

June 28, 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

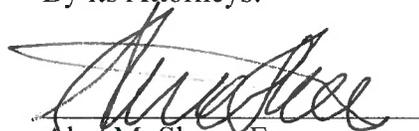
Dear Ms. Massaro:

On behalf of Cox Rhode Island Telcom, L.L.C., ("Cox"), enclosed please find for filing with the Commission an original and three (3) copies of Cox Rhode Island Telcom, L.L.C.'s ("COX") Responses to DPUC's First Set of Data Requests.

Respectfully Submitted,

Cox Rhode Island Telcom, L.L.C.

By its Attorneys:



Alan M. Shoer, Esq.

RI Bar No. 3248

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*)

**STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION**

Petition of Cox Rhode Island Telcom, L.L.C. for)	
Certificate as a Telecommunications Carriers)	Docket No. 3533
“Eligible” to Receive Payments from)	
the Federal Universal Service Fund Order)	

**COX RHODE ISLAND TELCOM, L.L.C. (“COX”) RESPONSE TO
DPUC’S FIRST SET OF DATA REQUESTS**
(Issued June 18, 2019)

DIV 1-1	In its petition, Cox states that impacted customers will be transitioned to Cox Voice Premier at a monthly rate of \$9.99 for 12 months “by contacting Cox”. The petition goes on to note, “Customers who do not contact us to select a service offer will be billed a standard rate beginning September 1, 2019”. Please explain why is Cox requiring customers to initiate contact with the company to obtain the discounted rate rather than simply transitioning customers to the discounted rate?
COX Resp.: DIV 1-1	To reduce the impact of Lifeline ending, we are offering Cox Voice Premier with 14 calling features at a promotional rate of \$9.99 per month for 12 months. However, customers may prefer to keep their Basic telephone service without a promotion or Lifeline discount. Speaking directly with Cox Customer Service will enable customers to receive answers to their questions and review options best suited for their needs.
Respondent:	Scott Sandall
Date:	June 28, 2019

**STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION**

**Petition of Cox Rhode Island Telcom, L.L.C. for)
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the Federal Universal Service Fund Order)**

DIV 1-2	Will any of the Lifeline customers lose bundled service discounts and if so, will Cox voice Premier replace Lifeline telephone service as part of the service bundle for purposes of qualifying for a discount?
COX Resp.: DIV 1-2	Lifeline customers with a promotional bundle discount or service agreement will not lose their discount under the terms of their service.
Respondent:	Scott Sandall
Date:	June 28, 2019

**STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION**

Petition of Cox Rhode Island Telcom, L.L.C. for)
Certificate as a Telecommunications Carriers) **Docket No. 3533**
"Eligible" to Receive Payments from)
the Federal Universal Service Fund Order)

DIV 1-4	Of the 1,553 Cox lifeline customers, how many are wireless lifeline and how many landline lifeline customers?
COX Resp.: DIV 1-4	All Cox Lifeline customers are landline customers.
Respondent:	Robert Howley
Date:	June 28, 2019

**STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION**

Petition of Cox Rhode Island Telcom, L.L.C. for)
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the Federal Universal Service Fund Order) **Docket No. 3533**

DIV 1-6	Please provide Exhibit A again but insert a column for Cox and mark by an "x" in the document all zip code areas where Cox provides the life-line service that will be relinquished if Cox's petition is granted.
COX Resp.: DIV 1-6	See attached spreadsheet: <i>Cox Resp to Div 1-6 / RI ETCs 2019</i>
Respondent:	Leslie McLaughlin
Date:	June 28, 2019

RI	Cox Active Lifeline Customers as of 4/2019	VZ (L)	Access (W)	American BB & Telecomm (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				X
02804	X	X			X				X	X	X	X			
02806	X	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		X
02812		X			X					X	X	X			X
02813	X	X		X	X	X			X	X	X	X	X		X
02814	X	X			X	X			X	X	X	X	X		X
02815									X						
02816	X	X	X	X	X	X			X	X	X	X		X	X
02817	X	X			X				X	X	X	X			X
02818	X	X		X	X	X			X	X	X	X	X		X
02822	X	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		X
02830	X	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		X
02833	X	X			X					X	X		X		
02835	X	X	X		X				X	X	X	X	X		X
02836										X	X				
02837	X	X	X		X						X				
02838	X	X			X	X			X	X	X	X	X		X
02839	X	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		X
02852	X	X	X	X	X	X			X	X	X	X	X		X
02857	X	X			X	X			X	X	X	X	X		X
02858		X			X				X	X	X	X			X
02859	X	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
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			X
02874		X			X					X	X				X
02875					X				X	X		X	X		
02876	X	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		X
02881		X			X	X			X		X	X	X		X
02882	X	X			X	X			X	X	X	X	X		X
02885	X	X	X		X	X			X	X	X	X	X		X
02886	X	X	X		X	X			X	X	X	X	X		X
02888	X	X	X	X	X	X			X	X	X	X	X		X
02889	X	X	X		X	X			X	X	X	X	X		X
02891	X	X		X	X	X			X	X	X	X	X		X
02892		X	X		X	X			X	X	X	X	X		X
02893	X	X	X		X	X			X	X	X	X	X		X
02894		X			X				X	X	X	X			
02895	X	X	X	X	X	X			X	X	X	X	X		X
02896	X	X			X	X			X	X	X	X	X		X
02898	X	X			X				X	X	X	X			X
02903	X	X	X	X	X	X			X	X	X	X	X		X
02904	X	X	X	X	X	X			X	X	X	X	X		X
02905	X	X	X		X	X			X	X	X	X	X		X
02906	X	X	X		X	X			X	X	X	X	X		X
02907	X	X	X	X	X	X			X	X	X	X	X		X
02908	X	X	X	X	X	X			X	X	X	X	X		X
02909	X	X	X	X	X	X			X	X	X	X	X		X
02910	X	X			X	X			X	X	X	X	X		X
02911	X	X			X	X			X	X	X	X	X		X
02912												X			
02914	X	X	X	X	X	X			X	X	X	X	X		X
02915	X	X	X	X	X	X			X	X	X	X	X		X
02916	X	X			X	X			X	X	X	X	X		X
02917	X	X		X	X	X			X		X	X	X		X
02919	X	X			X	X			X	X	X	X	X		X
02920	X	X	X		X	X			X	X	X	X	X		X
02921	X	X			X	X			X	X	X	X	X		X

2802	1	ALBION
2804	1	ASHAWAY
2806	4	BARRINGTON
2808	1	BRADFORD
2809	20	BRISTOL
2813	3	CHARLSTOWN
2814	8	CHEPACHET
2816	58	COVENTRY
2817	1	W GREENWICH
2818	13	E GREENWICH
2822	2	EXETER
2825	5	FOSTER
2828	9	GREENVILLE
2830	7	HARRISVILLE
2831	3	HOPE
2832	7	HOPE VALLEY
2833	2	HOPKINTON
2835	3	JAMESTOWN
2837	3	LITTLE COMPTON
2838	5	MANVILLE
2839	2	MAPLEVILLE
2840	28	NEWPORT
2842	22	MIDDLETOWN
2852	23	NORTH KINGSTOWN
2857	6	NORTH SCITUATE
2859	6	PASCOAG
2860	141	PAWTUCKET
2863	32	CENTRAL FALLS
2864	54	CUMBERLAND
2865	29	LINCOLN
2871	15	PORTSMOUTH
2873	1	ROCKVILLE
2876	3	SLATERSVILLE
2878	29	TIVERTON
2879	16	WAKEFIELD
2882	11	NARRAGANSETT
2885	7	WARREN
2886	77	WARWICK
2888	23	WARWICK
2889	22	WARWICK
2891	33	WESTERLY
2893	46	WEST WARWICK
2895	58	WOONSOCKET
2896	25	NORTH SMITHFIELD
2898	2	RICHMOND; WYOMING
2903	30	PROVIDENCE
2904	92	N PROVIDENCE
2905	32	PROVIDENCE; CRANSTON
2906	10	PROVIDENCE; CRANSTON
2907	38	PROVIDENCE
2908	33	PROVIDENCE
2909	58	PROVIDENCE
2910	30	CRANSTON
2911	22	N PROVIDENCE
2914	69	E PROVIDENCE
2915	49	RIVERSIDE
2916	14	RUMFORD
2917	19	SMITHFIELD
2919	78	JOHNSTON
2920	91	CRANSTON
2921	21	CRANSTON
	1553	

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Petition of Cox Rhode Island Telcom, L.L.C. for)
Certificate as a Telecommunications Carriers) **Docket No. 3533**
"Eligible" to Receive Payments from)
the Federal Universal Service Fund Order)

DIV 1-8	Please provide all notices that Cox has provided to remaining ETC's to permit the purchase and construction of facilities if necessary to serve Cox's 1,553 subscribers? If no such notices have been provided, please explain why not.
COX Resp.: DIV 1-8	Cox has filed its petition with the R.I. Public Utilities Commission and this petition has been posted on the Commission's web site, under dockets. On information and belief there are already facilities of other providers that exist to serve each of Cox's existing subscribers.
Respondent:	Robert Howley
Date:	June 28, 2019

**STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION**

Petition of Cox Rhode Island Telcom, L.L.C. for Certificate as a Telecommunications Carriers “Eligible” to Receive Payments from the Federal Universal Service Fund Order))))	Docket No. 3533
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DIV 1-9	Cox has requested a relinquishment date of September 1, 2019. Cox also represents that “at least 30 days prior to the ETC relinquishment date, Cox will provide a bill message to impacted customers.” Is Cox representing that by August 2, 2019 <u>all</u> 1,553 impacted subscribers will be mailed the bill message in a form similar to Exhibit B. If not, identify why not, and identify all other dates after August 2, 2019 that Cox will mail impacted customers bill messages in the form similar to Exhibit B.
COX Resp.: DIV 1-9	All Lifeline customers will be notified by a letter and a bill message on or about August 2, 2019.
Respondent:	Robert Howley
Date:	June 28, 2019

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DIV 1-10	Provide a breakdown of the difference between what lifeline customers currently are charged and the \$9.99 promotional rate inclusive of “monthly recurring charges, all taxes, fees and surcharges” they will pay after they are “transitioned.”
COX Resp.: DIV 1-10	A customer with Cox Lifeline Telephone Service, which only includes local telephone service, pays \$13.99/ month inclusive of taxes and fees.
	A Lifeline customer receiving the 12-month promotional offer of \$9.99 for Cox Voice Premier, which offers local telephone service, domestic long-distance service and several popular features, will pay \$23.38/month inclusive of taxes and fees.
	After the 12-month promotional period ends, the customer will pay the standard price of Cox Voice Premier, which today is \$53.15/month inclusive of taxes and fees.
Respondent:	Scott Sandall
Date:	June 28, 2019

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DIV 1-11	Explain why Cox is only ceasing accepting lifeline customers on July 1, 2019, two months before its relinquishment date of September 1, 2019 in Rhode Island?
COX Resp.: DIV 1-11	With our customer notification process we wanted to make sure there was a full 30-day billing cycle before the end date of the last notification. This would mean that Lifeline customers will begin receiving a bill message notification on July 1 st . Having a new Lifeline customer begin on July 1st with a discount and then have that discount end on September 1st did not seem to be a good customer experience.
Respondent:	Scott Sandall
Date:	June 28, 2019

