

**BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

Petition of Island Network, LLC
dba Rock Island Communications
For Designation as an Eligible
Telecommunications Carrier to
Receive Rural Digital Opportunity
Fund (“RDOF”) Support

Docket No. UT-_____

**PETITION OF ISLAND NETWORK, LLC DBA ROCK ISLAND
COMMUNICATIONS FOR DESIGNATION AS AN ELIGIBLE
TELECOMMUNICATIONS CARRIER TO RECEIVE RURAL DIGITAL
OPPORTUNITY FUND (“RDOF”) SUPPORT**

Island Network, LLC dba Rock Island Communications (“Rock Island” or the “Company”) respectfully submits this Petition for designation as an Eligible Telecommunications Carrier (“ETC”) to the Washington Utilities and Transportation Commission (“Commission”) pursuant to 47 U.S.C. § 214(e) of the Commission Act of 1934, as amended (the “Act”), Part 54, Subpart C of the rules of the Federal Communication Commission (“FCC”), and WAC § 480-123-030 through 040. Rock Island seek designation throughout

Sections 214(e)(2) and 254 of Title 47 of the United States Code expressly authorize the Commission to designate a company that meets the requirements of 47 U.S.C. § 214(e)(1) – such as Rock Island – as an ETC. Moreover, Washington State law requires that the Commission “will approve a petition for designation as an ETC 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.” As demonstrated in this Petition, Rock Island meets all state and federal requirements for ETC designation, and, as shown by the

description herein of Rock Island's planned voice and broadband deployment projects, designating Rock Island as an ETC in the proposed area would advance the goals of universal service and is in the public interest.

In support of this Petition, Rock Island states as follows:

I. BACKGROUND

Rock Island is a Washington corporation headquartered in Eastsound, Washington. Rock Island has been registered with the Washington Secretary of State since 2015, UBI Number 603-466-410. Rock Island was classified as a competitive telecommunications carrier by the Commission on December 27, 2023, in docket UT-231008, and has provided voice and Internet service in Central Washington since 2001.

Rock Island was founded as a wholly owned for profit subsidiary of Orcas Power & Light Cooperative (OPALCO), the local non-profit electric cooperative in San Juan County, Washington. Rock Island provides the rural area of San Juan County in Washington State with telecommunications service, delivered at a reasonable price. Rock Island currently provides voice and broadband services to approximately 6,500 customers of rural San Juan County, Washington, using 5G fixed wireless and active ethernet fiber-to-the-home technologies.

Rock Island's address and telephone number are set forth below:

Attn: Alan Smith
Island Network, LLC dba Rock Island Communications
208 Enchanted Forest Road, Suite D
Eastsound, WA 98245
(360) 378-5884
<https://rockisland.com/>

Rock Island's Consultant is set forth below:

Mark Lammert, Attorney-in-Fact
Compliance Solutions, Inc.
242 Rangeline Road
Longwood, Florida, 32750
(407) 260-1011
regulatory@csilongwood.com

II. ROCK ISLAND'S PROPOSED PARTICIPATION IN THE FCC'S RURAL DIGITAL OPPORTUNITY FUND

On January 10, 2024, Rock Island entered into an Assignment and Assumption Agreement ("Agreement") with Commnet Wireless, LLC ("Commnet") by which Commnet has agreed to assign Rock Island, with respect to the Assigned Census Blocks listed in Exhibit 1: (a) a portion of Rock Island's accumulated RDOF support and its entitlement to receipts of all future RDOF support; and (b) all of Rock Island's obligations associated with the receipt of RDOF support, subject to required federal and state regulatory approvals.

The exchange consists solely of Rock Island's assumption of Commnet's RDOF support obligations in the Assigned Census Blocks and corresponding RDOF support, upon receipt of required Commission and Washington state regulatory approvals. Rock Island is not acquiring any of Commnet's telecommunications assets, services, or customers outside the Assigned Census Blocks.

Given its own deployments, Rock Island can easily absorb Commnet's obligations. Rock Island will bring a number of attributes to the RDOF areas that will benefit consumers. In and near the RDOF areas it will be assuming, Rock Island has a large labor force, substantial managerial experience, and access to infrastructure. Rock Island believes that this experience and know-how will result in expeditious deployment of RDOF-supported facilities and services.

