

**BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

Petition of Inland Cellular LLC
For Designation as an Eligible
Telecommunications Carrier to
Receive Rural Digital Opportunity
Fund (“RDOF”) Support

Docket No. UT-_____

**PETITION OF INLAND CELLULAR LLC FOR
DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS
CARRIER TO RECEIVE RURAL DIGITAL OPPORTUNITY
FUND (“RDOF”) SUPPORT**

Inland Cellular LLC (“Inland” 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 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, for Inland to receive federal and state high-cost universal service support from the Rural Digital Opportunity Fund (RDOF) (this “Petition”). Inland will also provide Lifeline services.

Inland is seeking ETC status for the designated census blocks identified in **Exhibit 1** attached hereto (“Designated Census Blocks”). As demonstrated herein Inland meets all the statutory and regulatory requirements for designation as an ETC in the Designated Census Blocks. Inland provides herein, as **Exhibit 3**, a supporting Declaration certifying the information in this Petition (WAC 480-123-030(2)).

Inland is financially and technically capable of providing services to unserved and underserved consumers in the State of Washington.

As demonstrated in this Petition, Inland meets all state and federal requirements for ETC designation in Washington, and as shown by the description herein of Inland’s planned voice and broadband deployment projects, designating Inland as an ETC in the Designated Census Blocks will advance the goals of universal service and is in the public interest.

In support of this Petition, Inland states as follows:

I. COMPANY OVERVIEW AND BACKGROUND

Inland is a rural wireless cellular and broadband carrier and an eligible telecommunications carrier (ETC) in the States of Washington and Idaho¹ and is headquartered in Roslyn, Washington. Inland is a Washington limited liability company formed in 2012 and is a wholly owned subsidiary of Inland Cellular Telephone Company (“ICTC”), a family-owned and operated Washington corporation formed in 1989, and proud to be the second oldest operating wireless provider in Washington State. Since its inception in 1989, ICTC’s business purpose is to provide rural areas in the Pacific Northwest with fixed and mobile telephone and communications services delivered at reasonable competitive rates and supported by local customer support teams. Today, Inland provides mobile voice and internet, and/or broadband services to approximately 20 counties,² and has 9 retail and customer service centers, and approximately 30,000 subscribers in rural areas of Washington and Idaho.³ Inland also provides services to the Nez Perce Tribe and Coeur d’Alene Tribe in Idaho, and the Spokane Tribe in Washington. Nathan R. Weis is the President and majority owner of Inland and resides in Ronald, Kittitas County, Washington. Inland is authorized to do business in the States of Washington, Idaho, Oregon, and Montana. Inland has been a recipient of USDA-RUS funding and Community Connect grant funds.

II. Inland’s Proposed Participation in the FCC’s RDOF

Inland now seeks the FCC’s approval to take assignment of the Designated Census Blocks in Kittitas County, Washington previously awarded to Commnet Wireless LLC (“Commnet”) from the

¹ Inland was designated as an ETC in the State of Washington to receive federal high cost funds for various exchange areas in the state of Washington on August 30, 2002. (*See* Washington Utilities & Transportation Commission Docket # 023040). On December 28, 2006, the Idaho Public Utilities Commission issued an *Order*, granting designation of Inland as an ETC for certain wire centers in Idaho. (*See* Case No. INC-T-06-02, Order No. 30212.). Inland has performed its duties as an ETC since that time.

² Washington Counties include Whitman, Walla Walla, Columbia, Garfield, Asotin, Lincoln, Adams, Ferry, Spokane, Stevens, and Grant County. Idaho Counties include Clearwater, Latah, Lewis, Idaho, Kootenai, Bonner, Benewah, Shoshone, and Nez Perce County.

³ Inland is registered as a cellular provider with the Commission (FCC Filer Id.:829984) and the licensee of numerous Commission wireless licenses (FRN: 22355762).