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DIV 1-12	Identify for each month how many lifeline customers Cox accepted in the following months: January, 2019 February, 2019 March, 2019 April, 2019 May, 2019 June, 2019 (to date)	
COX Resp.: DIV 1-12	Newly accepted Lifeline customers for each requested month are as follows:	
	January 2019	45
	February 2019	81
	March 2019	64
	April 2019	54
	May 2019	9
	June 2019	0
	<hr style="width: 20%; margin-left: auto; margin-right: 0;"/> * Since the hard launch in Rhode Island of USAC's National Verifier in May, Cox's daily searches on the Pending Applications site have found no new applicants on the site. Further, although successful applicants are instructed by USAC to contact their Service Provider, Cox has received less than five (5) such contacts since launch.	
Respondent:	Leslie McLaughlin	
Date:	June 28, 2019	

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DIV 1-14	With respect to each jurisdiction identified in 1-13, identify all term and conditions that are different than the terms upon which Cox seeks to relinquish its ETC designation in Rhode Island? Explain the rationale for each different term and condition.
COX Resp.: DIV 1-14	Cox is not seeking any material condition in each of the jurisdictions identified in 1-13 that is different than this Petition in Rhode Island.
Respondent:	Robert Howley
Date:	June 28, 2019

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the Federal Universal Service Fund Order)

DIV 1-15	Provide each decision from every jurisdiction where Cox has been <u>granted</u> relinquishment of its ETC designation.
COX Resp.: DIV 1-15	Cox has been granted relinquishment of its ETC designation in Arizona, Arkansas, Florida, Georgia, Iowa, Kansas, Nebraska, Nevada and Virginia. <i>(See attached Decisions for each state)</i>
Respondent:	Deborah A. Montanaro
Date:	June 28, 2019

Cox response to Div 1-15

Decisions:

- Arizona
- Arkansas
- Florida
- Georgia
- Iowa
- Kansas
- Nebraska
- Nevada
- Virginia



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BEFORE THE ARIZONA CORPORATION COMMISSION

ROBERT "BOB" BURNS
Chairman
ANDY TOBIN
Commissioner
BOYD DUNN
Commissioner
SANDRA D. KENNEDY
Commissioner
JUSTIN OLSON
Commissioner

Arizona Corporation Commission

DOCKETED

MAY 29 2019

DOCKETED BY

aa

IN THE MATTER OF COX ARIZONA
TELCOM, LLC'S APPLICATION FOR
APPROVAL OF RELINQUISHMENT OF
ITS ELIGIBLE TELECOMMUNICATIONS
CARRIER DESIGNATION.

DOCKET NO. T-03471A-19-0053

DECISION NO. 77200

ORDER

Open Meeting
May 21 and 22, 2019
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On March 8, 2019, Cox Arizona Telcom, LLC ("Cox") filed an application requesting approval to relinquish its Lifeline-only Eligible Telecommunications Carrier ("ETC") designation in Arizona pursuant to 47 U.S.C. § 214(e)(4), 47 C.F.R. § 54.205, Arizona Administrative Code ("A.A.C.") R14-2-1107, and Arizona Corporation Commission ("Commission") Decision No. 72626¹ with a request for an effective date of May 1, 2019 or upon Commission approval.

...
...

¹ Decision No. 72626, dated October 14, 2011, granted Cox its Lifeline-only ETC designation (Docket No. T-03471A-11-0168).

Background

2. Cox was granted a Certificate of Convenience and Necessity (“CC&N”) to provide local exchange and long distance telecommunications services in Arizona pursuant to Decision No. 60285 (July 2, 1997).² On October 14, 2011, in Decision No. 72626, the Commission designated Cox as a Lifeline-only ETC in Qwest Corporation dba CenturyLink QC (“CenturyLink”) rate centers in which Cox provided service. Cox intends to relinquish its Lifeline-only ETC designation effective August 1, 2019. Cox is providing notice to its Lifeline customers as required by A.A.C. R14-2-1107, as discussed in more detail below. All of the designated service area covered by Cox's current ETC designation have at least two or more ETCs providing Lifeline service at this time.

3. Cox states its decision to relinquish its ETC designation is the result of changes in the industry, changes in the marketplace, and decreased customer demand, as well as modifications to the federal Lifeline program by the FCC. Currently, Cox serves less than 500 Lifeline subscribers in Arizona, and the number of Lifeline subscribers has been steadily dropping over the past few years, likely due in part to other, more attractive wireless Lifeline ETC offerings. Cox does not collect deposits or require service contracts from its Lifeline customers.

Federal ETC Relinquishment Requirements

4. The federal requirements for a carrier to relinquish its ETC designation are outlined in 47 U.S.C. § 214(e)(4), which states:

(4) RELINQUISHMENT OF UNIVERSAL SERVICE. -A State commission shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. An eligible telecommunications carrier that seeks to relinquish its eligible telecommunications carrier designation for an area served by more than one eligible telecommunications carrier shall give advance notice to the State commission of such relinquishment. Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State commission shall require the remaining eligible telecommunications carrier or carriers 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

² The CC&N issued to Cox Arizona Telcom, Inc. in Decision No. 60285 was transferred to Cox Arizona Telcom, LLC in Decision No. 61569 (March 15, 1999).

1 relinquishment under this paragraph, within which such purchase or construction shall be
2 completed.

3 Also see 47 C.F.R. § 54-205(a) and (b).

4 **Designated Service Area and Alternative ETC Providers**

5 5. Cox provided a list of 168 zip codes³ in Exhibit B of its Application where it is
6 currently designated as an ETC and is requesting to relinquish that status. Each of the affected zip
7 codes is served by at least one Incumbent Local Exchange Carrier (“ILEC”), and all zip codes are
8 served by CenturyLink, which is designated as an ETC.⁴ In Exhibit B, Cox also identifies eleven
9 (11) competitive ETCs, including Lifeline-only providers, which provide service in at least part of
10 Cox’s designated service area. Since there is at least one additional ETC in each zip code of Cox’s
11 designated service area, Cox states there is no bar to prevent it from relinquishing its Arizona ETC
12 designation and the requirements for relinquishment set forth in 47 U.S.C. § 214(e)(4) and 47 C.F.R.
13 § 54.205 have been met.

14 6. Further, because other ETCs currently serve the entire area in which Cox is
15 designated as an ETC in Arizona, Cox states there is no need for those carriers to purchase or
16 construct additional facilities to ensure that Cox’s Lifeline customers will continue to receive
17 service. Therefore, the Commission does not need to provide notice to ETCs serving the area to
18 permit them to purchase or construct facilities to ensure that Cox’s customers will continue to receive
19 service because sufficient facilities already exist.

20 7. There are currently at least one ILEC and eleven competitive ETCs designated to
21 provide service in one or more parts of Cox’s designated service area. If Cox is allowed to relinquish
22 its ETC designation for its current service area, all of Cox’s Lifeline subscribers will have at least
23 two other ETC available from which to obtain Lifeline Service. In addition, because sufficient
24 facilities already exist, notice to permit the purchase or construction of adequate facilities by any
25

26 _____
27 ³ Exhibit B includes a table of all zip codes currently covered by Cox’s Lifeline ETC designation and the names of
28 alternative ETCs serving those zip codes. Although Cox’s ETC designation is by wire center, most wireless ETCs are
designated by zip code. Therefore, Cox has used zip codes that track its wire center designation area in this Application.

⁴ Qwest Corporation dba CenturyLink QC – Decision No. 60513, dated December 18, 1997.

1 ETC should not be required. Based on the information above, Staff believes that Cox meets the
2 FCC's ETC relinquishment criteria.

3 **Customer and Published Notice**

4 8. To ensure current Lifeline subscribers have adequate time to select another Lifeline
5 provider should they choose to do so and in compliance with A.A.C. R14-2-1107, Cox will provide
6 direct customer notice as follows:

7 A. By June 1, 2019, Cox will provide a letter via U.S. Mail to all of its affected
8 Lifeline customers indicating that Cox is discontinuing Lifeline services as of August
9 1, 2019 and describing options for customers affected by the elimination of the
10 Lifeline discount (a sample of the proposed letter to affected customers is attached to
11 the application as Exhibit A);

12 B. Cox will include a bill message to affected customers within 30 days after the
13 letter notification indicating that Cox is discontinuing Lifeline services as of August
14 1, 2019.

15 9. Cox will submit confirmation to the Commission setting forth the actual timing of
16 the mailing of the initial letter and the bill message.

17 10. In addition, Lifeline customers will have the opportunity to subscribe to Cox voice
18 service at a new promotional rate of \$9.99 per month for 12 months⁵ by contacting Cox or have the
19 option to select other available promotional offers that better meet their needs.⁶ Although Cox will
20 be relinquishing its ETC designation throughout the designated service area authorized by the
21 Commission, Cox will continue to offer its entire suite of services, including voice telephony,
22 throughout its entire service area. Cox's standalone voice product is available to former Lifeline
23 customers and they may continue to subscribe to Cox's non-discounted telephone service.

24
25
26
27 ⁵ Affected customers choosing this option will be responsible for monthly recurring charges and all taxes, fees, and surcharges.

28 ⁶ The discounts associated with the \$9.99 monthly rate will be reflected in any bundled offerings provided to impacted customers.

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ORDER

IT IS THEREFORE ORDERED that the Cox Arizona Telcom, LLC's request to relinquish its ETC status in Arizona pursuant to 47 U.S.C. § 214(e)(4) is hereby granted and shall be effective as of August 1, 2019.

IT IS FURTHER ORDERED that by June 1, 2019, Cox shall mail notice of the effective date of this Order to its Lifeline customers in a form acceptable to Staff, and such notice shall give Lifeline customers at least 45 days from the date of the notice to make alternative arrangements for Lifeline service.

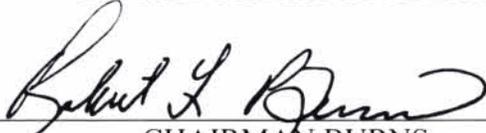
IT IS FURTHER ORDERED that Cox shall file to remove its Lifeline service offering from its current tariff within 30 days after the effective date of relinquishing its ETC designation.

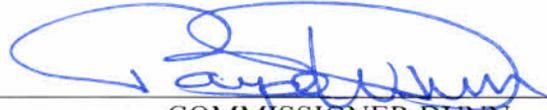
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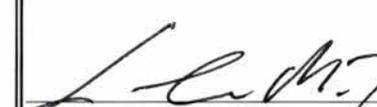
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IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION


CHAIRMAN BURNS


COMMISSIONER DUNN


COMMISSIONER TOBIN


COMMISSIONER KENNEDY


COMMISSIONER OLSON



IN WITNESS WHEREOF, I, MATTHEW J. NEUBERT, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 29 day of May, 2019.


