

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE PETITION OF)
CELLCO PARTNERSHIP AND ITS)
SUBSIDIARIES AND AFFILIATES TO)
AMEND AND CONSOLIDATE ELIGIBLE)
TELECOMMUNICATIONS CARRIER)
DESIGNATIONS IN THE STATE OF)
SOUTH DAKOTA AND TO PARTIALLY)
RELINQUISH ETC DESIGNATION)

TC10- _____

CERTIFICATION OF LINDA STEVENS

I, the undersigned, Linda Stevens, do hereby certify as follows:

1. I am the Associate Director – Finance for Cellco Partnership d/b/a Verizon Wireless (“Cellco”). In this capacity, I am responsible for overseeing compliance with the eligible telecommunications carrier (“ETC”) obligations and requirements for Cellco Partnership d/b/a Verizon Wireless and each of its subsidiaries and affiliates in South Dakota, including WWC License, LLC, successor to GCC License Corporation (“WWC”), and RCC Minnesota, Inc. (“RCC”) (collectively, “Verizon Wireless”).

2. This Certification is submitted in support of the Petition to Amend and Consolidate ETC Designations in the State of South Dakota and to Partially Relinquish ETC Designation filed by Verizon Wireless (“Petition”).

3. I have reviewed the Petition and certify that the facts stated therein, of which I have personal knowledge, are true and correct to the best of my knowledge, information and belief.

A. Verizon Wireless’ Acquisition of RCC and Alltel

4. On August 6, 2008, Cellco acquired Rural Cellular Corporation and each of its subsidiaries and affiliates, including RCC. On January 9, 2009, Cellco acquired Alltel

Corporation (“Alltel”) and each of its subsidiaries and affiliates, including WWC. RCC and WWC are now wholly-owned, indirect subsidiaries of Cellco. Cellco and each of its subsidiaries and affiliates in South Dakota operate collectively under the Verizon Wireless name and the facilities and subscribers of each entity are integrated into the Verizon Wireless operations.

5. United States Department of Justice (“DOJ”) and Federal Communications Commission (“FCC”) approvals of Verizon Wireless’ acquisition of RCC and Alltel were conditioned on Verizon Wireless’ divestiture of wireless telecommunications assets and subscribers in certain markets where the transactions may have afforded Verizon Wireless concentrated market share. In South Dakota, Verizon Wireless was directed to divest assets and subscribers in the WWC market areas. Verizon Wireless will continue to provide wireless telecommunications services to its current and new subscribers and in these divested market areas with the facilities and FCC licenses that Verizon Wireless owned and operated prior to its acquisition of RCC and Alltel.

6. Verizon Wireless’ acquisition of RCC and Alltel was further conditioned on the phase-down of receipt of federal high-cost universal service fund support (“USF”) over a five year period. High-cost USF support will be reduced 20% per year over a five year period.¹ The phase-down of high-cost USF will not affect Verizon Wireless’ ability to provide Lifeline/Link Up assistance discounts to qualified, low-income consumers during the phase down.

¹ *Applications of Cellco Partnership d/b/a Verizon Wireless and Atlantis Holdings LLC for Consent to Transfer Control of Licenses, Authorizations, and Spectrum Manager and de Facto Transfer of Leasing Arrangements*, WT Docket No. 08-95, Memorandum Opinion and Order and Declaratory Ruling, 23 FCC Rcd 17444, 17531-32 ¶¶ 196-97 (2008).

B. Verizon Wireless Will Continue to Satisfy the ETC Requirements

7. To qualify for ETC designation under 47 U.S.C. § 214(e)(1) and 47 C.F.R. § 54.201, a carrier must meet the following requirements:

- (a) The company is a “common carrier” under federal law;
- (b) The company offers, or will be able to offer, the supported services or functionalities using its own facilities, or a combination of its own facilities and resale of another carrier’s services;
- (c) The company will advertise the availability and charges for the supported services using media of general distribution; and
- (d) The company will provide the supported services throughout its designated ETC service area upon reasonable request.

