

Agenda Date: July 26, 2006
Item Number: A6

Docket: UT-063052

Company Name: Asotin Telephone Company (TDS), CenturyTel of Cowiche, Inc., CenturyTel of Inter Island, Inc., CenturyTel of Washington, Inc., Ellensburg Telephone, d/b/a FairPoint Communications, Hat Island Telephone Company, Hood Canal Telephone Co., Inc., d/b/a Hood Canal Communications, Inland Telephone Company, Kalama Telephone Company, Lewis River Telephone Company (TDS), M&L Enterprises Inc., Mashell Telecom, Inc., d/b/a Rainier Connect, McDaniel Telephone Company (TDS), Pend Oreille Telephone Company, Pioneer Telephone Company, St. John Co-Operative Telephone and Telegraph Company, Tenino Telephone Company, The Toledo Telephone Co., Inc., Western Wahkiakum County Telephone Company d/b/a Wahkiakum West, Whidbey Telecom, YCOM Networks, Inc., d/b/a FairPoint Communications

Staff: Bob Shirley, Telecommunications Policy Analyst
Tim Zawislak, Regulatory Analyst
Betty Erdahl, Regulatory Analyst
Kristen Russell, Regulatory Analyst

Recommendation

In Docket UT-063052 grant the request for an extension of time to file reports and certifications required by WAC 480-123-060, 070, and 080 from July 31, 2006, to August 4, 2006, for CenturyTel and TDS affiliated companies and to August 11, 2006, for all other requesting eligible telecommunications carriers (ETCs).

Background

The commission adopted new rules for certification of ETCs on June 28, 2006. The rules become effective July 29, and the first reports and certifications under the new rules are due July 31.

The request made by the ETCs is that the CenturyTel companies and TDS companies be granted an extension of the filing requirement from July 31 to August 4. All other requesting companies seek an extension of the filing requirement to August 11.

The ETCs making the request must also complete their National Exchange Carrier Association (NECA) report, termed NECA-1, by July 31. The NECA-1 report is used by the Universal Service Administration Company (USAC) to calculate the amount of federal high-cost support each certified ETC will receive in future fund disbursements.

These ETCs receive in excess of \$45 million annually from the federal high-cost fund. ETCs will continue to receive federal support only if the commission certifies to the Federal Communications Commission that these ETCs will use the funds only for the purposes intended under 47 U.S.C. § 254.

The Basis for the Request for an Extension of Time to File

In the request, the ETCs state that they have been diligently analyzing the requirements of the new rules and making preparations to file the required reports and certifications. However, the ETCs state they can not meet the July 31 filing deadline. The ETCs provide three reasons for the inability to meet the deadline.

The request states that some of the ETCs cannot meet the deadline because they have reports due in multiple states and that the same staff is responsible for preparation of the multiple reports.

The request states that all of the ETCs are occupied completing the NECA-1 report by July 31. The ETCs state that because of the timing of the adoption of new ETC certification rules the companies were unable to plan to complete both the NECA-1 report and ETC certification by July 31. (The ETCs state they expect to be in a position to plan to complete both the NECA-1 form and meet commission deadlines in 2007.)

The request states that many of the small ETCs lack sufficient staff to prepare all of the reports and so they rely on outside consultants. The request states there is a limited number of available outside consultants and those consultants are occupied completing NECA-1 reports and the consultants' time is not available to meet both July 31 deadlines.

The request states that the companies are treating the commission's new rules very seriously. Notwithstanding, companies state the requirement to complete the NECA-1 report coupled with the short time between adoption of commission issued ETC rules and the filing date have necessitated their request for an extension.

Analysis

The commission staff has discussed this request with a representative of the companies and concludes there is a genuine need for the extensions based on the reasons provided in the request.

The commission staff considered the workload implications of the request and concludes that the requested extensions will not inhibit staff member's ability to conduct the work necessary to review the reports and certifications in a timely manner. Staff members expect several larger ETCs (e.g., Qwest, Cingular) to file on July 31 and therefore the effect of the extensions will be to spread staff member's workload rather than delay the advent of review.

The commission staff expects that a result of the extensions will be better organized and more complete filings than would be submitted if ETCs complete the reports and certifications with less than sufficient resources to meet the July 31 deadline.

Summary

The commission staff concludes good cause supports the requested extensions and that granting the extensions is in the public interest because the result will be better organized and more complete reports and certifications.