MATTHEW J. NEUBERT
EXECUTIVE DIRECTOR

DISSENT: _____

DISSENT: _____

EOA:LLM vsc/MAS

1 Cox Arizona Telcom, LLC
2 Docket No. T-03471A-19-0053

3
4 Mr. Michael W. Patten
5 Snell & Wilmer L.L.P.
6 One Arizona Center
7 400 East Van Buren Street, Suite 1900
8 Phoenix, Arizona 85004
9 mpatten@swlaw.com
10 jthomes@swlaw.com
11 docket@swlaw.com

12 **Consented to Service by Email**

13 Ms. Robin Mitchell
14 Director/Chief Counsel, Legal Division
15 Arizona Corporation Commission
16 1200 West Washington Street
17 Phoenix, Arizona 85007
18 legaldiv@azcc.gov
19 utildivservicebyemail@azcc.gov

20 **Consented to Service by Email**

21 Mr. Elijah O. Abinah
22 Director, Utilities Division
23 Arizona Corporation Commission
24 1200 West Washington Street
25 Phoenix, Arizona 85007

26
27
28

ARKANSAS PUBLIC SERVICE COMMISSION

IN THE MATTER OF THE APPLICATION OF COX)	
ARKANSAS TELCOM, LLC FOR DESIGNATION)	DOCKET NO. 11-011-U
AS AN ELIGIBLE TELECOMMUNICATIONS)	ORDER NO. 6
CARRIER PURSUANT TO SECTION 214(E)(2) OF)	
THE COMMUNICATIONS ACT OF 1934)	

ORDER

On March 4, 2019, Cox Arkansas Telcom, LLC ("Cox") filed a letter petition to relinquish its designation as a Lifeline-only Eligible Telecommunications Carrier ("ETC") designation in Arkansas pursuant to 47 U.S.C. § 214(e)(4), 47 C.F.R. § 54.205, and Ark. Code Ann. § 23-17-405(c)(1). Cox requests that the Commission issue an order granting its petition as soon as possible, with an effective date of August 1, 2019.

Cox was granted an ETC designation by Order No. 3 issued in the above-styled docket on May 25, 2011. Cox states it currently serves less than 65 Lifeline subscribers in Arkansas. Cox also states its service area is being served by multiple ETCs in its service footprint.

Cox states that it will stop accepting new Lifeline applications on the date the Commission approves its request to relinquish and will inform potential customers of Cox's other available voice telephone offers. Cox also states it will provide two customer notifications to its current customers. First, 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 describing the upcoming elimination of the Lifeline discount. Then, at least

30 days prior to the ETC relinquishment date, Cox will provide a bill message to impacted customers. Cox provided a sample copy of the notifications it intends to provide to each of its Lifeline customers. According to the petition, no purchase or construction of facilities by other carriers will be necessary.

47 U.S.C. § 214(e)(4) and 47 C.F.R. § 54.205(a)-(b) govern the requests for relinquishment of ETC designation. 47 U.S.C. § 214(e)(4) states:

A State commission ... shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. An eligible telecommunications carrier that seeks to relinquish its eligible telecommunication carrier designation for an area served by more than one eligible telecommunications carrier shall give advance notice to the State commission ... of such relinquishment. Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State commission ... shall require the remaining eligible telecommunications carrier or carriers 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....

Additionally, Ark. Code Ann. § 23-17-405(c) states:

In exchanges or wire centers where the commission has designated more Than one (1) eligible telecommunications carrier, the commission shall permit a local exchange carrier to relinquish its designation as an eligible telecommunications carrier, consistent with 47 U.S.C. § 214(e)(4), upon a finding that at least one (1) eligible telecommunications carrier will continue to serve the area.

No opposition has been filed in this docket. The wire centers in which Cox seeks to relinquish its ETC designation continue to be served by the incumbent local exchange carriers and numerous wireless carriers that have been designated as ETCs in the state of Arkansas. None of the remaining ETCs will be required to purchase or construct additional facilities as a result of the relinquishment.

IT IS THEREFORE ORDERED:

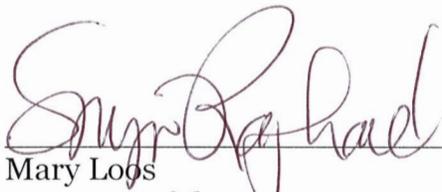
Relinquishment of the ETC designation of Cox Arkansas Telcom, LLC is hereby granted, effective on August 1, 2019. Cox is directed to file in this docket an affidavit of notice to customers within 10 days of providing such notice.

BY ORDER OF THE ADMINISTRATIVE LAW JUDGE PURSUANT TO DELEGATION,

This 27th day of March, 2019.



Connie C. Griffin
Administrative Law Judge



Mary Loos
Secretary of the Commission

I hereby certify that this order, issued by the Arkansas Public Service Commission, has been served on all parties of record on this date by the following method:

U.S. mail with postage prepaid using the mailing address of each party as indicated in the official docket file, or
 Electronic mail using the email address of each party as indicated in the official docket file.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for relinquishment of eligible telecommunications carrier status, by Cox Florida Telcom, L.P. d/b/a Cox Communications d/b/a Cox Business d/b/a Cox.

DOCKET NO. 20190058-TX
ORDER NO. PSC-2019-0209-PAA-TX
ISSUED: June 3, 2019

The following Commissioners participated in the disposition of this matter:

ART GRAHAM, Chairman
JULIE I. BROWN
DONALD J. POLMANN
GARY F. CLARK
ANDREW GILES FAY

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING COX FLORIDA TELCOM, L.P. D/B/A COX COMMUNICATIONS
D/B/A COX BUSINESS D/B/A COX'S RELINQUISHMENT OF
ELIGIBLE TELECOMMUNICATIONS CARRIER DESIGNATION

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission (Commission) that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

Background

On March 6, 2019, Cox Florida Telcom, L.P. d/b/a Cox Communications d/b/a Cox Business d/b/a Cox (Cox) filed a petition with this Commission for relinquishment of its Eligible Telecommunications Carrier (ETC) designation in Florida effective August 1, 2019. Cox has been a Competitive Local Exchange Carrier in Florida since 2005. On May 31, 2012, Cox filed an application for designation as an ETC in the state of Florida for purposes of receiving Lifeline support in its non-rural service areas. On June 15, 2012, Cox filed a separate application for designation as an ETC in its rural service areas. On September 28, 2012, and October 17, 2012, this Commission issued orders granting Cox's applications for ETC designation, respectively.¹

ETC designation is a requirement for telecommunications carriers to receive federal Universal Service Funds for the Lifeline program. The Lifeline program enables low-income households to obtain and maintain telephone service by providing qualifying households with discounts on their monthly telephone bills. Since the inception of the Lifeline program there have

¹ Order Nos. PSC-12-0500-PAA-TP and PSC-12-0552-PAA-TP.

been a variety of changes. However, Cox asserts that the most significant change, which has led to its request for ETC relinquishment, was the Federal Communications Commission's transition plan that will essentially eliminate the Lifeline discount for standalone voice service after December 1, 2021.²

Cox states their number of Lifeline customers in Florida has been declining. At the beginning of 2019, Cox had 498 Lifeline customers, which is only .07 percent of the Lifeline customers in Florida. Cox contends that the declining trend in Lifeline customers and the upcoming decrease in federal Lifeline support for voice service have led to its request for relinquishment.

We are vested with jurisdiction in this matter pursuant to Sections 364.10, Florida Statutes, 47 U.S.C. §214 (e)(4), and 47 C.F.R. §54.205.

Decision

Federal rules allow an ETC to relinquish its ETC designation pursuant to 47 C.F.R. §54.205(a), which provides that:

A state commission shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. An eligible telecommunications carrier that seeks to relinquish its eligible telecommunications carrier designation for an area served by more than one eligible telecommunications carrier shall give advance notice to the state commission of such relinquishment.

In approving a relinquishment state commissions must require the remaining ETCs to ensure that existing customers will continue to be served. 47 C.F.R. §54.205(b), provides that:

Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the state commission shall require the remaining eligible telecommunications carrier or carriers 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 section, within which such purchase or construction shall be completed.

In its petition, Cox identified all of the designated ETCs currently serving in its service territory (Attachment A). A data request was sent to each of the ETCs identified in Cox's petition asking each provider to verify that it is a designated ETC in Cox service areas. ETCs

² FCC 16-38, WC Docket No.11-42, Lifeline and Link Up Reform Modernization, Third Report and Order, released on April 27, 2016, <https://docs.fcc.gov/public/attachments/FCC-16-38A1.pdf>.

were also asked to confirm that they currently provide or are capable of providing Lifeline service to customers in those areas. We analyzed and reviewed the responses to verify that the customers in the relinquished areas would continue to be served. Based on our review and analysis, we find that in Cox's service areas, customers will continue to be served by one or more ETC.³

In its petition, Cox has asserted that its Lifeline customers will receive adequate notice to select another ETC to continue receiving the Lifeline discount. The first notice will be sent to customers, via U.S. Mail, at least 60 days prior to the effective date of the relinquishment. A second notice will be sent out via bill messages at least 30 days prior to the effective date of relinquishment. Both notices will explain that Cox will no longer offer a Lifeline discount. If the customer does not choose another Lifeline provider, they have the option of being transitioned to Cox Voice service at a new promotional rate of \$9.99 per month for 12 months. Cox's notice will also provide a list of Lifeline providers that may offer service in the customers' service area. Cox plans to stop enrolling customers in the Lifeline program 30 days prior to its relinquishment.

After reviewing Cox's petition and the responses to the ETC data requests, we have verified there will be one or more ETCs remaining in Cox's service territory. Lifeline service will continue to be available to customers residing within the relinquishment area if Cox's petition is granted. As such, it appears that Cox has met 47 C.F.R. §54.205 requirements to relinquish its ETC designation in its service territory. Therefore, we hereby approve Cox's request to relinquish its ETC designation in Florida.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Cox Florida Telcom, L.P. d/b/a Cox Communications d/b/a Cox Business d/b/a Cox's request to relinquish its Eligible Telecommunications Carrier designation in Florida is hereby approved. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that if no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket shall be closed upon the issuance of a Consummating Order.

³Specifically, we understand that the following ETCs will continue to offer Lifeline in Cox's territory in whole or in part: AT&T Florida, CenturyLink, Consolidated Communications of Florida Company, Phone Club, Windstream, Assurance wireless, Access wireless, SafeLink wireless, and T-Mobile wireless.

By ORDER of the Florida Public Service Commission this 3rd day of June, 2019.