8. In addition to the ETC requirements set forth above, the Commission has also adopted ETC designation and annual reporting requirements similar to those adopted by the Federal Communications Commission (“FCC”) at 47 C.F.R. §§ 54.02 and 54.209. The Commission’s additional ETC designation and reporting requirements are set forth at A.R.S.D. 20:10:32:42, *et seq.*

9. The Commission previously determined that WWC and RCC satisfied each of the applicable ETC designation requirements in South Dakota.² As established below, Verizon

² *In the Matter of the Filing by GCC License Corporation for Designation as an Eligible Telecommunications Carrier*, TC98-146, Order Designating GCC License Corporation as an Eligible Telecommunications Carrier in Non-Rural Telephone Company Exchanges (Oct. 18, 2001) (“*Non-Rural ETC Order*”); *In the Matter of the Filing by GCC License Corporation for Designation as an Eligible Telecommunications Carrier*, TC98-146, Findings of Fact and Conclusions of Law; Notice of Entry of Order (Oct. 18, 2001) (“*Public Interest Order*”); *In the Matter of the Filing by GCC License Corporation for Designation as an Eligible Telecommunications Carrier*, TC98-146, Order Designating Western Wireless as an ETC for Areas Served by Certain Rural Telephone Companies (Jan. 6, 2001) (“*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*, TC03-191, Amended Order Designating Western Wireless as an Eligible Telecommunications Carrier; Findings of Fact and Conclusions of Law; and Notice of Entry of Order (Jan. 3, 2005) (“*Rural Expansion Order*”); *In the Matter of the Filing by RCC Minnesota, Inc. and Wireless Alliance, LLC, d/b/a Unicel for Designation as*

Wireless will continue to satisfy each of the applicable ETC designation and annual reporting requirements in South Dakota.

C. Verizon Wireless is a Common Carrier

10. As a Commercial Mobile Radio Service provider, Verizon Wireless is defined as a common carrier under federal law.³

D. Verizon Wireless Will Continue to Provide Each of the Supported Services

11. Verizon Wireless will continue to provide the supported services using its own network infrastructure consisting of antennas, cell-sites, towers, trunking, mobile switching and interconnection facilities. Verizon Wireless does not seek additional time to complete network upgrades pursuant to 47 C.F.R. § 54.101(c) and A.R.S.D. 20:10:32:43(5). Verizon Wireless provides each of the nine supported services or functionalities set forth in 47 C.F.R. § 54.101(a)(1)-(9) throughout the Designated Area as follows:

Voice-grade access to the public switched telephone network

12. Verizon Wireless provides voice-grade access (*i.e.*, the ability to make and receive calls with a minimum bandwidth of 300 to 3500 Hertz) to the public switched telephone network pursuant to 47 C.F.R. § 54.101(a)(1).⁴

Local Usage

13. Each of Verizon Wireless' generally available voice service offerings includes local usage pursuant to 47 C.F.R. § 54.101(a)(2).⁵ Unlimited local usage is not required of any

an Eligible Telecommunications Carrier, TC03-139, Order Designating RCC Minnesota, Inc. and Wireless Alliance, LLC, d/b/a Unicel as Eligible Telecommunications Carriers; Findings of Fact and Conclusions of Law; and Notice of Entry of Order (June 6, 2005) (“*RCC Order*”).

³47 C.F.R. § 20.9(a)(7).

⁴*Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, *Report and Order*, 12 FCC Rcd 8776, ¶¶ 63-64 (1997) (“*First Report and Order*”); *see* 47 C.F.R. § 54.101(a)(1).

⁵47 C.F.R. § 54.101(a)(2).

ETC⁶ and the FCC has determined that a wireless carrier's inclusion of local usage in a variety of service offerings satisfies the Section 54.101(a)(2) obligations.⁷

DTMF signaling or its functional equivalent

14. Verizon Wireless utilizes out-of-band digital signaling and in-band multi-frequency signaling, which is the functional equivalent of dual-tone multi-frequency signaling (DTMF), in satisfaction of 47 C.F.R. § 54.101(a)(3).⁸

Single-party service or its functional equivalent

15. Verizon Wireless offers the functional equivalent of single-party service by providing a dedicated message path for the length of a user's particular transmission in satisfaction of 47 C.F.R. § 54.101(a)(4).⁹

Access to emergency services

16. Verizon Wireless provides access to emergency services in satisfaction of 47 C.F.R. § 54.101(a)(5). Verizon Wireless has deployed Phase I and Phase II E911 service for all facilities serving Verizon Wireless customers within the Designated Area.