RDOF. On May 20, 2021, the Commission issued an order granting designation of Commnet as an ETC for the purpose of receiving RDOF support in select census blocks in the state of Washington including in Clallam, Kittitas, and San Juan counties (Docket No. UT-210149, Order No. 01). On February 14, 2022, the Wireless Telecommunications Bureau authorized Commnet to receive, with respect to the Designated Census Blocks, \$484,476.91 per year over ten years to serve 133 census blocks (1,391 locations) in Washington by December 31, 2028. Inland and Commnet are applying for the FCC's Consent to Assignment of Domestic Section 214 Authorization for the Designated Census Block locations in Kittitas County, Washington. In accordance with 47 U.S.C. 214(e)(4) and 47 C.F.R. 54.205, Commnet will also file a notice with the Commission of its intent to relinquish its ETC status for the Designated Census Blocks in Kittitas County so that Inland can assume the RDOF buildout obligations for that area. Commnet will retain its RDOF obligations in all other Counties and census blocks awarded to it. Inland is not acquiring any of Commnet's telecommunications assets, services, or customers related to the Designated Census Blocks or outside the Designated Census Blocks.

According to Federal law, Washington State law, the Commission's Administrative Rules, and in accordance with the FCC's RDOF requirements, Inland is now required to obtain ETC designation from the Commission for the Designated Census Blocks identified in **Exhibit 1**.

RDOF requires recipients to achieve a 40% build out by December 31, 2025, and 20% thereafter until serving 100% of the locations by December 31, 2028. As such, Inland herein seeks the Commission's expedited review and approval of its ETC status in Washington to ensure ample time for it to meet its regulatory buildout milestones for the Designated Census Blocks.

For purposes of these proceedings, the contact information for the Applicant is undersigned counsel.

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III. LEGAL AUTHORITY FOR DESIGNATION OF AN ETC

The Commission has the authority to designate a common carrier that meets the requirements of 47 U.S.C. 214(e)(1) as an ETC pursuant to authority granted to it under 47 U.S.C. § 214(e), 47 C.F.R. 54.201, and WAC § 480-123-030 through 040.

IV. INLAND SATISFIES ALL LEGAL REQUIREMENTS FOR ETC DESIGNATION IN THE DESIGNATED CENSUS BLOCKS

1. Inland has a record of providing dependable, affordable, high-quality telecommunication services since 1989 and will bring its experience, expertise, and financial resources to provide high-quality and affordable broadband internet and voice services to the Designated Census Blocks in Kittitas County, WA.

The FCC has promulgated a list of the services designated for Federal universal service support mechanisms, including those provided in high cost areas at 47 C.F.R. 54.101. Under the provisions of federal law, an ETC shall be eligible to receive universal service support and shall, in the service area for which the designation is received, offer the services that are supported by federal universal service support mechanisms under 47 U.S.C. § 254(c) by: (1) 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 telecommunications carrier); and (2) shall advertise the availability of such services and the charges therefore using media of general distribution.⁴

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

⁴ 47 C.F.R. 54.201(d)

the public interest."

2. The minimum requirements listed under WAC 480-123-030 for designation as an ETC in Washington require that an applicant provide:

(a) A description of the area or areas for which designation is sought;

(b) A statement that the carrier will offer the services supported by federal universal service support mechanisms throughout the area for which it seeks designation, 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 ETC);

(c) A description of how it will provide each supported service;

(d) A substantive plan of the investments to be made with initial federal support during the first two years in which support is received and a substantive description of how those expenditures will benefit customers;

(e) A statement that the carrier will advertise the availability of services supported by federal universal service mechanisms, including advertisement of applicable telephone assistance programs, such as Lifeline, that is reasonably calculated to reach low-income consumers not receiving discounts;

(f) For wireless petitioners, a map in .shp format of proposed service areas (exchanges) with existing and planned locations of cell sites and shading to indicate where the carrier provides and plans to provide commercial mobile radio service signals;

(g) Information that demonstrates its ability to remain functional in emergency situations including a description of how it complies with WAC 480-120-411 or, for a wireless carrier, information that demonstrates that, when commercial power is not available, it has a reasonable amount of backup power (fixed, portable or other backup power source) for its cell sites, and backup power for its switches as prescribed in WAC 480-120-411(3) for LEC central offices; and cell sites do not include any small cell facility as defined in RCW 80.36.375 (2)(d) or any in building wireless installation; and

(h) Information that demonstrates that it will comply with the applicable consumer protection and service quality standards of chapter 480-120 WAC or, for a wireless carrier, a commitment to comply with the Cellular Telecommunications and Internet Association's (CTIA) Consumer Code for Wireless Service as set forth in WAC 480-123-999.