/s/ Adam J. Teitzman

ADAM J. TEITZMAN

Commission Clerk

Florida Public Service Commission

2540 Shumard Oak Boulevard

Tallahassee, Florida 32399

(850) 413-6770

www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

MAD

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing that is available under Section 120.57, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on June 24, 2019.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this/these docket(s) before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

FL - ETCs per Zip	FairPoint Communi- cations			FRONTIER COMM (L)	GLOBAL CONNECTION OF AMERICA (L)	Phone Club Corporation (L)	WIND- STREAM (L)	ACCESS (W)	ASSURANCE (W)	SAFELINK (W)	T- MOBILE (W)
	AT&T (L)	C-LINK (L)	(L)								
32439		X						X	X	X	
32459		X						X	X	X	
32501	X				X			X	X	X	
32502	X				X			X	X	X	
32503	X				X			X	X	X	X
32504	X				X			X	X	X	X
32505	X				X			X	X	X	X
32506	X				X			X	X	X	X
32507	X				X			X	X	X	X
32508	X							X	X	X	
32509	X							X	X	X	
32511	X							X	X		
32514	X				X			X	X	X	X
32526	X				X			X	X	X	X
32531	X	X	X					X	X	X	
32533	X			X	X			X	X	X	X
32534	X				X			X	X	X	
32536		X						X	X	X	
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32542	X							X	X	X	
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32548		X						X	X	X	X
32550		X						X	X	X	X
32561	X							X	X	X	
32563	X				X			X	X	X	X
32566	X					X		X	X	X	X
32567		X	X						X	X	
32569		X						X	X	X	X
32578		X						X	X	X	X
32579		X						X	X	X	X
32580		X						X	X	X	
32601	X				X			X	X	X	X
32603	X							X	X	X	X
32605	X				X			X	X	X	X
32606	X				X			X	X	X	X
32607	X				X			X	X	X	X
32608	X				X	X		X	X	X	X
32609	X				X		X	X	X	X	
32612							X	X	X	X	X
32615	X						X	X	X	X	X
32616							X	X	X	X	
32617		X					X	X	X	X	
32618	X				X			X	X	X	X
32641	X				X			X	X	X	
32653	X				X		X	X	X	X	
32667	X				X		X	X	X	X	
32669	X							X	X	X	
34470		X						X	X	X	X
34471		X						X	X	X	X
34472		X						X	X	X	
34474		X						X	X	X	
34475		X						X	X	X	X
34476		X						X	X	X	

34479		X			X	X	X	X
34480		X			X	X	X	X
34481	X	X			X	X	X	X
34482	X	X			X	X	X	X
34488	X				X	X	X	X
36561	X				X	X	X	X

COMMISSIONERS:

LAUREN "BUBBA" McDONALD, CHAIRMAN
TIM G. ECHOLS
CHUCK EATON
TRICIA PRIDEMORE
JASON SHAW



FILED

APR 17 2019

EXECUTIVE SECRETARY
G.P.S.C.

DEBORAH K. FLANNAGAN
EXECUTIVE DIRECTOR

REECE McALISTER
EXECUTIVE SECRETARY

Georgia Public Service Commission

(404) 656-4501
(800) 282-5813

244 WASHINGTON STREET, S.W.
ATLANTA, GEORGIA 30334-5701

FAX: (404) 656-2341
www.psc.state.ga.us

DOCKET# 9039
DOCUMENT# 176592

Docket No. 9039

In Re: Petition by Cox Georgia Telcom, LLC for Designation as an Eligible Telecommunications Carrier for the Purposes of Programs that Support Service to Low Income Customers and Provide High Cost Support

ORDER APPROVING RELINQUISHMENT OF ETC DESIGNATION

I. Background

On December 19, 2008, Cox Georgia Telcom, LLC ("Cox Georgia") was designated an Eligible Telecommunications Carrier ("ETC") by the Georgia Public Service Commission.

On June 21, 2016, Cox Georgia filed with the Commission a request to relinquish its ETC designation with respect to High Cost support only. The Commission approved that request on June 30, 2016.

On March 21, 2019, Cox Georgia filed with the Commission a Request to Relinquish its ETC Designation ("Request to Relinquish") as of August 1, 2019. Cox Georgia asserted that it currently receives Low Income support for only 42 customers. *Request to Relinquish, p. 1.*

Cox Georgia committed to provide notice to its remaining Lifeline customers and that it would extend a discount to these customers should they wish to remain Cox Georgia customers:

Following relinquishment of its ETC designation in the Designated Area, Cox will continue to offer and provide telephony service in the Designated Area. Except as provided herein, Cox' services and coverage will not be affected in Georgia. As to those customers subscribed for Lifeline services, the customers will be provided with a letter sixty (60) days in advance of discontinuation of Low-Income Support followed by a bill message of thirty

(30) days in advance of discontinuation. Moreover, Cox contemporaneously will advise new customers requesting Low Income Support that new applications for Lifeline will no longer be accepted starting July 1, 2019 and that the discount will cease on August 1, 2019. In addition to the above, Cox will offer these customers a promotional offer which they will receive if they contact Cox to request it. If these customers do not respond to any of the above offers and information, they will default to Cox' standard rate for the customer's existing service offering as of August 1, 2019. *Id.*, p. 3.

As an exhibit to its petition, Cox Georgia provided a copy of its proposed notice of termination of its low-income service discounts.

The requirements for relinquishment of an ETC designation are found in 47 U.S.C. § 214(e)(4), which states:

A State commission (or the Commission in the case of a common carrier designated under paragraph (6)) shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. An eligible telecommunications carrier that seeks to relinquish its eligible telecommunications carrier designation for an area served by more than one eligible telecommunications carrier shall give advance notice to the State commission (or the Commission in the case of a common carrier designated under paragraph (6)) of such relinquishment. Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State commission (or the Commission in the case of a common carrier designated under paragraph (6)) shall require the remaining eligible telecommunications carrier or carriers 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 (or the Commission in the case of a common carrier designated under paragraph (6)) shall establish a time, not to exceed one year after the State commission (or the Commission in the case of a common carrier designated under paragraph (6)) approves such relinquishment under this paragraph, within which such purchase or construction shall be completed.

II. Staff Recommendation

The Staff reviewed Cox Georgia's Request to Relinquish and recommended that the Commission grant relinquishment of Cox Georgia's ETC designation effective August 1, 2019 with the condition that the Commission should retain its authority to resolve any

complaints arising from Cox Georgia's Lifeline offering that are filed with the Commission after relinquishment takes effect.

III. Commission Decision

The Commission finds the Staff recommendation reasonable and hereby approves Cox Georgia's request to relinquish its ETC designation.

* * * * *

WHEREFORE, it is

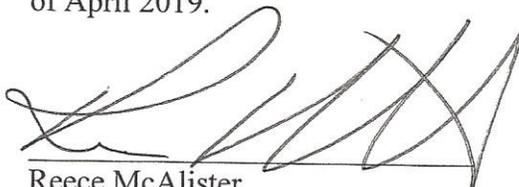
ORDERED, that Cox Georgia's request to relinquish its ETC designation is approved effective August 1, 2019.

ORDERED FURTHER, that the Commission retains its authority to resolve any complaints arising from Cox Georgia's Lifeline offering that are filed with the Commission after relinquishment takes effect.

ORDERED FURTHER, that a motion for reconsideration, rehearing, oral argument, or any other motion shall not stay the effective date of this Order, unless otherwise ordered by the Commission.

ORDERED FURTHER, that jurisdiction over this matter is expressly retained for the purpose of entering such further Order(s) as this Commission may deem just and proper.

The above by action of the Commission in Administrative Session on the 16th day of April 2019.



Reece McAlister
Executive Secretary

4-17-19
DATE



Lauren "Bubba" McDonald
Chairman

4/17/19
DATE

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: COX IOWA TELECOM, LLC	DOCKET NO. ETA-2019-0003
---------------------------------	--------------------------

**ORDER APPROVING RELINQUISHMENT OF ELIGIBLE
TELECOMMUNICATIONS CARRIER DESIGNATION**

(Issued May 7, 2019)

On March 27, 2019, Cox Iowa Telecom, LLC (Cox), a telecommunications carrier certified and operating in Iowa as an eligible telecommunications carrier (ETC), filed with the Utilities Board (Board) a request to relinquish its designation as an ETC throughout its entire service area in Iowa. Cox requests an effective date of this relinquishment of August 1, 2019.

Cox holds a certificate of public convenience and necessity identified as Certificate No. 0190 and provides service in the Council Bluffs, Crescent, Carter Lake, and Underwood rate centers. Cox's ETC designation covers an identical area.

Cox asserts that the Board must grant its relinquishment request if it shows: (1) there is more than one ETC serving in the area; (2) notice was provided to the Board at least 30 days in advance of the relinquishment; (3) the remaining ETCs ensure customers served by the relinquishing ETC will continue to be served; and (4) to the extent necessary to serve any of the relinquishing ETC's customers, sufficient notice is given to permit the purchase or construction of adequate facilities by any remaining ETC.

Cox contends that it has satisfied each of these four requirements. Cox states there are numerous ETCs serving the areas where it will be relinquishing its

DOCKET NO. ETA-2019-0003

PAGE 2

designation. Cox has provided a list of both wireline and wireless carriers designated as ETCs in its service areas as Attachment A to its request for relinquishment. Cox states it intends to relinquish its ETC designation on or about August 1, 2019, which is more than 30 days after filing its notice with the Board. Cox states that the third requirement is met because there is at least one other ETC able to serve customers in all areas in which it is currently designated as an ETC. Cox asserts that the fourth requirement is met and no additional time will be needed to allow other ETCs to build out facilities because other ETCs are already operating and providing service in its designated area.

Cox states it will provide ample notice to potentially affected Lifeline customers. Cox reports that as of March 27, 2019, it had 48 Lifeline customers in Iowa. Cox states it will send out a notice to affected customers upon Board's approval of the relinquishment. The customer notice was attached to Cox's request as Attachment B.

No objections or other comments about Cox's request have been filed.

The Communications Act of 1934, as amended, requires a state commission to permit an ETC to relinquish its designation as an ETC in any area served by more than one ETC, subject to certain notice provisions and the ability of other ETCs to provide service to affected customers. See 47 U.S.C. § 214(e)(4). Under 199 IAC 39.8, the Board may permit relinquishment of ETC designation if the following conditions are satisfied: (1) the area is served by more than one ETC; (2) the applicant provides 30 days advance notice to the Board; (3) all customers will be able to be served by the remaining ETC providers; and (4) there is sufficient notice to

DOCKET NO. ETA-2019-0003

PAGE 3

enable purchase or construction of any necessary facilities by the remaining ETCs to serve those customers.

As shown on Attachment A to Cox's request, there are numerous other ETCs in Cox's service area. Cox will provide notice to its Lifeline customers that it will cease providing Lifeline services as a result of the ETC relinquishment. Cox requests that the relinquishment of its ETC designation be deemed effective August 1, 2019, which is more than 30 days after its filing. The continued availability of one or more ETCs throughout the area served by Cox will ensure that its customers who wish to continue to receive this service will be able to do so. Cox represents that construction or acquisition of additional facilities by the remaining ETCs does not appear to be necessary. Based upon compliance with FCC requirements and Board rules, the Board will therefore approve the application for relinquishment.

The Board notes that although it is approving Cox's request to relinquish its ETC designation, this relinquishment does not affect its other obligations such as remittance of its quarterly Dual Party Relay Service assessment and report.

IT IS THEREFORE ORDERED:

1. The request for relinquishment of eligible telecommunications carrier designation filed by Cox Iowa Telecom, LLC, on March 27, 2019, is granted.
2. As of August 1, 2019, the designation of Cox Iowa Telecom, LLC, as an eligible telecommunications carrier shall be amended to show the relinquishment of its designation in Iowa.
3. As of August 1, 2019, Cox Iowa Telecom, LLC, shall no longer be eligible for Universal Service Fund support for telecommunications services provided in Iowa.

