information for all outages, as defined in 47 C.F.R. § 54.209(a)(2) its South Dakota Designated Area – Study Area Code 399002. Such information includes any outage that potentially affects at least ten percent (10%) of its customers served in a service area or a 911 facility. The information relating to the number of customers affected by an outage is estimated based on the number of customers with a billing address in each affected wire center as of December 31, 2008.

Each network outage is examined on a case by case basis. The outage is analyzed for the particular cause of the outage. When the outage is due, for example, to equipment failure, the equipment is replaced or repaired and tested for proper performance. Additionally, the manufacturer or vendor is notified if the failure appears to be in the design or manufacture of the equipment. If the vendor or manufacturer fails or refuses to remedy the deficiency then a replacement source is determined. When the outage is due to, for example, weather or other natural occurrence, the probability of a repeat occurrence is considered and evaluated and is considered in planning the repair, replacement or rebuild of the equipment or location. Outages due to human error or a faulty process or practice will result in appropriate reevaluation of the source of error and the need to either correct, discipline or revise the person or practice, as applicable. The outages reported above were not determined to require extraordinary measures other than application of the above.

### C. Unfulfilled Requests For Service

The Commission adopted FCC Rule 54.209(a)(3), which requires an ETC to annually

---

<sup>8</sup> Neither the Commission's *Annual Certification Order* nor FCC Rule 54.209(a)(2) establishes the time period to be covered by an outage report filing. Alltel has adopted January 1 through December 31 as an appropriate time period for the report.

report the number of requests for service from potential customers within the ETC's designated service areas that were unfulfilled during the past year. The filing must also detail how the ETC attempted to provide service to those potential customers as set forth in FCC Rule 54.202(a)(1)(i). The Commission required Alltel to submit the same information in its January 3, 2005 Order. The required information concerning Alltel's unfulfilled requests for service within its Designated Areas from January 1 through December 31, 2008 is contained in **Confidential Exhibit C**.

**D. Complaints Per 1,000 Handsets Or Lines**

The Commission adopted FCC Rule 54.209(a)(4), which requires an ETC to make an annual report of the number of complaints per 1,000 handsets or lines. The number of written complaints per 1,000 handsets, throughout the state of South Dakota, that Alltel has received from its customers to its Executive Complaint Department the Commission, FCC, South Dakota Attorney General, Better Business Bureau or similar third party consumer agency between January 1 and December 31, 2008 is provided in **Confidential Exhibit D, Attachment 1**. The percentage of complaints is calculated based on the number of subscribers served by Alltel through out the state of South Dakota as of December 31, 2008. In its January 3, 2005 Order, the Commission also required Alltel to provide an annual report detailing the consumer complaints that it received during the previous year. Accordingly, Alltel has incorporated a Formal Complaints Report (Confidential Exhibit D, Attachment 2) and Network Service Quality Report (Confidential Exhibit D, Attachment 3) hereto.

**E. Certification Regarding Applicable Service Quality Standards And Consumer Protection Rules**

The Commission adopted FCC Rule 54.209(a)(5), which requires an ETC to certify that it is complying with applicable service quality standards and consumer protection rules. In its

January 5, 2005 Order, the Commission required Alltel to continue to abide by the terms of the CTIA Consumer Code for Wireless Service ("CTIA Code") as it is amended from time to time. Alltel's compliance with the current terms of the CTIA Consumer Code satisfies these requirements. During 2008, Alltel was a compliant signatory to the CTIA Code. Further, in compliance with requirements in the January 3, 2005 Order, Alltel provides consumer protection and service quality standards in its customer service agreements. Therefore, Alltel certifies that it is in compliance with applicable consumer protection and service quality standards.

**F. Certification Regarding Ability to Function in Emergency Situations**

The Commission requires an ETC to certify its ability to function in emergency situation as set forth in Rule 20:10:32:43:03. Accordingly, Alltel submits the following information to demonstrate its ability to remain functional in emergency situations. Alltel's network is designed to be able to remain functional in emergency situations. Alltel has reasonable amounts of back-up power to provide functionality without an external power source, and, in many areas, has the ability to reroute traffic around damaged facilities and manage traffic spikes resulting from emergency situations. Alltel has deployed fixed and portable back-up power generators at various locations throughout its network that can be deployed in emergency situations. These back-up power generators are capable of keeping a cell site up and running until power is restored to the cell site, a portable generator is moved to the site, system changes are made to reroute traffic or a cell on wheels ("COW") is deployed. Alltel tests its back-up power generators regularly to ensure functionality. Alltel is also capable of rerouting traffic around damaged or out-of-service facilities by changing call routing translations as needed. Alltel is generally able to deploy COWs as temporary cell sites when existing facilities are damaged or out-of-service for longer periods of time. Further, by changing call routing translations or deploying COWs, Alltel is generally able to manage traffic spikes throughout its

network. As a long-term solution for managing increased traffic levels and traffic spikes, Alltel may increase capacity at its cell sites, switches and transport facilities.