3. Inland satisfies each of the requirements of WAC 480- 123-030 as follows:
- a. In satisfaction of WAC 480-123-030(l)(a), **Exhibit 1** attached hereto identifies the proposed Designated Service Area for which ETC designation is sought.
 - b. In satisfaction of WAC 480-123-030(1)(b), Inland 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.
 - c. In satisfaction of WAC 480-123-030(l)(c), Inland describes in greater detail below how each supported service will be provided and describes the voice and broadband deployments that Inland plans to carry out using the funds from the RDOF.
 - d. In satisfaction of WAC 480-123-030(l)(d), Inland’s substantive plan of the investments to be made with initial federal support during the first two years in which support is received includes investments to expand its network to cover the Designated Census Blocks for the benefit of Washington consumers. The FCC has established specific requirements with respect to carriers that are awarded RDOF Phase I Auction support. Specifically, the FCC has identified unserved and underserved locations within the ETC requested area, and conditioned the grant of RDOF Phase I support to recipients on the recipient’s commitment and ability to serve each of those locations with voice and broadband service with speeds of 100 Mbps upload and 20 Mbps download. In the next two years Inland plans to build 3-4 wireless sites using its 40 MHz of PAL CBRS spectrum to provide 100/20 service along with building fiber to address 60%⁵ of the underserved and unserved households in the Designated Census Blocks. The wireless broadband service will use a 4G LTE technology or a proprietary 4G like technology. A description of the specific proposed improvements or upgrades to Inland’s network throughout the proposed service area, the estimated area and population to be served, as well as a high-level overview of Inland’s proposed network architecture is provided in **Exhibit 2**, attached hereto.
 - e. In satisfaction of WAC 480-123-030(1)(e), Inland will advertise the availability of services including Lifeline service. Inland plans to advertise its services on its website, through local media and other community outlets.
 - f. Inland is a wireless petitioner and along with this petition, has uploaded maps in .shp format of proposed service areas (exchanges) with existing and planned

⁵ RDOF has buildout milestones that require a 60% buildout by 2026.

locations of cell sites and shading to indicate where the carrier provides and plans to provide commercial mobile radio service signals;

- g. In satisfaction of WAC 480-123-030(1)(g), Inland is able to remain functional in emergencies and complies with WAC 480-120-411, as described herein, and will among other actions, maintain and deploy as needed adequate back up battery power and backup mobile generators.
- h. In satisfaction of WAC 480-123-030(1)(h), Inland commits to abide by all applicable consumer protection and service quality standards of chapter 480-120 WAC. Inland employs customer service representatives who are available and capable of addressing the terms of service, rates /charges, disputes, and other matters.
- i. Inland 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 of 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.

V. INLAND MEETS ALL FEDERAL REQUIREMENTS FOR ETC DESIGNATION IN THE DESIGNATED CENSUS BLOCKS

1. Inland is a Common Carrier

Inland is a common carrier as defined in 47 U.S.C. § 153(11) and is a communication provider licensed by the FCC and, therefore, regulated as and subject to the requirements applicable to a common carrier.

2. Inland Will Provide Service Over its Own Facilities or a Combination of Its Own Facilities and Resale of Another Carrier's Service.

Inland is a facilities-based mobile voice/broadband and fixed broadband provider with its own towers, radio equipment, trunking, switching facilities, and other associated facilities. Inland expects to use third-party vendors for its transport. Therefore, Inland meets the applicable facilities-based requirement for ETCs that the supported services must be provided either using its own facilities or a combination of its own facilities and resale of another carrier's service.