A. Rock Island Meets All State Requirements for ETC Designation

WAC 480-123-040 states that the Commission "will approve a petition for designation as an ETC 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." Rock Island satisfies each of the requirements of WAC 480- 123-030 as follows:

- i. In satisfaction of WAC 480-123-030(1)(a), t identifies the area for which designation is sought as the State of Washington. The proposed "Designated Service Area" is clearly identified in Exhibit A attached hereto.
- ii. In satisfaction of WAC 480-123-030(1)(b), Rock Island will offer the services supported by federal universal service support mechanisms throughout the Designated Service Area using its own facilities or a combination of its own facilities and another carriers facilities on a limited basis.
- iv. In satisfaction of WAC 480-123-030(1)(c), Rock Island describes herein how each supported service will be provided in greater detail below.
- v. In satisfaction of WAC 480-123-030(1)(d), Rock Island directs the Commission to Section D below, which describes the voice and broadband deployments that Rock Island plans to carry out using the funds from the Auction.
- vi. In satisfaction of WAC 480-123-030(1)(e), Rock Island will advertise the availability of services including Lifeline service. Rock Island plans to advertise its services on its website, through local media and other community outlets. Rock Island is not subject to WAC 480-123-030(1)(f), which pertains only to providers of commercial mobile radio service with cell sites.
- vii. In satisfaction of WAC 480-123-030(1)(g), Rock Island is able to remain functional in emergencies and complies with WAC 480-120-411, as described herein, including by maintaining adequate back up battery power and/or backup mobile generators that can be deployed.

- viii. In satisfaction of WAC 480-123-030(1)(h), Rock Island commits to abide by all applicable consumer protection and service quality standards of chapter 480-120 WAC. Presently, Rock Island employs customer service representatives who are available and capable of addressing the terms of service, rates /charges, disputes, and other matters.
- ix. Rock Island provides herein, as Exhibit B, a supporting Declaration certifying the information in this Petition (WAC 480-123-030(2)).
- x. Rock Island commits to fully comply with the annual certification requirements adopted by the Commission in WAC 480-123-060, 480-123-070, and 480-123-080, including requesting certification by July 1st each year, certifying that federal high-cost support is used as intended, and reporting the following information on an annual basis with respect to the Designated Service Area:
- Use of federal funds and benefits to customers;
 - Local service outages;
 - The number and details of unfulfilled service requests;
 - Complaints per one thousand connections;
 - Certification of compliance with applicable service quality standards and consumer protection rules;
 - Certification of ability to function in emergency situations;
 - Advertising certification within the Designated Service Area.

To the extent Rock Island has filed a report with the FCC or another federal agency that provides the data requested by the Commission, Rock Island reserves the right to refer the Commission to such reports already filed with the federal agency, as expressly allowed by WAC 480-123-070(8).

B. *Rock Island Meets All Federal Requirements for ETC Designation.*

Rock Island meets all criteria for designation as an ETC under federal law, including those in 47 U.S.C. § 214(e) and 47 C.F.R. § 54.201 et seq.

In particular:

- i. Rock Island is a common carrier (see 47 U.S.C. § 214(e) (1); 47 U.S.C. § 153 (11); 47 C.F.R. § 54.201(d); 47 C.F.R. § 54.5);
- ii. As required by 47 C.F.R. § 54.101 (b), Rock Island will offer the Voice Telephone services supported by federal universal service support mechanisms as defined in 47 C.F.R. § 54.101 (a)(1) using its own facilities or a combination of its own facilities and resale of another carrier's services (47 U.S.C. § 214(e)(1)(A); 47 C.F.R. § 54.201(d)(1)), including the following services:
 - Voice grade access to the public switched network or its functional equivalent;
 - Minutes of use for local service at no additional charge to end users;
 - Access to the emergency services provided by local government or other public safety organizations, such as 911 and enhanced 911, to the extent the local government in an eligible carrier's service area has implemented 911 or enhanced 911 systems; and
 - Toll limitation services to qualifying low-income consumers as provided in subpart E of 47 C.F.R. Part 54;
- iii. As described in greater detail below, Rock Island will make available service to qualifying low- income consumers (47 C.F.R. § 54.405(a));
- iv. Rock Island will also publicize the availability of service in a manner reasonably designed to reach those likely to qualify for the service (47 C.F.R. § 54.405(b));

- v. Rock Island will advertise the availability of its universal service offerings and charges for such offerings using media of general distribution (47 U.S.C. § 214(e) (1)(B); 47 C.F.R. §54.20 1(d)(2)), namely through a combination of media, such as advertising via radio, newspapers, magazines or other print advertisements, outdoor advertising, direct marketing, or the Internet ;
- vi. Rock Island will provide the supported services throughout the Designated Service Area (47 U.S.C. § 214(e)(1); 47 C.F.R. § 54.201(d)); and
- vii. Rock Island certifies that, in accordance with 47 U.S.C. § 254(e), it will use federal universal service support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

C. *Rock Island Will Provide Service to Qualifying Low-Income Consumers*

Upon designation as an ETC, Rock Island will make a discounted service offering that meets all applicable requirements available to qualified low-income consumers. Rock Island will advertise the availability of services supported by federal universal service mechanisms in a manner reasonably calculated to reach qualified low-income consumers not receiving discounts.

