

September 6, 2019

Via Electronic Mail & Hand Delivery

Luly Massaro
Commission Clerk
Rhode Island Public Utilities Commission
89 Jefferson Boulevard
Warwick, Rhode Island 02888

Re: Docket No.: 3533
Petition of Cox Rhode Island Telcom, L.L.C. for Certificate as a Telecommunications
Carrier "Eligible" to Receive Payments from The Federal Universal Service Fund Order

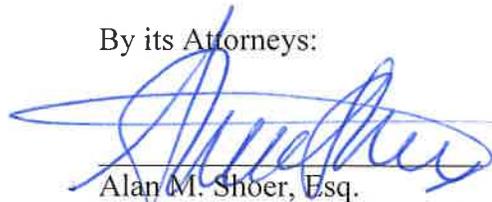
Dear Ms. Massaro:

On behalf of Cox Rhode Island Telcom, L.L.C., ("Cox"), enclosed please find for filing with the Commission an original and nine (9) copies of Cox's *Amended* Petition for Relinquishment of its Designation as an Eligible Telecommunications Carrier in Rhode Island.

Respectfully Submitted,

Cox Rhode Island Telcom, L.L.C.

By its Attorneys:



Alan M. Shoer, Esq.
Adler Pollock and Sheehan P.C.
One Citizen's Plaza, 8th Floor
Providence, Rhode Island 02903-1345

Enclosures

cc: Robert J. Howley, Cox (via e-mail)

throughout Rhode Island.³ By Order dated July 31, 2003 in Docket 3533, the Commission granted the application of Cox for designation as an ETC under 47 U.S.C. 214(e).⁴

2. Cox now seeks to relinquish its ETC designation in Rhode Island pursuant to Section 214(e)(4) of the Act and Section 54.205 of the FCC's Rules, that provide upon application the relevant state Commission shall permit an ETC to relinquish its designation as an ETC in any area served by more than one ETC. And, to the extent applicable, Cox also seeks to relinquish its ETC designation in Rhode Island pursuant to the Commission's Rules and Regulations Governing the Certification and Verification of Telecommunications Carriers Eligible to Receive Payments from the Federal Universal Service Fund.⁵ Cox is in compliance with the Commission's Rules and Regulations and its reporting requirements. Lastly, Cox also seeks to de-enroll so-called "relinquishment area subscribers" from the National Lifeline Accountability Database that is maintained by the Universal Service Administration Co.⁶

3. Under the USF provisions of the Act, the Commission must allow an ETC to relinquish its designation in any area served by more than one ETC. In pertinent part, Section 214(e)(4) of the Act provides as follows:

A State commission ... shall permit an [ETC] to relinquish its designation as such a carrier in any area served by more than one [ETC]. An [ETC] that seeks to relinquish its [ETC] designation for an area served by more than one [ETC] shall give advance notice to the State commission ... of such relinquishment. Prior to permitting a telecommunications carrier designated as an [ETC] to cease providing

³ See Order No. 15277 in Docket 2535.

⁴ See Order No. 17529 in Docket 3533.

⁵ Pursuant to the Commission's Rules, all ETC's are required to comply with the FCC's Universal Service Rules at 47 C.F.R. Part 54. This Petition is intended to comply with the FCC's Rules.

⁶ The National Lifeline Accountability database is maintained by the Universal Service Administrator and "allows service providers to check on a real-time, nationwide basis whether a consumer is already receiving a Lifeline Program-supported service." See <https://www.usac.org/li/tools/nlad/default.aspx>

universal service in an area served by more than one [ETC], the State commission ... shall require the remaining [ETC] or [ETCs] to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunications carrier. The State commission ... shall establish a time, not to exceed one year after the State commission ... approves such relinquishment under this paragraph, within which such purchase or construction shall be completed.⁷

4. The FCC's implementing rule reiterates the requirements of § 214(e)(4) of the Act and provides that a "state commission shall permit" an ETC to "relinquish its designation as such in any area served by more than one [ETC]."⁸ The FCC rule also requires that the ETC "shall give advance notice to the state commission of such relinquishment."⁹ Finally, the rule requires state commissions to ensure that the relinquishing ETC's customers will be served by the remaining ETC(s) and ensure sufficient notice to permit the purchase and construction of facilities, if necessary.¹⁰

5. In sum, the statutory requirements for relinquishing ETC designation are: (1) there must be more than one ETC serving in the area of the ETC seeking relinquishment; (2) the ETC seeking relinquishment must provide advance notice to the relevant state commission; (3) the customers served by the relinquishing ETC must continue to be served by an ETC; and (4) to the extent that additional facilities are required to serve any of the relinquishing ETC's customers, sufficient notice shall be provided to ensure that the construction or purchase can be timely completed. All such requirements for relinquishing Cox's ETC designation are satisfied in Rhode Island.

