

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of INLAND CELLULAR, LLC, Seeking Designation as an Eligible Telecommunications Carrier on a Wireless Basis	DOCKET UT-240485 ORDER 01 GRANTING PETITION FOR DESIGNATION AS ELIGIBLE TELECOMMUNICATIONS CARRIER
--	---

BACKGROUND

- 1 On June 24, 2024, Inland Cellular, LLC (Inland or Company) filed a petition with the Washington Utilities and Transportation Commission (Commission) requesting conditional designation as an Eligible Telecommunications Carrier (ETC) in the state of Washington under the Communications Act of 1934, as amended (the Act),¹ applicable FCC rules, and WAC 480-123-030.
- 2 Inland seeks ETC designation in Washington for the purpose of receiving federal high-cost Rural Digital Opportunity Fund (RDOF) Phase I support and Low Income (Lifeline) program support from the Federal Communications Commission's (FCC) Federal Connect American / Universal Service Fund (USF).²
- 3 The Company intends to act in place of Commnet Wireless, LLC which had been designated for this purpose (within Kittitas County Washington), over three years ago, in Docket UT-210149. Commnet has indicated that it will concurrently file for the relinquishment of its ETC designation status for the locations and obligations that are being transferred to Inland.
- 4 The Company complies with the FCC requirements for ETC designation for purposes of receiving high-cost and Lifeline funding support, as it can: (i) certify compliance with the service requirements application to the support it receives; (ii) demonstrate the ability to remain functional in emergency situations, including back up power and traffic reroute

¹ 47 U.S.C. § 214 (e)(2).

² The USF subsidizes monthly and, in certain circumstances, initial connection charges for qualified low-income households.

capabilities; (iii) meet consumer protection and service quality standards; (iv) possesses the financial and technical capabilities to provide high-cost and Lifeline service; (v) submitted terms and conditions of Lifeline plans; and (vi) demonstrate ETC designation is in the public interest.

5 The Company is a common carrier with its own telecommunications facilities in Washington state.

6 The Commnet (Inland) transaction³ is one of two transactions that Commnet is currently engaged in. The second transaction involves the San Juan County Washington RDOF-I locations and Island Network, LLC *d/b/a Rock Island Communications* (Rock Island).⁴ The parties filed separate joint applications for approval of the two separate transfers of Commnet's RDOF-I support and related obligations. One for ICLLS and one for Rock Island.

7 On July 11, 2024, Inland supplemented its petition with responses to Commission Staff's questions (including more detail on the buildout plans in the subject areas). This satisfies subsection (1)(d) of WAC 480-123-030 regarding the substantive investment plan of the investments to be made with federal support during the first two years and direct benefits to customers as a result of such expenditures.

8 Commission Staff (Staff) agrees with Inland that the Company meets all applicable regulatory requirements to be designated as an ETC.

DISCUSSION

9 Common carriers receiving designation as ETCs under 47 U.S.C. § 214 are eligible to receive funds from the federal USF for Lifeline services. State utility commissions are responsible for designating common carriers as ETCs for the purpose of receiving such funds, and may impose conditions on a common carrier so designated.⁵ The Commission

³ Commnet ICLLC filing at the FCC can be found at: <https://www.fcc.gov/ecfs/search/search-filings/filing/10430186636453>

⁴ See Rock Island's petition for designation filed in Docket UT-240182.

⁵ *In the Matter of the Petition of TracFone Wireless, Inc. for Exemption from WAC 480-123-030(1)(d), (f) and (g); and Designation as an Eligible Telecommunications Carrier for the Purpose of Receiving Lifeline Support from the Federal Universal Service Fund*, Order 03 (June 24, 2010), UT-093012, ¶ 78.

will approve petitions from carriers requesting ETC designation if the petition meets the requirements of WAC 480-123-030, the designation will advance some or all of the purposes of universal service found in 47 U.S.C. § 254, and the designation is in the public interest.⁶

10 State commissions may designate a carrier as an ETC if such designation is consistent with the public interest, convenience, and necessity and the carrier seeking ETC designation meets these two requirements of 47 U.S.C. § 214(e)(1):

(A) Offer the services that are supported by federal universal service support mechanisms under section 254(c), 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.⁷

11 Commission Staff finds that Inland's petition and supplemental responses qualify the company for ETC designation. Inland is capable of providing services supported by the federal universal service mechanism, as defined in 47 C.F.R 54.101(a). Designating Inland as an ETC will allow the Company to complete the RDOF-I obligations under the associated awards and to begin participation in the Lifeline program on behalf of qualifying consumers. Inland commits to meeting the construction and deployment for the RDOF-I obligations imposed by the FCC into the future and will make service available to all customers in the high-cost ETC service area through its own facilities and wholesale arrangements.

12 These services are supported by federal universal service support mechanisms.⁸ Further, Inland commits to advertise its Lifeline services.⁹ Designating the Company an ETC is consistent with the public interest, convenience, and necessity.

⁶ WAC 480-123-040.

⁷ 47 U.S.C. § 214(e)(1).

⁸ 47 C.F.R. § 54.101(a).

⁹ Petition at ¶ 3(e).

- 13 We accept Staff's review and recommendation that Inland has the technical and financial capabilities to provide the supported Lifeline service.
- 14 We agree with Staff that designating the Company as an ETC will deliver benefits and additional choices to low-income households in Washington and is therefore in the public interest.

FINDINGS AND CONCLUSIONS

- 15 (1) The Commission has jurisdiction over the subject matter of this order and is authorized to designate Eligible Telecommunications Carriers in Washington under 47 U.S.C. § 214(e)(2), 47 C.F.R. § 54.201(b)-(c), and WAC 480-123.
- 16 (2) Inland is a telecommunications company seeking to do business in the state of Washington. Inland meets the requirements for designation as an ETC because the company provides services supported by federal universal support mechanisms and because Inland has committed to advertise the availability of its services and the charges thereof using media of general distribution. Inland's designation as an ETC will advance the purpose of universal service; Inland has also demonstrated that its designation as an ETC is in the public interest.
- 17 (3) This matter came before the Commission at its regularly scheduled meeting on August 29, 2024.

ORDER

THE COMMISSION ORDERS:

- 18 (1) Inland Cellular, LLC's request for designation as an ETC is hereby GRANTED.

- 19 (2) The Commission retains jurisdiction over this matter for purposes of effectuating this order.

DATED at Lacey, Washington, and effective August 29, 2024.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Chair

ANN E. RENDAHL, Commissioner

MILTON H. DOUMIT, Commissioner