**G. Certification Regarding Its Provision Of A Comparable Local Usage Plan**

The Commission adopted FCC Rule 54.209(a)(7), which requires an ETC to certify that it is offering a local usage plan comparable to the incumbent local exchange carrier in the relevant service areas. Alltel makes available the BUS offering, a comparable local usage plan, as well as other comparable service offerings in its Designated Areas. Alltel certifies that it is offering at least one comparable local usage plan as required by Section 54.209(a)(7).

**H. Certification Regarding The FCC's Ability To Provide Equal Access**

Alltel certifies that the FCC may require it to provide equal access to long distance carriers within its Designated Areas in the event that no other ETC is providing equal access.

**IV. CONCLUSION**

Based on the foregoing information, WWC License LLC, d/b/a Alltel Communications, LLC respectfully requests the Commission to certify to the FCC and USAC its eligibility to receive federal universal service support for calendar year 2010 in accordance with 47 C.F.R. §§ 54.313 and 54.314.

June 1, 2009

WWC License LLC, d/b/a Alltel Communications,  
LLC by Management Trust

By Rohan Ranaraja

Rohan Ranaraja  
Associate Director - Compliance  
Alltel Communications, LLC by Management Trust

**BEFORE THE SOUTH DAKOTA PUBLIC UTILITIES COMMISSION**

In the Matter of Annual Eligible  
Telecommunications Carriers (ETCs) Use of  
Federal Universal Service Support

**CERTIFICATION**

The undersigned, Barbara Bonds, does hereby certify as follows:

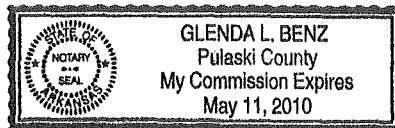
1. I serve as Trust Counsel for Management Trust of Alltel Communications, LLC (“Alltel”).
2. Alltel has been assigned study area code 399002 by the Universal Service Administrative Company in the State of South Dakota.
3. This certification is submitted in support of Alltel’s ETC Certification and Annual Report pursuant to SD PUC Rule 20:10:32:54.
4. I have reviewed the ETC Certification and Annual Report.
5. Consistent with 49 U.S.C. § 254(e) and FCC Rules 54.313 and 54.314, Alltel certifies that all federal high-cost universal service support received will be used only for the provision, maintenance and upgrading of facilities and services for which the support is intended.
6. The facts stated therein are true and correct to the best of my present knowledge, information and belief.

Barbara Bonds  
Barbara Bonds

Subscribed and sworn to before me  
this 29<sup>th</sup> day of May 2009.

Glenda L. Benz  
Notary Public

(NOTARY SEAL)



## **SUMMARY OF EXHIBITS**

**Confidential Exhibit A, Attachment 1**– WWC License LLC, d/b/a Alltel Communications, LLC by Management Trust’s 2008 High Cost receipts from Federal Universal Service Fund

**Confidential Exhibit A, Attachment 2** – WWC License LLC, d/b/a Alltel Communications, LLC by Management Trust’s Progress Report for Calendar Year 2008.

**Confidential Exhibit A, Attachment 3** – WWC License LLC, d/b/a Alltel Communications, LLC by Management Trust’s Most Current Two-Year Service Improvement Plan

**Confidential Exhibit B** – 2008 Network Outage Report

**Confidential Exhibit C**– Unfulfilled Service Report

**Confidential Exhibit D Attachment 1** – Complaints per 1,000 handsets

**Confidential Exhibit D, Attachment 2** – WWC License LLC, d/b/a Alltel Communications, LLC by Management Trust’s Formal Customer Complaints Report

**Confidential Exhibit D, Attachment 3** – WWC License LLC, d/b/a Alltel Communications, LLC by Management Trust’s Network Quality Report