DOCKET NO. ETA-2019-0003

PAGE 4

4. Cox Iowa Telecom, LLC, shall be responsible for informing the Federal Communications Commission, the Universal Service Administrative Company, and any other applicable regulatory agency of the relinquishment of the designation as necessary.

UTILITIES BOARD

/s/ Geri D. Huser

/s/ Nick Wagner

ATTEST:

/s/ Kelsie Vanderflute

/s/ Richard W. Lozier, Jr.

Dated at Des Moines, Iowa, this 7th day of May, 2019.

**THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

Before Commissioners: Dwight D. Keen, Chair
 Shari Feist Albrecht
 Jay Scott Emler

In the Matter of the Application of Cox)
Kansas Telcom, LLC Notice of) Docket No. 19-COXT-282-ETC
Relinquishment of Eligible)
Telecommunications Carrier Designation.)

ORDER GRANTING RELINQUISHMENT OF LIFELINE-ONLY ETC DESIGNATION

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed its files and records, and being duly advised in the premises, the Commission makes the following findings:

I. Background

1. On January 22, 2019, Cox Kansas Telcom, LLC (Cox) filed a *Notice of Relinquishment of Eligible Telecommunications Carrier Designation of Cox Kansas Telcom, LLC* (Application) seeking relinquishment of its Lifeline-only Eligible Telecommunications Carrier (ETC) designation pursuant to 47 U.S.C. § 214(e)(4) and notifying the Commission of its decision to cease participation in the Kansas Lifeline Service Program (KLSP) under K.S.A. 66-2006(d). Supplementing its Application, Cox included a sample letter that it intends to send to affected customers and a spreadsheet identifying by city the remaining alternative ETCs.

2. Cox explained in its Application that it was granted an ETC designation for low-income Federal Universal Service Fund (FUSF) (a.k.a. Lifeline) and KLSP support on May 5, 2005, in Docket No. 10-COXT-174-ETC. Cox's Lifeline-only ETC designation was limited to certain AT&T wire centers in Kansas.

3. On February 19, 2019, Cox filed both an amended sample letter and spreadsheet to correct certain information pertaining to which ETCs currently provided Lifeline service in exchanges where Cox was requesting ETC relinquishment.

II. Jurisdiction and Standard of Review

4. Pursuant to K.S.A. 66-2005(z)(2)(B), the Commission has the authority and jurisdiction to implement rules delegated to the state by the federal communications commission or federal law with respect to telecommunications carriers and electing carriers.

5. K.S.A. 66-2006(d) provides in full:

(d) Telecommunications carriers and electing carriers may cease participation in the KLSP at any time upon provision of 90-days prior written notification to the commission. Telecommunications carriers and electing carriers participating in the KLSP shall be eligible to receive KUSF support for KLSP services, but shall not be subject to any regulation by the commission based on such participation other than that provided for in subsection (z) of K.S.A. 66-2005, and amendments thereto.

6. 47 U.S.C. § 214(e)(4) provides in full:

(4) Relinquishment of universal service

A State commission (or the Commission in the case of a common carrier designated under paragraph (6)) shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. An eligible telecommunications carrier that seeks to relinquish its eligible telecommunications carrier designation for an area served by more than one eligible telecommunications carrier shall give advance notice to the State commission (or the Commission in the case of a common carrier designated under paragraph (6)) of such relinquishment. Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State commission (or the Commission in the case of a common carrier designated under paragraph (6)) shall require the remaining eligible telecommunications carrier or carriers 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 (or the Commission in the case of a common carrier designated under paragraph (6)) shall establish a time, not to exceed one year after the State commission (or the Commission in the case of a common carrier designated under paragraph (6)) approves such relinquishment under this paragraph, within which such purchase or construction shall be completed.

III. Staff's Report and Recommendation

7. On April 8, 2019, the Commission's technical staff (Staff) submitted a Report and Recommendation (R&R) to the Commissioners regarding the Application, attached hereto and made a part hereof by reference.

8. With respect to Cox's request to cease participation in the KLSP, Staff explained that K.S.A. 66-2006(d) allows carriers to cease participation upon provision of 90-days written notice to the Commission and that this condition had been fulfilled.

9. For Cox's ETC designation relinquishment request, Staff examined 47 U.S.C. § 214(e)(4) which requires that alternative ETCs must exist in the relinquishment areas and those remaining ETCs have to be able to ensure continued service.

10. Staff's investigation concluded that alternative ETCs did exist in the requested relinquishment areas where Cox actually held an ETC designation. Staff identified the areas (by exchange) and the alternative ETCs in Attachment A to its R&R. In fact, there are at least six ETCs providing Lifeline (in addition to Cox) in all 38 affected exchanges. Staff had noticed that Cox requested ETC relinquishment in some CenturyLink exchanges to which it did not hold an ETC designation and addressed the issue in its R&R.

11. Staff's investigation further concluded that all of the alternative ETCs in Cox's relinquishment area could ensure continued service. This was confirmed through Requests for Information (RFI's) issued in Docket No. 19-NTHT-244-ETC.

12. Based on its findings, Staff recommended the Commission issue an Order:

(1) confirming that Cox has provided notice of its intent to cease participation in the KLSP and that it may cease participation in the KLSP, effective August 1, 2019, pursuant to K.S.A. 66-2006(d).

(2) granting Cox's request for ETC relinquishment in the Arkansas City, Caney, Cheney, Cherryvale, Coffeyville, Dodge City, El Dorado, Erie, Garden Plain, Garden City, Great Bend, Halstead, Hays, Herington, Humboldt, Hutchinson, Iola, Kansas City, Kingman, Kinsley, Larned, Lindsborg, Lyons, Manhattan, McPherson, Newton, Nickerson, Parsons, Pittsburg, Pratt, Salina, Scott City, Topeka, Towanda, Wellington, Wichita, Winfield and Yates Center exchanges;

(3) denying Cox's request for ETC relinquishment in the Andale exchange as Cox is not an ETC in the Andale exchange, therefore, no relinquishment is provided; and

(4) denying Cox's request for ETC relinquishment in the Burrton, Cunningham, Hesston, Hoisington, Junction City, Meriden, Perry, Silver Lake and Sterling exchanges, as Cox is not an ETC in the aforementioned exchanges. Therefore, no permission for relinquishment is provided.

IV. Findings and Conclusions

13. The Commission finds that Staff's findings and recommendations are reasonable and hereby adopts the same.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. Cox's Lifeline-only ETC designation, granted in Docket No. 10-COXT-174-ETC, is hereby relinquished. For information regarding specific exchanges impacted, refer to Staff's R&R and its Attachment A.

B. Cox is authorized to cease participation in the KLSP.

C. This Order shall be served upon all competitive ETCs designated in the exchanges approved for relinquishment so that they understand their ongoing obligations.

D. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).

E. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further order, or orders, as it may deem necessary and proper.

BY THE COMMISSION IT IS SO ORDERED.

Keen, Chair; Albrecht, Commissioner; Emler, Commissioner

Dated: 04/18/2019



Lynn M. Retz
Secretary to the Commission

MRN

**REPORT AND RECOMMENDATION
UTILITIES DIVISION**

TO: Chair Dwight D. Keen
Commissioner Shari Feist Albrecht
Commissioner Jay Scott Emler

FROM: Paula Artzer, Sr. Telecommunications Analyst
Christine Aarnes, Chief of Telecommunications & SPP Affairs
Jeff McClanahan, Utilities Division Director

DATE: April 8, 2019

RE: Docket No. 19-COXT-282-ETC
In the Matter of the Application of Cox Kansas Telecom, LLC Notice of Relinquishment of Eligible Telecommunications Carrier Designation.

I. EXECUTIVE SUMMARY

On January 22, 2019, Cox Kansas Telecom, LLC (Cox) filed an Application requesting an Order to confirm: (1) relinquishment of its federal and state Eligible Telecommunications Carrier (ETC) designation in specified areas as identified in its filing, effective August 1, 2019; and (2) requesting an Order indicating as such by May 1, 2019.

Staff recommends the Commission issue an Order:

- (1) confirming that Cox has provided notice of its intent to cease participation in the Kansas Lifeline Service Program (KLSP) and that it may cease participation in the KLSP, effective August 1, 2019, pursuant to K.S.A. 66-2006(d);
- (2) granting Cox's request for ETC relinquishment in the Arkansas City, Caney, Cheney, Cherryvale, Coffeyville, Dodge City, El Dorado, Erie, Garden Plain, Garden City, Great Bend, Halstead, Hays, Herrington, Humboldt, Hutchinson, Iola, Kansas City, Kingman, Kinsley, Larned, Lindsborg, Lyons, Manhattan, McPherson, Newton, Nickerson, Parsons, Pittsburg, Pratt, Salina, Scott City, Topeka, Towanda, Wellington, Wichita, Winfield, and Yates Center exchanges; and
- (3) requiring the remaining ETCs to ensure that all customers served by Cox will continue to be served in the wire centers/exchanges in which the Commission grants relinquishment.¹

¹ Lifeline-only ETCs have been designated as such to provide federal Lifeline service to eligible low-income consumers. Lifeline-only ETCs are required to ensure that all Lifeline-eligible customers in their designated service area continue to be served, but are not required to ensure that non-Lifeline customers continue to be served.

Cox also requested relinquishment in the communities of Andover, Augusta, Bel Aire, Benton, Derby, Goddard, Haysville, Maize, Mulvane, Park City, Valley Center and Whitewater, which are all part of the Wichita Metropolitan Area. Cox requested relinquishment in Dearing, which is part of the Coffeyville exchange; Frontenac, which is part of the Pittsburg exchange; North Newton, which is part of the Newton exchange; and South Hutchinson, which is part of the Hutchinson exchange. Southwestern Bell Telephone Company d/b/a AT&T Kansas (AT&T) is the incumbent local exchange carrier in all of the exchanges listed above, and the relinquishment of the exchanges listed is provided for in No. 2.

Cox requested relinquishment in the Andale exchange, which is served by AT&T, but Cox has not received ETC authority for the Andale exchange. Cox also requested relinquishment in the Burrton, Cunningham, Hesston, Hoisington, Junction City, Meriden, Perry, Silver Lake and Sterling exchanges that are provided by the United Telephone Company of Kansas d/b/a CenturyLink (CenturyLink), but Cox does not have ETC authority in the CenturyLink exchanges. Therefore, permission for relinquishment in the aforementioned exchanges is not provided.

Although all ETCs should know and understand the obligations that they committed to when they applied to become an ETC, Staff recommends the Commission serve the Order on all competitive ETCs designated in the exchanges approved for relinquishment so that they understand their ongoing ETC obligations and requirement to serve Cox's remaining customers.

Ninety days' notice is required for telecommunications carriers and electing carriers to cease participating in the KLSP, but there is no statutory deadline for relinquishing ETC authority.