Access to operator services

17. Verizon Wireless will provide all of its customers with access to operator services, provided either by Verizon Wireless or other entities (*e.g.* LECs, IXC, etc.), in satisfaction of 47 C.F.R. § 54.101(a)(6).¹⁰

⁶*In the Matter of Federal-State Joint Board of Universal Service*, CC Docket No. 96-45, *Order and Order on Reconsideration*, 18 FCC Rcd 15090, ¶ 14 (2003) (“*July 2003 Order*”).

⁷*Virginia Cellular, LLC Petition for Designation as an Eligible Telecommunications Carrier In the Commonwealth of Virginia*, CC Docket No. 96-45, *Memorandum Opinion and Order*, 19 FCC Rcd 1563, ¶ 20 (2004) (“*Virginia Cellular*”).

⁸*First Report and Order*, ¶ 71.

⁹47 C.F.R. § 54.101(a)(4); *First Report and Order*, ¶ 62.

¹⁰*First Report and Order*, ¶ 75; 47 C.F.R. § 54.101 (a)(6).

Access to interexchange service

18. Verizon Wireless provides each of its customers with access to interexchange service in satisfaction of 47 C.F.R. § 54.101(a)(7). On most of Verizon Wireless' rate plans, interexchange calls can be made without incurring an additional toll charge.

Access to directory assistance

19. Verizon Wireless provides all of its customers with access to directory assistance by dialing either "411" or "Area Code + 555-1212" in satisfaction of 47 C.F.R. § 54.101(a)(8).

Toll limitation for qualifying low-income consumers

20. Verizon Wireless' Lifeline service offering includes the ability to make long distance calls without incurring a separate toll charge in satisfaction of 47 C.F.R. § 54.101(a)(9).

E. Verizon Wireless Will Continue to Advertise the Availability of the Supported Services and Associated Charges

21. Verizon Wireless advertises the availability of the supported services and the corresponding charges in a manner that fully informs the general public within the Designated Area of both the available services and the associated rates. Verizon Wireless advertises its services through a variety of advertising media, including newspapers, television, radio, public exhibits and displays and the Verizon Wireless website (www.verizonwireless.com).

22. In compliance with 47 C.F.R. § 54.405(b), Verizon Wireless will also continue to publicize the availability of Lifeline and Link Up assistance in a manner designed to reach those likely to qualify for the assistance, including advertising on its website and in local newspapers in the Designated Area. Verizon Wireless will also continue to comply with the Lifeline-related customer notification, advertising and reporting requirements set forth in A.R.S.D. 20:10:32:55.

F. Verizon Wireless Continues to Satisfy the Additional ETC Criteria Adopted by the Commission

23. Verizon Wireless will also continue to satisfy the additional ETC designation and annual reporting requirements set forth at A.R.S.D. 20:10:32:42, *et seq.*

G. Commitment and Ability to Provide the Supported Services

24. Verizon Wireless will continue to offer and provide service in response to all reasonable requests for service pursuant to the six-step process set forth in 47 C.F.R. § 54.202(a) and A.R.S.D. 20:10:32:43.01.

25. Verizon Wireless will provide service on a timely basis to requesting customers within its existing coverage areas. If a request comes from a customer residing within the Designated Area, but outside of Verizon Wireless' current coverage area, it will provide service within a reasonable period of time, if service can be provided at reasonable cost pursuant to the six-step process set forth in 47 C.F.R. § 54.202(a) and A.R.S.D. 20:10:32:43.01 as follows:

1. Modifying or replacing the customer's wireless handset equipment.
2. Deploying a roof-mounted antenna or other network equipment at the customer's premises.
3. Adjusting the nearest cell site.
4. Adjusting the network or customer equipment.
5. Reselling services of another carrier, including via a roaming arrangement.
6. Employing, leasing or constructing an additional cell site, cell-extender, repeater, or similar equipment.

26. Verizon Wireless will also continue to annually report any unfulfilled requests for service within the Designated Area and describe in detail how it attempted to provide service consistent with 47 C.F.R. § 54.209(a) and A.R.S.D. 20:10:32:54(4).

