

August 14, 2006

To: Rural Cellular Corp. (RCC)

From: Bob Shirley, Telecommunications Policy Analyst
(360) 664-1292

Re: Request for Supplemental Filing of ETC Certifications and Reports
Docket UT-063052

- - VIA Electronic Mail - -

After review of RCC's ETC certification and reports, commission staff has concluded that the filing is inconsistent with the requirements of WAC 480-123-020 through 080. Please file a replacement or supplement consistent with the attachment to this e-mail.

Certifications are due to the Federal Communications Commission and the Universal Service Administrative Company not later than October 1. Commission staff plans to request commission approval of certifications at the open meeting scheduled for September 13. In order to make a recommendation on September 13, commission staff will need to receive replacement or supplemental filings not later than August 23. Commission staff will work closely with RCC and its representatives so that filings can be completed not later than August 23.

Please contact me by e-mail at bshirley@wutc.wa.gov or by calling (360) 664-1292 if you have questions. Thank you.

Attachment: ETC Certification and Report Request

cc: Records Center, UT-063052

ATTACHMENT

Rural Cellular Corp. (RCC) ETC Certification and Report Request

WAC 480-123-060(1)

RCC needs to provide the certification in the manner required by RCW 9A.72.085.

An officer of the company submitted the certification request, but did not use the required language from RCW 9A.72.085. The certification or declaration may be in substantially the following form:

"I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct":

(Date and Place)

(Signature)

WAC 480-123-070(2)

RCC needs to provide information that responds to all requirements of the subsection or seek a waiver if it did not track this information during the calendar year before the rule went into effect.

RCC provided information about service affected by the outages, but does not state whether a public safety answering point was affected. The rule requires that the report include "particular services affected, including whether a public safety answering point (PSAP) was affected."

WAC 480-123-070(4)

RCC needs to provide the number of complaints to the FCC and, separately, to the Washington Attorney General (AG). The number may be zero.

RCC provided a number of complaints per 1,000 handsets, but did not say whether it is for the FCC or AG. The rule requires companies to state "the number of complaints that the ETC's customers made to the federal communications commission, or the consumer protection division of the office of the attorney general of Washington."

WAC 480-123-070(6)

RCC needs to provide a certification consistent with WAC 480-123-070(6).

The certification provided is in the present tense. The rule requires certification that RCC "*had* the ability to function in emergency situations based on continued adherence to the standards found in WAC 480-123-030(1)(g)."