3. Inland Will Offer the Required Services

Pursuant to WAC 480-123-030(1)(b), 47 U.S.C. 214(e)(1)(A), and 47 C.F.R. 54.201(d)(1), Inland must commit to offer, throughout the service area for which ETC designation is requested, the services that are supported by federal universal service support mechanisms. These services include: (1) voice telephony services providing voice grade access to the public switched network or its functional equivalent; minutes of use for local service provided at no additional charge to end users; access to emergency services provided by local government or other public safety organizations, including 911 and enhanced 911; and toll limitation services to qualifying low-income consumers; and (2) eligible broadband internet access services. Inland is able and willing to provide these required services through the provision of VoIP and high-speed broadband internet services. More specifically, Inland will offer fiber-based broadband internet connectivity, with the ability to transmit and receive data from all or substantially all internet endpoints, subject to any requirements or limitations imposed by law. In addition, as required by RDOF, customers will be provided fiber-based broadband speeds of up to 100 Mbps download and 20 Mbps upload.

4. Inland Will Advertise the Supported Services

Pursuant to WAC 480-123-030(1)(e), 47 U.S.C. 214(e)(1)(B), and 47 C.F.R. 54.201(d)(2), Inland will advertise the availability of its services that are supported by federal universal service support mechanisms and the charges for such services using media of general distribution, namely: newspaper, radio, bill inserts, contacts with social service agencies, and its website.

5. Provision of Service in Response to Reasonable Requests

Consistent with the provisions of section 54.202(a)(1)(A) of the FCC rules, Inland commits to provide service throughout its designated service area to all customers making a reasonable request for service and will process such requests. Accordingly, Inland certifies that it will provide service on a timely basis to customers where its network already reaches a potential customer's premise or will reach it consistent with the RDOF buildout requirements. RDOF requires that Inland provide the offered service within ten (10) business days after receiving a request for service.

6. Inland Will Provide Service Throughout the Designated Service Area

Pursuant to 47 U.S.C. 214(e)(1), and 47 C.F.R. 54.201(d), Inland will provide the supported services throughout the designated service area to all customers making a reasonable request for service, including low-income, low-density, rural, insular, and high cost customers, and, for service in rural areas, in a manner reasonably comparable and at a rate reasonably comparable to similar services offered in urban areas.

7. Inland will offer Lifeline Discounts to Eligible Customers

Pursuant to 47 C.F.R. 54.405, Inland will make Lifeline discounts available to qualifying low-income consumers and publicize the availability of Lifeline discounts in a manner reasonably designed to reach those likely to qualify for the service. Inland will indicate on material describing the service, using easily understood language, its company name, and that Lifeline is a government assistance program, the service is nontransferable, only eligible consumers may enroll in the program, and the program is limited to one discount per household. In the event a subscriber no longer qualifies for the program, Inland will de-enroll the subscriber from the program appropriately as defined by 47 C.F.R. 54.405(e).

8. Inland will Satisfy Applicable Consumer Protection and Service Quality Standards.

Pursuant to WAC 480-123-030(1)(h) and 47 C.F.R. 54.202(a)(3) a carrier seeking ETC designation must demonstrate that it will satisfy applicable consumer protection and service quality

standards. Inland commits to comply with all applicable Commission and FCC rules concerning consumer protection and service quality standards, and as a wireless carrier, Inland commits to comply with the Cellular Telecommunications and Internet Association's (CTIA) Consumer Code for Wireless Service as described in WAC 480-123-999. Inland will provide a network that is capable of delivering voice and broadband service that meets the requisite performance requirements and sufficient capacity to meet customer demand at or above the prescribed levels during peak usage periods.