H. Service Improvement Plan

27. Verizon Wireless will continue to implement and report progress in connection with the two-year service improvement plan filed herewith as **Confidential Exhibit F** (the "Plan"). Consistent with A.R.S.D. 20:10:32:43.02 and A.R.S.D. 20:10:32:54(1), the Plan

describes projected capital expenditures and service improvements to Verizon Wireless' telecommunications facilities that serve the Designated Area. The Plan also describes operating expenses Verizon Wireless will continue to incur for the upgrading and maintaining of its network facilities serving the Designated Area. The Plan remains flexible and subject to change in response to general consumer demand, changes in technology, network integration and other appropriate factors. The priority under which each cell site or other infrastructure is to be constructed or deployed is also subject to change depending upon requests for service and other market factors.

28. Verizon Wireless will continue to file an annual report and coverage map detailing its progress toward completion of service improvement projects consistent with 47 C.F.R. § 54.209(a) and A.R.S.D. 20:10:32:54(2).

I. Ability to Remain Functional in Emergency Situations

29. Consistent with the requirements of A.R.S.D. 20:10:32:43.03, Verizon Wireless' network serving the Designated Area is designed to remain functional in emergency situations. Verizon Wireless has adequate amounts of back-up power to provide functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations.

30. Verizon Wireless 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 site on wheels ("COW") is deployed. Verizon Wireless tests its back-up power generators regularly to ensure functionality. Verizon Wireless is capable of and will reroute traffic around damaged or out-of-service facilities by changing call routing translations as

needed. Verizon Wireless is also 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, Verizon Wireless is able to manage traffic spikes throughout its network. As a long-term solution for managing increased traffic levels and traffic spikes, Verizon Wireless increases capacity at its cell sites, switches, and transport facilities.

31. Pursuant to 47 C.F.R. § 54.209, A.R.S.D. 20:10:32:54(3) and A.R.S.D. 20:10:32:54(7), Verizon Wireless will continue to annually certify that it maintains the ability to function in emergency situations and will continue to report service outages as required.

J. Consumer Protection and Service Quality

32. Verizon Wireless will continue to comply with applicable consumer protection and service quality standards. In satisfaction of these requirements, Verizon Wireless is required to adhere to the CTIA Consumer Code for Wireless Service. *See* 47 C.F.R. § 54.202(a) and A.R.S.D. 20:10:32:43.04.

33. Verizon Wireless abides by the CTIA Consumer Code¹¹ for its entire wireless operation across the country, not simply those states in which it seeks ETC status. To maintain CTIA Consumer Code compliance, a wireless carrier is required to (1) disclose rates and terms of conditions of service; (2) make maps available showing where service is generally available; (3) provide contract terms to customers and confirm changes in service; (4) allow a trial period for new service; (5) provide specific disclosures in advertising; (6) separately identify carrier charges from taxes on billing statements; (7) provide customers the right to terminate service for changes to contract terms; (8) provide ready access to customer service; (9) promptly respond to consumer complaints received from government agencies; and (10) abide by policies for

¹¹See <http://files.ctia.org/pdf/ConsumerCode.pdf>.

protection of consumer privacy. Verizon Wireless' voluntary commitment to the CTIA Consumer Code is powerful evidence of its determination to protect consumer interests and achieve the highest quality of service.¹²

34. Verizon Wireless will continue to annually certify its compliance with applicable consumer protection and service quality standards and annually report the number of customer complaints per thousand handsets pursuant to 47 C.F.R. § 54.209(a), A.R.S.D. 20:10:32:54(5) and A.R.S.D. 20:10:32:54(6).

K. Comparable Local Usage Plan

35. Verizon Wireless will continue to provide a comparable local usage plan pursuant to 47 C.F.R. § 54.202(a) and A.R.S.D. 20:10:32:43.05. A description of Verizon Wireless' current generally available rate plans is available at www.verizonwireless.com.

36. All of Verizon Wireless' generally available service offerings include local calling areas that are substantially larger than those offered by the incumbent LECs (including nationwide calling in most Verizon Wireless rate plans). Thus, consumers have the opportunity to select a rate plan that best meets their needs based on the amount of local usage (minutes of use) available within the larger local calling area of each plan.