II. BACKGROUND

a. History of ETCs

Both the Federal and Kansas Telecommunications Acts of 1996 contain provisions to develop universal service funds to maintain and advance universal service, which led to the establishment of the Federal Universal Service Fund (FUSF) and the Kansas Universal Service Fund (KUSF), respectively. The FUSF provides support through four programs, including the high-cost program, which provides funding to carriers to ensure that residents in high-cost areas have access to reasonably comparable service at rates reasonably comparable to urban areas; and the Lifeline program, which assists low-income consumers by providing a discount on their monthly local telephone charges so that telephone service is more affordable. The KUSF also provides funding for four programs, including a high-cost program and a low-income program, also known as the Kansas Lifeline Service Program.

In order to be eligible to receive support from the FUSF or KUSF, a carrier is required to be designated an ETC. Congress delegated the authority to designate ETCs to the state commissions in accordance with 47 U.S.C. § 214(e)(1). Pursuant to 47 U.S.C. § 214(e)(1),

A common carrier designated as an eligible telecommunications carrier under paragraph (2), (3), or (6) shall be eligible to receive universal service support in accordance with section 254 of this title and shall, throughout the service area for which the designation is received—

- (A) offer the services that are supported by Federal universal service support mechanisms under section 254(c) of this title, either using its own facilities or a combination of its own facilities and resale of another carrier's services (including the services offered by another eligible telecommunications carrier); and
- (B) advertise the availability of such services and the charges therefor using media of general distribution.

b. Lifeline-Only ETCs

In 2005, the FCC began allowing carriers to apply to become an ETC to participate in the federal Lifeline program but not participate in the high-cost program. These "Lifeline-only" ETCs are only eligible to receive federal Lifeline funding for eligible low-income consumers, which is passed through as a credit on the customer's monthly local phone bill. Lifeline-only ETCs are not eligible to receive high-cost funding nor are they required to provide service to all reasonable requests for service throughout their service area. Rather, they are required to serve only eligible low-income consumers throughout their designated service area.

In 2012, the FCC granted blanket forbearance to federal Lifeline-only ETCs from the requirement in 214(e)(1) that they provide service at least in part through their own facilities, as long as the Lifeline-only ETC complies with specific requirements established by the FCC. The Commission has granted twenty requests for federal Lifeline-only Competitive Eligible Telecommunications Carriers (CETC, CETCs) designation and seventeen of those carriers are purely resellers, meaning they do not own any facilities.

The FCC's blanket forbearance from the facilities requirement only applies to the federal Lifeline program. Kansas statutes require ETCs to provide universal service, at least in part, over their own facilities. The Commission has granted four applications for Lifeline-only CETC designation for KUSF purposes.²

ANALYSIS:

A. Notice of Intent to Cease Participation in the KLSP

Pursuant to K.S.A. 66-2006(d),

(d) Telecommunications carriers and electing carriers may cease participation in the KLSP at any time upon provision of 90-days prior written notification to the commission. Telecommunications carriers and electing carriers participating in the KLSP shall be eligible to receive KUSF support for KLSP services, but shall not be subject to any regulation by the commission based on such participation other than that provided for in subsection (z) of K.S.A. 66-2005, and amendments thereto.

² The Commission revoked the Lifeline-only ETC designation for one of the four KUSF Lifeline-only ETCs; therefore, there are currently three Lifeline-only ETCs for the state Lifeline program.

Cox is a telecommunications carrier pursuant to K.S.A. 66-1,187(m) and, as such, may cease participation in the KLSP at any time upon provision of 90-days prior written notification to the Commission.³

Cox states in its Application that it will send two series of notices to its affected customers. Specifically, at least 60-days prior to August 1, 2019, Cox will provide notice in a separate letter via U.S. Mail to each affected Lifeline customer explaining that it will no longer offer a Lifeline or KLSP discount. Cox will also provide a second notice in a bill message at least 30-days prior to the effective date. All notices will inform each affected customer that a Lifeline discount and/or KLSP discount may be obtained from the remaining ETCs in the area and will include a link to Universal Service Administrative Company (USAC) reports and lifelinesupport.org through which a customer may access carrier-specific contact information. Cox further states that all affected Lifeline customers will continue to be able to receive service from Cox, for up to a year at a promotional rate of \$9.99, but the KLSP discount will be removed as of August 1, 2019.

K.S.A. 66-2006(d) allows carriers to cease participation in the KLSP upon provision of 90-days written notification to the Commission. As this requirement has been fulfilled, Staff recommends the Commission confirm Cox's intent to cease participation in the KLSP, effective August 1, 2019.

B. ETC Relinquishment

Cox filed an Application on September 9, 2009, in Docket No. 10-COXT-174-ETC, seeking ETC authority for low-income FUSF and KUSF purposes in specific AT&T and CenturyLink exchanges. On February 26, 2010, Cox filed a Motion to amend the Application and remove the CenturyLink exchanges from its ETC Application. The Commission granted Cox's Motion to amend the Application on March 8, 2010. On May 5, 2010, the Commission granted Cox's Application for ETC authority in the Arkansas City, Benton, Caney, Cheney, Cherryvale, Coffeyville, Dodge City, El Dorado, Erie, Garden Plain, Garden City, Goddard, Great Bend, Halstead, Hays, Herrington, Humboldt, Hutchinson, Iola, Kansas City, Kingman, Kinsley, Larned, Lindsborg, Lyons, Manhattan, McPherson, Newton, Nickerson, Parsons, Pittsburg, Pratt, Salina, Scott City, Topeka, Towanda, Wellington, Whitewater, Wichita, Winfield, and Yates Center wire centers⁴. Cox's request for Lifeline-only ETC authority in South Coffeyville was denied as it is in Oklahoma and beyond this Commission's jurisdiction. The approved exchanges are all in AT&T's service area.

Staff inquired in Request for Information (RFI) No.1, why Cox was asking for relinquishment in the CenturyLink exchanges because the CenturyLink exchanges were removed from Cox's ETC Application in Docket No. 10-COXT-174-ETC. Staff also inquired whether Cox was providing Lifeline service in CenturyLink's exchanges without authority to do so. Cox responded that it provides telecommunications service in some limited rural areas outside of its ETC designated service areas and, due to administrative difficulties associated with Lifeline Applications

³ Cox was granted a Certificate to operate as a Competitive Local Exchange Carrier (CLEC) on May 4, 2000, in Docket No. 00-COXT-928-COC. As a CLEC, Cox satisfies the definition of telecommunications carrier in K.S.A. 66-1,187(m).

⁴ As discussed above, the Commission granted Cox's Application for ETC designation in Benton, Goddard, and Whitewater wire centers but they are included in the Wichita exchange.

originating in those areas, may have accepted Lifeline applications from eligible customers in those areas. However, Cox indicates it has internal controls that should such an application be processed, it would not seek reimbursement for such subscribers. Furthermore, Cox states that it has not requested reimbursement from the state or federal fund for such Lifeline Applicants and does not actively market Lifeline in those areas.⁵

In the Application, Cox states: the relinquishment request is prompted by changes in the industry, changes in the marketplace, decreased customer demand and FCC modifications to the Lifeline program; and its relinquishment request will not adversely affect any consumers, as it will continue to offer services to customers in the relinquished areas and there are multiple options for alternative ETC's in the relinquished areas. In addition, Cox is in the process of transitioning to an Internet Protocol (IP) platform. Once the transition is complete, it will no longer have the ability to provide its customers with equal access to interexchange carriers as required by statute.⁶

1) Statutory Requirements for ETC Relinquishment

Pursuant to 47 U.S.C. § 214(e)(4),

A State commission...shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. An eligible telecommunications carrier that seeks to relinquish its eligible telecommunications carrier designation for an area served by more than one eligible telecommunications carrier shall give advance notice to the State commission...of such relinquishment. **Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State commission...shall require the remaining eligible telecommunications carrier or carriers 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. (Emphasis added).

Thus, the Commission first needs to determine whether there is at least one other ETC present in each requested exchange. In an area served by more than one ETC (including Cox), the Commission shall require the remaining ETC(s) to ensure that all customers served by the relinquishing carrier will continue to be served. As is evident in the statute and further articulated by the FCC,

...the section 214(e)(4) relinquishment process allows for the states (or the [FCC], if applicable) to conduct an inquiry at a sufficiently granular level to ensure that the customers in that area 'will continue to be served.' The relinquishment process not only entails an evaluation of what service providers are present in an area at a given

⁵ RFI No. 1.

⁶ Application Cover Letter ¶¶ 3-5.

point in time, but of the practical ability of those providers to take on additional consumers as might be needed once the relinquishing carrier is no longer an ETC subject to associated obligations in that area. Indeed, section 214(e)(4) not only involves an inquiry regarding the capabilities of other service providers, but, to the extent needed, includes a grant of authority to obligate remaining ETCs to acquire adequate facilities within a defined time period.⁷ (emphasis added)

2) Step One – Determine Whether Area is Served by Another ETC

As shown on Staff Attachment A, there are at least six ETCs providing Lifeline (in addition to Cox) in all of the 38 requested exchanges.

3) Step Two - Competitive ETCs' Practical Ability to Ensure Remaining Customers Continue to Be Served

RFIs were issued in February 2019 to the Competitive ETCs in Docket No. 19-NTH-244-ETC, which is a pending request for relinquishment of ETC authority for Nex-Tech, LLC. The RFIs were sent to CETCs in the areas where Nex-Tech was requesting relinquishment. The RFIs were sent to ALL of the Lifeline-only ETCs and three of the five high-cost ETCs in Cox's requested relinquishment area, asking if they would have the ability to serve the remaining customers.⁸

The RFI responses indicate that all of the Lifeline ETCs are able to serve the Lifeline consumers in the areas listed⁹. While this Docket covers exchanges in the same areas and additional exchanges that were not listed in 19-NTH-244-ETC, Staff is confident that the remaining CETCs will continue to serve the remaining Lifeline consumers if Cox receives permission to relinquish its Lifeline-only ETC authority. Notifying the listed CETCs in Attachment A of this filing and the resulting Order will further ensure that the remaining CETCs are aware of their ongoing obligation to continue serving the Lifeline-eligible consumers in these areas.

III. RECOMMENDATION

Staff recommends the Commission issue an Order:

- (1) confirming that Cox has provided notice of its intent to cease participation in the KLSP and that it may cease participation in the KLSP, effective August 1, 2019, pursuant to K.S.A. 66-2006(d);
- (2) granting Cox's request for ETC relinquishment in the Arkansas City, Caney, Cheney, Cherryvale, Coffeyville, Dodge City, El Dorado, Erie, Garden Plain, Garden City, Great Bend, Halstead, Hays, Herington, Humboldt, Hutchinson, Iola, Kansas City, Kingman, Kinsley, Larned, Lindsborg, Lyons, Manhattan, McPherson, Newton, Nickerson, Parsons,

⁷ *USTelecom Forbearance Order*, FCC 15-166, ¶ 111.

⁸ Cellular Network Partnership, United Wireless, and IdeaTek are not ETCs in the areas in which Nex-Tech requested ETC relinquishment.

⁹ 19-NTH-244-ETC, Staff Report and Recommendation March 14, 2019.