⁷ 47 U.S.C. § 214(e)(4). See 47 C.F.R. § 54.205.

⁸ 47 C.F.R. § 54.205(a).

⁹ *Id.*

¹⁰ See *id.* § 54.205(b)

6. Cox seeks to relinquish its ETC designation due to changes in the industry, changes in the marketplace, and decreased customer demand, as well as modifications to the federal Lifeline program by the FCC.

7. The areas for which Cox has ETC designation will, after Cox has relinquished its ETC designation, continue to be served by other wireline ETCs, namely Verizon Rhode Island, as well as the other wireless companies, as indicated on the Commission's web page at <http://www.ripuc.org/utilityinfo/telecom/Lifeline.html>.¹¹ The impact of this discontinuance will be minimal because Cox only serves approximately 1,262 subscribers in Rhode Island at this time, and those consumers will have multiple options for alternative ETCs in the state. A list of ETCs providing service in all or parts of Cox's footprint, broken-out by zip code, is provided in **Exhibit A**.

8. To ensure that current lifeline subscribers have adequate time to select another Lifeline provider, should they choose to do so, the company will provide two customer notifications. At least 60 days prior to the ETC relinquishment effective date, Cox will provide a letter via U.S. Mail to all of its impacted customers that describes the upcoming elimination of the Lifeline discount. Then, at least 30 days prior to the ETC relinquishment date, Cox will provide a letter to impacted customers. Amended **Exhibit B** provides a revised sample of the language this letter will contain.¹² To avoid customer confusion and assist with a smooth transition process, Cox will stop accepting new Lifeline applications effective October 1, 2019

¹¹ The Universal Service Administrative Company web site also identifies other ETC's in Rhode Island, by zip code. See <https://data.usac.org/publicreports/CompaniesNearMe/Download/Report>.

¹² Cox has revised the language of the letter after meeting with the Division. Cox believes that the revised language in the letter is acceptable to the Division.

and inform potential customers of the pendency of this notice and Cox's other available voice telephone offers.

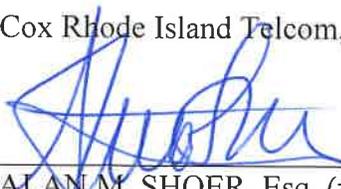
Although Cox will be relinquishing its ETC designation throughout the entire area authorized by the Commission, Cox will continue to offer its entire suite of services, including voice telephony, throughout its entire service area. Cox's standalone voice product is reasonably and competitively priced, and former Lifeline customers may continue to subscribe to Cox's non-discounted telephone service. Further, the company retains a strong commitment to serving the needs of the low-income segment, which is evidenced by Cox's participation in the Connect 2 Compete program.¹³ This program provides low cost internet and devices to low income students and their families.

WHEREFORE, pursuant to Section 214(e)(4) of the Act, and applicable rules of the Commission, Cox Rhode Island Telcom, LLC requests that the Commission enter an Order authorizing Cox to relinquish its designation as an ETC in Rhode Island.

Respectfully submitted,

Cox Rhode Island Telcom, LLC

By:


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Dated: September 6, 2019

¹³ Details of Cox's Connect 2 Compete Program are available at: www.cox.com/aboutus/connect2compete/low-cost-internet.html