37. Verizon Wireless will continue to annually certify that it is offering a comparable local usage plan pursuant to 47 C.F.R. § 54.209(a) and A.R.S.D. 20:10:32:54(8).

¹² At the time of adoption, FCC Commissioner Abernathy lauded the wireless industry's voluntary initiative to establish consumer protection and service quality standards under the CTIA Consumer Code: "This code exists because competition is driving wireless carriers to better serve consumers and increase customer loyalties. At the end of the day, the industry's willingness to adopt a voluntary code of conduct avoids the need for costly regulatory oversight while delivering greater value to wireless customers. I believe the Code will ensure that consumers will understand wireless service and rate plan options thus allowing more informed choices when purchasing wireless services. This is a win-win for consumers." *Statement of Commissioner Kathleen Q. Abernathy In Response to CTIA Consumer Code for Wireless Service* (September 9, 2003) (http://fjallfoss.fcc.gov/edocs_public/attachmatch/DOC-238760A1.pdf).

L. Equal Access

38. Consistent with A.R.S.D. 20:10:32:43.06, Verizon Wireless acknowledges that if required to do so by the FCC it will be able to provide equal access to long distance carriers in the event that no other ETC is providing equal access within the Designated Area. Consistent with 47 C.F.R. § 54.209(a) and A.R.S.D. 20:10:32:54(9), Verizon Wireless will continue to file an annual certification acknowledging this requirement.

M. Amending the ETC Designation Will Serve the Public Interest

39. Designation of wireless ETCs affords consumers the unique advantages of mobility. The FCC has recognized the unique advantages of mobility when it stated:

[T]he mobility of telecommunications assists consumers in rural areas who often must drive significant distances to places of employment, stores, schools, and other critical community locations. In addition, the availability of a wireless universal service offering provides access to emergency services that can mitigate the unique risks of geographic isolation associated with living in rural communities.¹³

40. This Commission has also recognized that the designation of wireless ETCs promotes competition and benefits consumers in rural and high cost areas by increasing consumer choice, offering larger local calling areas and expanding the benefits of mobility.¹⁴

41. Amending the ETC Designation will continue to provide South Dakota consumers with the tangible benefits previously identified by the Commission and will allow all Verizon Wireless subscribers within the Designated Area to benefit from Verizon Wireless' assumption of universal service obligations and investment of federal high-cost universal service support in its integrated network. Access to federal universal service support will continue to enable

¹³ *Virginia Cellular*, ¶ 29.

¹⁴ *Rural Expansion Order*, p. 5 (“The Commission finds that Western Wireless' service offerings will bring benefits, including increased choices, expanded local calling areas, and mobility”); *RCC Order*, pp. 6.

Verizon Wireless to improve service quality and coverage in areas that it currently serves and to expand its services into areas that would not be economically feasible to serve absent explicit universal service support. This will continue to provide consumers with more competition and make it more likely that high cost areas of the State will have access to essential telecommunications services and infrastructure.

42. Verizon Wireless will also continue to offer qualifying, low-income consumers a choice in their Lifeline/Link Up provider. The mobility of wireless service provides qualifying Lifeline customers an alternative means of communications that they may not currently enjoy.

43. Improving and expanding the choices available to consumers will not only strengthen inter-modal wireless/wireline competition but also increase intra-modal wireless competition to the benefit of telecommunications customers throughout South Dakota. Increased competition in rural and high cost areas provides incentives to incumbent service providers to achieve new operating efficiencies and introduce additional choices, higher quality and better value to their customers.

N. Lifeline and Link Up

44. Granting this Petition will also ensure that Verizon Wireless is able to offer Lifeline/Link Up assistance to new and current subscribers of any of its subsidiaries and affiliates serving the Designated Area in South Dakota. Amending the ETC Designation will allow Verizon Wireless to continue providing Lifeline/Link Up assistance to all qualified, low-income subscribers throughout the entire Designated Area.

STATE OF GEORGIA)
) ss.
COUNTY OF FULTON)

Linda Stevens

Subscribed and sworn to before me
this 2 day of September, 2010.

Sandra F. Brock
Notary Public

**SANDRA F. BROCK
NOTARY PUBLIC
FULTON COUNTY, GEORGIA
MY COMMISSION EXPIRES
SEPTEMBER 8, 2012**