

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION

**CERTIFICATION OF TELECOMMUNICATIONS CARRIERS
AS "ELIGIBLE" TO RECEIVE PAYMENTS FROM
THE FEDERAL UNIVERSAL SERVICE FUND**

Date of Public Notice: April 30, 1998

Date of Public Hearing: June 3, 1998

Effective Date: July 10, 1998

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THE FEDERAL UNIVERSAL SERVICE FUND**

I. Introduction.

On February 8, 1996, the Congress of the United States passed the Telecommunications Act of 1996, P.L. 104-104, 110 Stat. 56, codified in 47 U.S.C. Secs. 151 - 760 ("Act"). The Act imposed new statutory responsibilities upon the Rhode Island Public Utilities Commission ("Commission"), including the responsibility to certify telecommunications, service providers as "eligible" to receive funds from the federal Universal Service Fund (47 U.S.C. Sec. 214(e)). New England Telephone and Telegraph Company, doing business as Bell Atlantic - Rhode Island ("Bell Atlantic"), and other entities seeking to provide local telephone service in the State of Rhode Island may seek certification if they meet the general terms and conditions provided in the Act and in applicable regulations of the Federal Communications Commission ("FCC").

II. Requirements for Telecommunications Services.

A. The following services must be offered if a common carrier wishes to be designated as an eligible telecommunications carrier:

1. Single-party service.
2. Voice grade access to the public switched network.

3. Dual-Tone™ (DTMF) Signaling or its functional equivalent ("Touchtone"™)
4. Access to emergency services (e.g., 911 and E911)
5. Access to operator services
6. Access to interexchange service
7. Access to directory assistance
8. Toll limitation for qualifying low-income consumers
9. Lifeline and Linkup service.

B. Carriers unable to provide single-party service, access to E911 service or toll limitation services may receive universal service support for specified periods under a waiver procedure. (See 47 C.F.R. Secs. 54.5 and 54.101(c)).

C. To promote the goal of universal service, eligible telecommunications carriers must participate in the federal Linkup program, as defined in 47 U.S.C. Secs. 54.411 and 54.415, and the Rhode Island Linkup program, as well as the federal and state Lifeline programs (47 U.S.C. Secs. 54.401, 54.405, and 54.409).

D. To promote educational access to the Internet, we require that eligible telecommunications carriers participate in the federal and state programs of providing discounted services to schools, libraries, and rural health care providers.

E. For all companies operating as public utilities or telecommunications carriers under operating authority granted by this Commission, dated prior to February 8, 1996, the company's service area will be defined by its petition for authorization, or will be the entire state if the company offers services outside its service area as it existed on February 7, 1996. To ensure that the benefits of competition extend to rural sections of the State, the service areas of all companies with operating authority dated February 8, 1996, or later, the service area shall be the entire state. Companies may provide the required services throughout their service areas using their own facilities, or a combination of their own facilities and resale of another carrier's services (47 U.S.C. Sec. 214(e)(1)(A)).

III. Contents of Petitions for Certification

All petitions for certification must demonstrate the following:

- a. That the company is an authorized telecommunications carrier under the laws of the State of Rhode Island;
- b. That the company provides all federally-required and state-required services throughout its service area, and so advertises them in media of general circulation;
- c. That the company offers Lifeline and Linkup services that fully comply with the Federal and State requirements;
- d. That, if the company cannot provide certain required services (notably E911 and toll limitation), it has adopted a plan to

provide them by a date certain. This plan will be reviewed as part of the review of the petition, and must be acceptable to this Commission; and

- e. That the company provides discounted services to schools, libraries, and rural health care providers in accordance with federal and state regulation, including 47 C.F.R. Secs. 54.501 through 54.623.

The following rules and regulations, after due notice and an opportunity for hearing, are hereby adopted and filed with the Secretary of State this 9th day of June, 1998, to become effective thirty (30) days after filing, in accordance with the provisions of R.I.G.L. 1956 (1988 Reenactment) Sec.42-35-2(a)(2), Sec.42-35-3 and R.I.G.L. 1956 (1984 Reenactment) Sec.39-1-11.

6/9/98
Date

James J. Malachowski, Chairman