

August 16, 2006

To: Pend Oreille Telephone Company (Pend Oreille)

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 Pend Oreille'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 25. Commission staff will work closely with Pend Oreille and its representatives so that filings can be completed not later than August 25.

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

Pend Oreille ETC Certification and Report Request

WAC 480-123-060(1)

Pend Oreille needs to provide a certification consistent with WAC 480-123-060(1), *in the manner required by 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)

Pend Oreille provided a certification that is inconsistent with RCW 9A.72.085; it did not include a certification under penalty of perjury. The rule requires certification consistent with RCW 9A.72.085.

WAC 480-123-060(1)

Pend Oreille needs to provide a certification that states that it will use *federal high-cost universal service fund support* only for the provision, maintenance, and upgrading of the facilities and services for which the support is intended.

Yelm certified that "funds from the sources described in 47 C.F.R. § 54.314" will only be used in the provision, maintenance and upgrading of the facilities and service for which the support is intended. The rule requires an ETC seeking certification to state "that it will use federal high-cost universal service fund support only for the provision, maintenance, and upgrading of the facilities and services for which the support is intended."

WAC 480-123-070(4)

Pend Oreille needs to specify a number, e.g., zero, for the number of complaints. If it would be an accurate statement, Pend Oreille may make the statement: "The company reports that during the calendar year 2005, the company did not receive from either the Federal Communications commission or the consumer Protection Division of the Office of the Attorney General of the State of Washington any complaints against the company made by the company's customers."

The Company stated, ". . . not aware of any complaints" to the FCC or the Attorney General. 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 (5), (6) and (7)

Pend Oreille needs to add “under penalty of perjury under the laws of the State of Washington” language to the certification request to meet the requirement of 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.

WAC 480-123-070(7)

CenturyTel of Washington, Inc. needs to certify that it publicized the availability of its applicable telephone assistance programs to residents of federally-recognized Indian reservations.

CenturyTel of Washington, Inc. did not certify that it publicized the availability of its applicable telephone assistance programs to residents of federally-recognized Indian reservations. The rule requires that each ETC “certify it has publicized the availability of its applicable telephone assistance programs, such as Lifeline in a manner reasonably designed to reach those likely to qualify for service, including residents of federally-recognized Indian reservations within the ETC’s designated service area.”