

**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**

## **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<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 2009. 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

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<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> Formerly named Alltel Communications, Inc.

<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)

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<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 2007 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 2007 (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, 2008 through December 31, 2009 (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, 2007 through December 31, 2007,<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 may potentially affect 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, 2007.

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

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<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, 2007 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, the Commission, FCC, South Dakota Attorney General, Better Business Bureau or similar third party consumer agency between January 1 and December 31, 2007 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, 2007. 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 2007, 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**

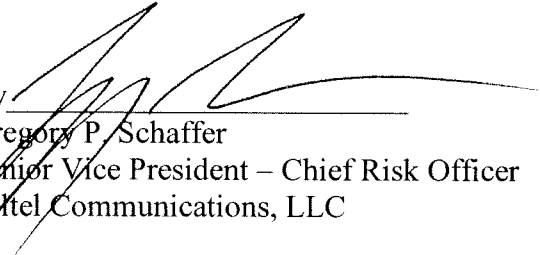
Alltel certifies that the FCC may require it to provide equal access to long distance carriers within its Designated Areas in the event that no other ETC is providing equal access.

**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 2009 in accordance with 47 C.F.R. §§ 54.313 and 54.314.

June 1, 2008

WWC License LLC, d/b/a Alltel Communications,  
LLC

By   
Gregory P. Schaffer  
Senior Vice President – Chief Risk Officer  
Alltel Communications, LLC



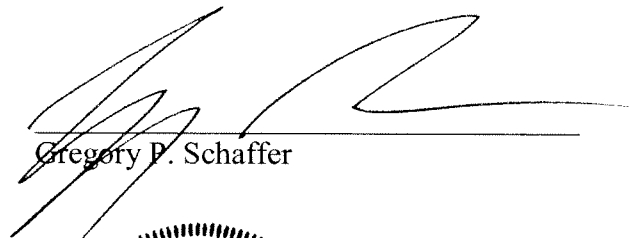
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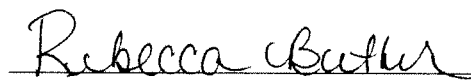
**CERTIFICATION**

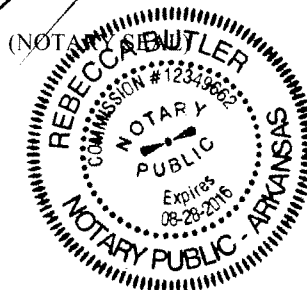
The undersigned, Gregory P. Schaffer, does hereby certify as follows:

1. I serve as Senior Vice President - Chief Risk Officer of Alltel Communications, LLC and each of its affiliates and subsidiaries, including WWC License LLC ("Alltel"). The Company's study area code in South Dakota is 399002.
2. This certification is submitted in support of Alltel's ETC Certification and Annual Report pursuant to SD PUC Rule 20:10:32:54.
3. I have reviewed the ETC Certification and Annual Report.
4. The facts stated therein are true and correct to the best of my present knowledge, information and belief.

  
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Gregory P. Schaffer

Subscribed and sworn to before me  
this 29th day of May 2008.

  
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Notary Public



## **SUMMARY OF EXHIBITS**

**Confidential Exhibit A, Attachment 1**– WWC License LLC, d/b/a Alltel Communications, LLC's 2007 High Cost receipts from Federal Universal Service Fund

**Confidential Exhibit A, Attachment 2** – WWC License LLC, d/b/a Alltel Communications, LLC's Progress Report for Calendar Year 2007.

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

**Confidential Exhibit B** – 2007 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's Formal Customer Complaints Report

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