D. *Rock Island Will Deploy the Funds from the Auction to Advance the Public Interest*

With the funds from the Auction, Rock Island will deploy voice and broadband services to eligible locations in the Designated Service Area. Rock Island plans to provide both voice and broadband service using fixed wireless technology. Rock Island will provide broadband service with speeds of 1 00 Mbps uplink and 20 Mbps downlink in compliance with its RDOF obligations. Rock Island will partner with a Managed Voice Service Provider ("MVSP") for voice services.

Rock Island's current MVSP provides standalone residential voice service, standalone business voice service, hosted PBX service and SIP trunking.

Finally, Rock Island will continue to monitor these connections and increase bandwidth as necessary to ensure compliance with the required service standards. These actions will promote the availability of voice and internet services in rural communities and ensure that these communities have access to what the state and federal government consider to be modern internet speeds.

III. DESIGNATION OF ROCK ISLAND AS AN ETC IS IN THE PUBLIC INTEREST

Pursuant to WAC 480-123-040, the Commission “will approve a petition for designation as an ETC 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." 47 U.S.C. § 214(e)(2) requires that designation be "in the public interest" only where multiple ETCs are designated for areas served by a rural telephone company, and otherwise requires only that designation meet the lower threshold of being "consistent with the public interest." Section 214(e)(2) states:

A State commission shall upon its own motion or upon request designate a common carrier that meets the requirements of paragraph (1) as an eligible telecommunications carrier for a service area designated by the State commission. Upon request and consistent with the public interest, convenience, and necessity, the State commission may, in the case of an area served by a rural telephone company, and shall, in the case of all other areas, designate more than one common carrier as an eligible telecommunications carrier for a service area designated by the State commission, so long as each additional requesting carrier meets the requirements of paragraph (1). Before designating an additional eligible telecommunications carrier for an area served by a rural telephone company, the State commission shall find that the designation is in the public interest.

Granting Rock Island's petition will serve the public interest through the deployment of broadband and voice services to unserved and underserved high-cost areas in Washington State, supporting investment in facilities and equipment, and expanding the number of competitive providers serving rural areas in Washington. Designation of Rock Island as an ETC will permit Rock Island to receive Auction funds, directly advancing the goals of the FCC's Auction. The resulting deployments will bring expanded voice and broadband connectivity to rural areas in Washington and expanding economic opportunity for communities that will benefit from increased connectivity.

By approving Rock Island to assume Commnet's Auction funds, the FCC will have recognized that the voice and broadband services that Rock Island proposes to deploy with the funds would advance the goal of the Auction, and thereby advance the goals of universal service. Because designating Rock Island as an ETC will allow it to use the funds as intended to expand voice and broadband service in Washington, designation of Rock Island as an ETC is plainly in the public interest.

IV. CONCLUSION

For the reasons stated herein, Rock Island respectfully requests that the Commission expeditiously: (i) designate Rock Island as an ETC in the Designated Service Area, (ii) send the appropriate notice of the Order designating Rock Island as an ETC for the Designated Service

Area to the FCC and the Universal Service Administrative; and (iii) order such other relief as may be appropriate.

Dated this 15th day of March 2024.

Respectfully submitted,

Island Network, LLC dba Rock Island Communications

By: /s/ Mark Lammert

Mark Lammert

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*Consultant for Island Network, LLC dba
Rock Island Communications*

LIST OF EXHIBITS

Exhibit A – Designated Service Area

Exhibit B – Declaration of Alan Smith

EXHIBIT A
DESIGNATED SERVICE AREA

Rock Island requests that the Designated Service Area consists of San Juan County.

**Census Block Groups in which the FCC is Reviewing the Application for
Rock Island to Assume from Commnet Wireless, LLC**

Item	Census ID	County	State
WA-055-9603002		San Juan	WA
WA-055-9603004		San Juan	WA
WA-055-9605001		San Juan	WA

EXHIBIT B

DECLARATION OF ALAN SMITH

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DECLARATION OF ALAN SMITH

I, the undersigned, Alan Smith, do hereby declare under penalty of perjury as follows:

1. I am the Executive Vice President of Island Network, LLC dba Rock Island Communications ("Rock Island"), a Washington Corporation with its headquarters at 208 Enchanted Forest Road, Suite D, Eastsound, WA 98245.
2. This Declaration is submitted in support of the Petition of Island Network, LLC dba Rock Island Communications for Designation as an Eligible Telecommunications Carrier to receive support.
3. I have reviewed the Petition and the facts stated therein are true and correct to the best of my knowledge.
4. The federal universal service fund support received by Rock Island, including all support received from the RDOF, will only be used for the purposes for which the support is intended.
5. To the best of my knowledge, Rock Island, including all of its officers, are not subject to the denial of federal benefits, including FCC benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct:

03/14/2024
208 Enchanted Forest Rd
Eastsound WA 98245

(Date and Place)



(Signature)