Pittsburg, Pratt, Salina, Scott City, Topeka, Towanda, Wellington, Wichita, Winfield and Yates Center exchanges;

- (3) denying Cox's request for ETC relinquishment in the Andale exchange as Cox is not an ETC in the Andale exchange, therefore, no relinquishment is provided; and
- (4) denying Cox's request for ETC relinquishment in the Burrton, Cunningham, Hesston, Hoisington, Junction City, Meriden, Perry, Silver Lake and Sterling exchanges, as Cox is not an ETC in the aforementioned exchanges. Therefore, no permission for relinquishment is provided.

The Commission's Order should recognize that Cox requested relinquishment in specific zones or areas that are included in other exchanges for which Staff recommended relinquishment approval. Specifically, Cox sought ETC relinquishment in Andover, Augusta, Bel Aire, Benton, Derby, Goddard, Haysville, Maize, Mulvane, Park City, Valley Center and Whitewater, which are all part of the Wichita Metropolitan Area. Cox requested relinquishment in Dearing, which is part of the Coffeyville exchange; Frontenac, which is part of the Pittsburg exchange; North Newton, which is part of the Newton exchange; and South Hutchinson, which is part of the Hutchinson exchange. Relinquishment of the exchanges listed is provided for in No. 2, listed as Wichita, Coffeyville, Pittsburg, Newton, and Hutchinson.

Although all ETCs should know and understand the ETC obligations that they committed to when they applied to become an ETC, Staff recommends the Commission serve the Order on all competitive ETCs designated in the exchanges approved for relinquishment so that they understand their ongoing obligations.

Exchange	ILEC	Lifeline Only ETC's		KEY
Andover			Part of Wic Metro	High-Cost ETC's
Arkansas City	A	2,3,4,5,6,7,10,11,12		13 Cellular Network Partnership d/b/a Pioneer Cellular
Augusta			Part of Wic Metro	1 NE Colorado Cellular, Inc. d/b/a Viaero
Bel Aire			Part of Wic Metro	2 USCOC of Nebraska/Kansas, LLC
Benton			Part of Wic Metro	14 United Wireless Communications, Inc. & Epic Touch
Caney	A	3,13,5,6,10,12		15 Nex-Tech Wireless, LLC
Cheney	A	3,4,5,6,10,2,11,12		
Cherryvale	A	3,13,5,6,10,12		
Coffeyville	A	3,13,5,6,7,10,12		
Dearing			Part of Coffeyville	
Derby			Part of Wic Metro	Lifeline-Only ETC's
Dodge City	A	3,5,6,7,10,14,12		3 Boomerang Wireless, LLC
El Dorado	A	3,13,4,5,6,7,10,11,12		4 Global Connection, Inc. of America
Erie	A	3,4,5,6,10,11,12		5 i-wireless, LLC
Frontenac			Part of Pittsburg	6 Q Link Wireless, LLC
Garden Plain	A	3,4,5,6,7,9,10,2,11,12		7 Sage Telecom Communications, LLC
Garden City	A	3,5,6,7,10,14,12		8 Telrite Corporation
Goddard			Part of Wic Metro	9 Tempo Telecom, LLC
Great Bend	A	3,5,6,7,10,12,15		10 TracFone Wireless, Inc.
Halstead	A	3,4,5,6,10,11,12,2		11 Virgin Mobile USA, LP
Hays	A	3,5,15,1,6,7,10,12		12 YourTel America, Inc.
Haysville			Part of Wic Metro	
Herington	A	3,5,6,10,2,12		
Humboldt	A	3,4,5,6,9,10,2,11,12		
Hutchinson	A	3,5,6,7,10,2,11,12		
Iola	A	3,4,5,6,7,10,2,11,12		
Kansas City	A	3,4,5,9,10,11,12,7		
Kingman	A	3,4,5,6,7,10,2,11,12		
Kinsley	A	3,4,5,6,10,2,11,12		
Larned	A	3,5,15,6,7,10,12		
Lecompton			Part of Topeka	
Lindsborg	A	3,4,5,6,7,10,2,11,12		
Lyons	A	3,5,15,6,7,10,2,12		

Maize			Part of Wic Metro		
Manhattan	A	3,5,6,7,9,10,2,11,12			
McPherson	A	3,4,5,6,7,9,10,2,11,12			
Mulvane			Part of Wic Metro		
Newton	A	3,4,5,6,10,2,11,12			
Nickerson	A	3,4,5,15,6,10,2,11,12			
North Newton			Part of Newton		
Park City			Part of Wic Metro		
Parsons	A	3,4,5,6,7,10,11,12			
Pittsburg	A	3,4,5,6,7,10,11,12			
Pratt	A	3,4,5,6,7,10,11,12			
S Hutchinson			Part of Hutchinson		
Salina	A	3,4,5,6,7,9,10,2,11,12			
Scott City	A	3,5,15,6,10,14,12			
Topeka	A	3,4,5,9,10,11,12,7			
Towanda	A	3,4,5,6,9,10			
Valley Center			Part of Wic Metro		
Wellington	A	3,13,4,5,6,7,10,2,12			
Whitewater			Part of Wic Metro		
Wichita	A	4,5,9,10,11,12,13,7			
Winfield	A	3,4,5,6,7,10,2,12			
Yates Center	A	3,5,6,10,2,12			

CERTIFICATE OF SERVICE

19-COXT-282-ETC

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of electronic service on 04/18/2019.

ISSAASAD
Q LINK WIRELESS LLC
499 E SHERIDAN ST STE 400
DANIA BEACH, FL 33004
legal@qlinkwireless.com

SAM BAILEY, DIRECTOR OF COMPLIANCE
I-WIRELESS, LLC
ONE LEVEE WAY STE 3104
NEWPORT, KY 41071-1661
Fax: 888-594-4473
sam.bailey@iwirelesshome.com

ANGELA BRIGGS, PARALEGAL
GLOBAL CONNECTION INC. OF AMERICA
5555 OAKBROOK PKWY STE 620
NORCROSS, GA 30093
Fax: 678-741-6333
abriggs@gcioa.com

JIM CARPENTER, PRESIDENT
TELRITE CORPORATION
11100 ALCOVY ROAD
COVINGTON, GA 30339
jim.carpenter@telrite.com

STEPHANIE CASSIOPPI, LEGAL AND REGULATORY
AFFAIRS
U.S. CELLULAR
8410 W BRYN MAWR
CHICAGO, IL 60631
stephanie.cassioppi@uscellular.com

AL CLARK
SPRINT COMMUNICATIONS COMPANY L.P.
KSOPHT0101-Z2400
6391 SPRINT PARKWAY
OVERLAND PARK, KS 662512400
Fax: 913-523-7721
al.b.clark@sprint.com

SHANNON DREILING
NEX-TECH WIRELESS, L.L.C
3001 NEW WAY
HAYS, KS 67601
Fax: 785-265-4479
sdreiling@ntwls.com

SHARYL FOWLER, REGULATORY & LIFELINE
COMPLIANCE MANAGER
TEMPO TELECOM, LLC
115 GATEWAY DR
MACON, GA 31210
sharyl.fowler@lingo.com

TODD HOUSEMAN, ASST. GENERAL MANAGER
UNITED COMMUNICATIONS ASSOCIATION, INC.
1107 MCARTOR RD
PO BOX 117
DODGE CITY, KS 67801
Fax: 620-227-7032
toddh@unitedtelcom.net

MARK P. JOHNSON, PARTNER
DENTONS US LLP
4520 MAIN STREET STE 1100
KANSAS CITY, MO 64111-7700
Fax: 816-531-7545
mark.johnson@dentons.com

CERTIFICATE OF SERVICE

19-COXT-282-ETC

MARK LAMMERT, PRESIDENT & CEO OF COMPLIANCE
SOLUTIONS INC.
DPI-TELECONNECT, L.L.C.
740 FLORIDA CENTRAL PKWY
SUITE 2028
LONGWOOD, FL 32750
Fax: 407-260-1033
mark@csilongwood.com

JULIE REDMAN-CARTER, REGULATORY AND
COMPLIANCE OFFICER
READY WIRELESS LLC
955 Kacena Rd
Ste A
Hiawatha, IA 52233
jrcarter@readywireless.com

RICHARD B. SALZMAN, EXECUTIVE VICE PRESIDENT
TRACFONE WIRELESS, INC.
D/B/A Safe Link
9700 NW 112TH AVE
MIAMI, FL 33178
rsalzman@tracfone.com

DALE SCHMICK, VICE-PRESIDENT/GEN. MANAGER
YOURTEL AMERICA, INC.
D/B/A TERRACOM
710 CEDAR LAKE BLVD
SUITE 100
OKLAHOMA CITY, OK 73114-7811
Fax: 816-388-1044
dale@terracominc.com

MICHAEL NEELEY, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
Fax: 785-271-3167
m.neeley@kcc.ks.gov

RICHARD RUHL
CELLULAR NETWORK PARTNERSHIP
D/B/A PIONEER CELLULAR
108 E ROBBERTS AVE
PO BOX 539
KINGFISHER, OK 73750
raruhl@ptci.com

MELODY SCHEIHING, NETWORK FACILITIES ENGINEER
NE COLORADO CELLULAR, INC.
D/B/A VIAERO WIRELESS
1224 W PLATTE AVE
FORT MORGAN, CO 80701-2949
Fax: 970-867-3589
melody.scheihing@viaero.com

/S/ DeeAnn Shupe
DeeAnn Shupe

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the) Application No. C-5041/
Application of Cox Nebraska) NUSF-116
Telecom, LLC, Omaha,)
Nebraska, seeking to) GRANTED
relinquish its eligible)
telecommunications carrier)
designation.) Entered: April 23, 2019

BY THE COMMISSION:

By application filed February 22, 2019, Cox Nebraska Telecom, LLC, ("Cox") of Omaha, Nebraska, seeks permission to relinquish its Lifeline-only Eligible Telecommunications Carrier ("ETC") designation pursuant to Section 214(e)(4) of the Telecommunications Act of 1934, as amended (the "Act"), 47 U.S.C. § 214(e)(4), and Section 54.205 of the Federal Communication Commission's ("FCC") rules, 47 C.F.R § 54.205. Notice of the application was published in The Daily Record, Omaha, Nebraska, on February 28, 2019. No protests were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

O P I N I O N A N D F I N D I N G S

Cox has been designated as an ETC in this state since March 10, 1998, pursuant to the Commission's order in Docket C-1693.¹ Consistent with 47 U.S.C. § 214(e)(4) and 47 C.F.R. § 54.205, Cox has requested permission to relinquish its ETC designation.

Cox wishes to relinquish its ETC designation because of changes in the industry, decreased customer demand, as well as modifications to the federal Lifeline program by the FCC. In an effort to minimize any impact the relinquishment of ETC status will have on Lifeline subscribers in Nebraska, Cox will provide two customer notifications informing Lifeline subscribers to select a different provider. Cox will provide the first notification at least 60 days prior to ETC relinquishment. Then, at least 30 days prior to ETC relinquishment, Cox will provide a second customer notification.

¹ *In the Matter of the Application of Cox Nebraska Telecom II, L.L.C. of Omaha, Nebraska, seeking designation as an Eligible Telecommunications Carrier that may receive universal service support*, Docket C-1693 (March 10, 1998).