EXHIBIT A

RI	VZ (L)	Access (W)	American BB & Tele-comm (W)	Assurance (W)	Boomerang (W)	enTouch (W)	Global Connection of America (W)	Life (W)	Q-Link (W)	Safelink (W)	StandUp (W)	Tempo Telecom (W)	True (W)	YourTel America (W)
01504	X			X						X				
01516	X			X		X				X				
01529	X			X						X				
01569	X			X		X				X				
02019	X			X		X				X				
02093	X			X						X				
02703	X			X		X				X				
02721	X			X		X				X				
02724	X			X		X	X			X				
02760	X			X		X				X				
02762	X			X		X				X				
02771	X			X						X				
02777	X			X		X				X				
02790	X			X		X				X				
02802				X				X	X	X			X	
02804	X			X				X	X	X	X			
02806	X			X	X			X	X	X	X	X	X	
02808	X			X	X			X	X	X	X	X	X	
02809	X			X	X			X	X	X	X	X	X	
02812	X			X				X	X	X			X	
02813	X		X	X	X			X	X	X	X	X	X	
02814	X			X	X			X	X	X	X	X	X	
02815								X						
02816	X	X	X	X	X			X	X	X			X	X
02817	X			X				X	X	X			X	
02818	X		X	X	X			X	X	X	X	X	X	
02822	X	X		X	X			X	X	X	X	X	X	
02825	X			X	X			X	X	X	X	X	X	
02826	X			X	X				X	X		X	X	
02827	X			X				X	X	X		X	X	
02828	X	X		X	X			X	X	X	X	X	X	
02830	X	X		X	X			X	X	X	X	X	X	
02831	X			X				X	X	X	X	X	X	
02832	X			X	X			X	X	X	X	X	X	
02833	X			X					X	X		X		
02835	X	X		X				X	X	X	X	X	X	
02836									X	X				
02837	X	X		X						X				
02838	X			X	X			X	X	X	X	X	X	
02839	X			X	X			X	X	X	X	X	X	
02840	X	X		X	X			X	X	X	X	X	X	X
02841				X										
02842	X		X	X	X			X	X	X	X	X	X	
02852	X	X	X	X	X			X	X	X	X	X	X	X
02857	X			X	X			X	X	X	X	X	X	
02858	X			X				X	X	X	X	X	X	
02859	X			X	X			X	X	X	X	X	X	
02860	X	X	X	X	X			X	X	X	X	X	X	X
02861	X	X		X	X			X	X	X	X	X	X	X
02863	X	X	X	X	X			X	X	X	X	X	X	X
02864	X	X		X	X			X	X	X	X	X	X	X
02865	X		X	X	X			X	X	X	X	X	X	X
02871	X	X		X	X			X	X	X	X	X	X	X
02873	X							X		X	X		X	
02874	X			X					X	X			X	
02875				X				X			X	X		
02876	X			X	X			X	X	X	X		X	
02878	X	X	X	X	X			X	X	X	X	X	X	X
02879	X	X		X	X			X	X	X	X	X	X	
02881	X			X	X			X		X	X	X	X	
02882	X			X	X			X	X	X	X	X	X	X

EXHIBIT A

02885	x	x		x	x		x	x	x	x	x	
02886	x	x		x	x		x	x	x	x	x	x
02888	x	x	x	x	x		x	x	x	x	x	x
02889	x	x		x	x		x	x	x	x	x	
02891	x		x	x			x	x	x	x	x	x
02892	x	x		x	x		x	x	x	x	x	
02893	x	x		x	x		x	x	x	x	x	x
02894	x			x			x	x	x			
02895	x	x	x	x	x		x	x	x	x	x	x
02896	x			x	x		x	x	x	x	x	
02898	x			x			x	x	x	x	x	
02903	x	x	x	x	x		x	x	x	x	x	x
02904	x	x	x	x	x		x	x	x	x	x	x
02905	x	x		x	x		x	x	x	x	x	x
02906	x	x		x	x		x	x	x	x	x	
02907	x	x	x	x	x		x	x	x	x	x	
02908	x	x	x	x	x		x	x	x	x	x	x
02909	x	x	x	x	x		x	x	x	x	x	x
02910	x			x	x		x	x	x	x	x	x
02911	x			x	x		x	x	x	x	x	x
02912										x		
02914	x	x	x	x	x		x	x	x	x	x	x
02915	x	x	x	x	x		x	x	x	x	x	x
02916	x			x	x		x	x	x	x	x	
02917	x		x	x	x			x	x	x	x	x
02919	x			x	x		x	x	x	x	x	x
02920	x	x		x	x		x	x	x	x	x	x
02921	x			x	x		x	x	x	x	x	

LIFELINE DISCOUNT NO LONGER AVAILABLE IN RHODE ISLAND BEGINNING DECEMBER 4th

Hello Scott,

Beginning December 4, 2019, Cox will no longer provide a lifeline discount in Rhode Island.

If you receive a notification from the Universal Service Administration Company (USAC) to recertify your eligibility in the Lifeline program after receipt of this letter or if you receive such notice in the future, please disregard them as Cox will no longer provide a Lifeline discount in Rhode Island as of December 4th, 2019.

We've identified two options for you:

1. **Stay with Cox.** While your phone bill will not be what it was, we'd still like to keep you as a telephone customer. If you choose to stay, no further action is required on your part.
2. **If you wish to keep a Lifeline Discount, you'll need to contact another Lifeline provider. Below is a link to the list of providers that may offer Lifeline service in your area. You can contact these providers directly to determine if they provide service at your location.**

The Rhode Island Public Utilities Commission maintains a list of Lifeline service providers on its website:

<http://www.ripuc.org/utilityinfo/telecom/Lifeline.html>

USAC maintains a list of Lifeline service providers on its website. You can enter your zip code at the following URL to find companies that may provide Lifeline service at your location.

<https://data.usac.org/publicreports/CompaniesNearMe/Download/Report>

USAC also has general Lifeline information available on its website at the following URL

<https://www.lifelinesupport.org/li/>

We do not make this decision lightly but due to low customer demand, it no longer makes sense for us to participate in this program. We know no one likes it when their bill goes up and apologize for this inconvenience. If you have any questions, or to make sure you're in the best telephone package give us a call at 1-844-267-2333.

Thanks,

Cox