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application No. C-5041/NUSF-116

Page 2

According to 47 U.S.C. § 214(e)(4), a State commission "shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier." This section further requires that the relinquishing ETC "shall give advance notice to the state commission . . . of such relinquishment." Prior to permitting the ETC to cease providing universal service, the Commission "shall require the remaining eligible telecommunications carrier or carriers 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." Cox states that it satisfies all of these requirements.

Based on the foregoing, the Commission finds that Cox satisfies the requirements of 47 U.S.C. § 214(e)(4) and 47 C.F.R. § 54.205 and that its application for relinquishment of ETC designation should be approved.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-5041/NUSF-116 should be, and it is hereby, granted.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 23rd day of April, 2019.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Crystal Gaudes

Chair

Paul Russo

Don Williams

Tom Schram

Mary Risi

ATTEST

Michelle H. SO

Executive Director

BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

Application of Cox Nevada Telecom, LLC to)
voluntarily relinquish designation as an eligible) Docket No. 19-03024
telecommunications carrier in the State of Nevada.)
_____)

At a general session of the Public Utilities
Commission of Nevada, held at its offices
on May 7, 2019.

PRESENT: Chairwoman Ann Pongracz
Commissioner C.J. Manthe
Commissioner Hayley Williamson
Assistant Commission Secretary Trisha Osborne

ORDER

The Public Utilities Commission of Nevada (“Commission”) makes the following
findings of fact and conclusions of law:

I. INTRODUCTION

On March 14, 2019, Cox Nevada Telecom, LLC (“Cox”) filed with the Commission an Application, designated as Docket No. 19-03024, to voluntarily relinquish designation as an eligible telecommunications carrier (“ETC”) in the State of Nevada.

II. SUMMARY

The Commission grants the Application.

III. PROCEDURAL HISTORY

- On March 14, 2019, Cox filed the Application pursuant to the Nevada Revised Statutes (“NRS”) and the Nevada Administrative Code (“NAC”), Chapters 703 and 704, including but not limited to NAC 704.680466.
- On March 19, 2019, the Commission issued a Notice of Application to Relinquish Eligible Telecommunications Carrier Status.
- On May 1, 2019, the Regulatory Operations Staff (“Staff”) of the Commission filed a briefing memorandum (“Staff’s May 1, 2019, Briefing Memorandum”). Staff participates as a matter of right pursuant to NRS 703.301.

- On May 7, 2019, at a regularly-scheduled utility agenda meeting, Agenda 08-19, the Commission voted to adopt the recommendations contained in Staff's May 1, 2019, Briefing Memorandum.

IV. APPLICATION

Cox's Request

1. Cox seeks to relinquish its designation as an ETC in the State of Nevada effective August 1, 2019. (Application at 1.) Cox states that it will provide two customer notifications: the first will be sent on or around June 1, 2019, via U.S. mail and the second will be a bill message accompanying affected customers' monthly statements on or about July 1, 2019. (*Id.* at 5.)

Staff's Position

2. Staff recommends that the Commission grant Cox's request to relinquish its designation as an ETC, subject to the requirement that, as a compliance item, Cox be required to notify the Commission that it sent the letter and bill message to affected customers, and provide the Commission with copies of the letter and bill message. (Staff's May 1, 2019, Briefing Memorandum at 1.)

Commission Discussion and Findings

3. The Commission adopts the analysis and recommendations found in Staff's May 1, 2019, Briefing Memorandum and finds that Cox has met the requirements of NAC 704.680466, and that it is in the public interest to grant the Application and approve Cox's request to relinquish its ETC designation.

THEREFORE, it is ORDERED:

1. The Application filed by Cox Nevada Telecom, LLC, designated as Docket No. 19-03024, is GRANTED, effective August 1, 2019.

///

Compliance

2. No later than July 15, 2019, Cox Nevada Telecom, LLC shall file with the Commission an affirmation stating that the letter and bill message were sent to affected customers on or about June 1 and July 1, 2019, respectively, along with copies of the aforementioned letter and bill message.

By the Commission,

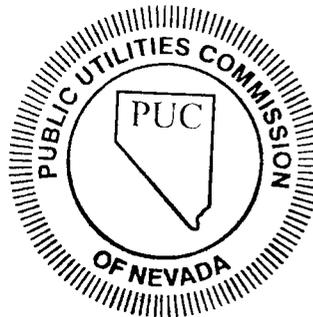


TRISHA OSBORNE,
Assistant Commission Secretary on behalf of the
Commissioners

Dated: Carson City, Nevada

5/21/19

(SEAL)



COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, JUNE 11, 2019

SEC-CLERK'S OFFICE
DOCUMENT CONTROL CENTER

2019 JUN 11 A 11: 10

COMMONWEALTH OF VIRGINIA, *ex rel.*

STATE CORPORATION COMMISSION

CASE NO. PUC-1997-00135

Ex Parte: In re: Implementation of
Requirements of § 214 (e) of the
Telecommunications Act of 1996

APPLICATION OF COX VIRGINIA
TELCOM, L.L.C.

CASE NO. PUR-2019-00072

For relinquishing its designation as an eligible
telecommunications provider pursuant to
47 U.S.C. § 214 (e)

ORDER

On May 1, 2019, Cox Virginia Telcom, L.L.C. ("Cox Telcom" or "Company"), filed an application with the State Corporation Commission ("Commission") requesting that the Commission permit Cox Telcom to relinquish the Company's designation as an Eligible Telecommunications Carrier ("ETC") pursuant to 47 U.S.C. § 214 (e) effective no later than September 1, 2019 ("Application"). Cox notes in its Application that the Commission granted the application of Cox Telcom for designation as an ETC to receive federal universal support for Lifeline service ("Lifeline") in certain non-rural exchanges in 2012.¹

In the Application, Cox Telcom states that the areas for which Cox Telcom has ETC designation will continue to be served by other designated ETC's.² Cox Telcom further states

¹ Application at 2. See *Commonwealth of Virginia, ex rel., State Corporation Commission, Ex Parte: In re: Implementation of Requirements of § 214 (e) of the Telecommunications Act of 1996*, Case No. PUC-1997-00135; and *Application of Cox Virginia Telcom, L.L.C., For designation as an eligible telecommunications carrier under 47 U.S.C. § 214 (e)*, Case No. PUC-2012-00059, 2012 S.C.C. Ann. Rept. 205, Order (Dec. 14, 2012).

² See Application at 2-3 and Exhibit A.

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that relinquishment will have nominal impact on Virginia customers, as the Company had only 221 Lifeline subscribers in Virginia as of January 2019.³ Cox Telcom's Application includes the notice the Company intends to provide describing the effective date for ending its Lifeline offering and customers' options for choosing another Lifeline provider or service options available from Cox Telcom after September 1, 2019.⁴

NOW THE COMMISSION, upon consideration of the Application and applicable law, is of the opinion and finds that Cox Telcom's request for permission to relinquish its designation as an ETC pursuant to 47 U.S.C. § 214 (e) should be granted.

Accordingly, IT IS ORDERED THAT:

(1) The Application of Cox Telcom for permission to relinquish its designation as an ETC pursuant to 47 U.S.C. § 214 (e) is granted.

(2) Case No. PUC-1997-00135 is continued pending further order of the Commission.

(3) Case No. PUR-2019-00072 is dismissed.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: Cliona Mary Robb, Esquire, Christian & Barton, L.L.P., 909 East Main Street, Suite 1200, Richmond, Virginia 23219-3095; and C. Meade Browder, Jr., Senior Assistant Attorney General, 202 N. 9th Street, 8th Floor, Richmond, Virginia 23219. A copy shall also be provided to the Commission's Office of General Counsel and Division of Public Utility Regulation.

³ *Id.* at 3.

⁴ *Id.* at 4.

**STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION**

Petition of Cox Rhode Island Telcom, L.L.C. for Certificate as a Telecommunications Carriers “Eligible” to Receive Payments from the Federal Universal Service Fund Order))))	Docket No. 3533
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DIV 1-16	Provide each decision from every jurisdiction where Cox has been <u>denied</u> relinquishment of its ETC designation.
COX Resp.: DIV 1-16	Cox has not been denied relinquishment of its ETC designation in any state.
Respondent:	Deborah A. Montanaro
Date:	June 28, 2019

**STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION**

Petition of Cox Rhode Island Telcom, L.L.C. for Certificate as a Telecommunications Carriers "Eligible" to Receive Payments from the Federal Universal Service Fund Order))))	Docket No. 3533
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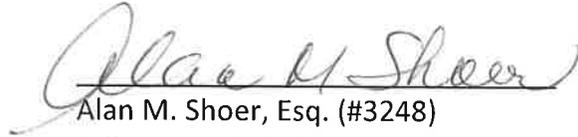
DIV 1-17	Explain why Cox doesn't want to serve lifeline customers in Rhode Island anymore, including in your explanation the <u>all</u> information relating to "changes in the marketplace," "decreased customer demand," and "modifications to the federal Lifeline program by the FCC."
COX Resp.: DIV 1-17	<p><u>Changes to marketplace:</u></p> <p>Over the past several years, customers increasingly have been replacing traditional landline residential voice services with numerous other options, including wireless service. Consequently, the number of traditional wireline service customers has significantly decreased. For example, in the FCC's 2018 Communications Marketplace Report, the data shows that from Dec. 2014 – December 2017, the number of "wireless only" households increased from 45% - 54%. See https://docs.fcc.gov/public/attachments/DOC-355217A1.pdf (page 13, ft. n. 13). Fourteen of these wireless carriers offer a lifeline program in Rhode Island.</p> <p><u>Decrease in customer demand:</u></p> <p>According to Cox's Lifeline Subscriber counts from May 2013 to May 2019 subscribers have decreased 76% or 4,884 subscribers. Please see the attached spreadsheet: <i>RI Lifeline Subs Claims</i>.</p> <p><u>Modifications to Lifeline Program:</u></p> <p>The FCC's Third Report and Order, Further Report and Order, and Order on Reconsideration, Lifeline and Link Up Reform and Modernization, 31 FCC Rcd 3962, para 117 (April 27, 2016), among other things, phased down support for voice-only Lifeline connections until total elimination of support on December 1, 2021.</p>
Respondent:	Robert Howley
Date:	June 28, 2019

CLAIMS FOR REIMBURSEMENT

	RI
	Subs
May-13	6420
	#REF!
May-14	4974
	▼ -1446
May-15	3144
	▼ -1830
May-16	2922
	▼ -222
May-17	2347
	▼ -575
May-18	1799
	▼ -548
May-19	1536
	▼ -263

Respectfully Submitted,

COX RHODE ISLAND TELCOM, L.L.C.



Alan M. Shoer, Esq. (#3248)

Adler Pollock & Sheehan P.C.

One Citizens Plaza, 8th Floor

Providence, Rhode Island 02903

Email: ashoer@apslaw.com

Tel. (401) 274-7200

Fax (401) 751-0604

CERTIFICATE OF SERVICE

I hereby certify that on June 28, 2019, I delivered a true copy of Cox's Responses to DPUC's First Set of Data Requests in Docket No. 3533 via electronic mail and hand-delivery to the parties on the attached service list.



Alan M. Shoer