Importantly, the FCC will conduct performance testing to ensure Inland is using its RDOF funds to provide the services it has committed to provide.⁶ The FCC has also set significant penalties if a company fails to meet the RDOF build-out milestones.⁷

9. Comparable Local Usage Plans

Inland is committed to offering local usage plans comparable to those offered by the incumbent LECs in the service areas for which it seeks ETC designation. Inland will offer at least one rate plan that has unlimited voice allowance at rates that will not exceed the reasonable comparability benchmarks for fixed voice and broadband rates established by the FCC for universal service purposes.

10. Inland has the Ability to Remain Functional in Emergency Situations

As required by WAC 480-123-030(1)(g) and FCC rules 47 CFR § 54.202(a)(2), Inland has the ability to remain functional in emergency situations. Specifically, Inland will provide adequate amounts of back-up power to ensure functionality without an external power source, and is able to reroute traffic around damaged facilities, thereby managing spikes in traffic that result from emergencies.

Inland further commits to comply with any applicable reporting requirements of the FCC

⁶ See generally, Performance Measures Reconsideration Order, 34 FCC Rcd 10109 (12), FCC Order 19-104 (October 31, 2019), Performance testing requirements.

⁷ 47 C.F.R. 54.806(c)

with respect to power outages. Inland will ensure the integrity of its network with generator backups, back-up batteries, and portable generators as needed.

In addition, cell sites will be equipped with emergency alarms that notify Inland technicians of any type of failure at a cell site location, and the sites will be monitored remotely by Inland's 24/7 Network Operations Center (NOC) should there be a total communications failure at a site. Inland's main switch connectivity to the public switched voice network also provides redundancy so that call traffic can be re-routed as needed.

VI. DESIGNATION OF INLAND 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." Granting Inland's ETC designation and thus access to RDOF funding already awarded for the Designated Census Blocks in Kittitas County, Washington is in the public interest. The FCC's RDOF proceeding was specifically designed to continue to close the digital divide in rural areas, thereby advancing the goals of universal service. The RDOF award explicitly targets locations that are entirely unserved by voice and broadband service with download speeds of at least 25 Mbps. The incumbent telecom provider has been unable or unwilling to provide broadband speeds of at least 25 Mbps in these areas resulting in them being included as areas eligible for RDOF funding. Without Inland's ETC designation and access to RDOF funds, it is unlikely those areas unserved today will be served in the future which is contrary to the public interest and state and federal policy to offer high-quality, affordable broadband internet access to every citizen in the nation.

Inland is well positioned to be able to deliver these services to consumers having the technical, operational, and managerial capacity to do so. Inland has been previously designated as an ETC in the States of Washington and Idaho and continues to fulfill its obligations in accordance

with those designations and brings service to over 30,000 subscribers, the majority in rural underserved areas. With the current opportunity to take assignment of Commnet's RDOF award in Washington, Inland will, if designated as an ETC in Kittitas County, Washington, serve the currently unserved and underserved locations within the Designated Census Blocks identified in **Exhibit 1**, effectively offering broadband speeds of up to 100 Mbps upload and 20 Mbps download to those Washington residents who have yet to benefit from federal and state policies to bridge the digital divide. Therefore, Inland's ability to obtain RDOF and other funding and meet the buildout requirements will provide advanced service and improved quality of service with faster speeds than currently offered in the Designated Census Blocks and other communities Inland seeks to serve.

Inland has a proven track record of providing ETC and Lifeline services in other states, including in rural areas like those Inland seeks to serve in Washington. Inland is willing and able to comply with all federal and state requirements as it brings these services to Washington residents in the proposed areas, which the FCC has determined are unserved and underserved and deserving of the RDOF support awarded for those census blocks. Inland has demonstrated its ability to build and operate networks that are capable of providing the services required under federal and state law, as it has done in other Counties in Washington and Idaho.

Granting Inland ETC status to receive RDOF and other high-cost funding will also improve public safety and increase the likelihood that these resources will be available during emergencies when critical services are needed. As it currently does in other parts of Washington where it already has ETC status, Inland will offer access to emergency services provided by local governments or other public safety organizations, including 911 and enhanced 911 emergency calling, and 988 suicide crisis lifeline. Inland's ETC designation in Kittitas County, Washington will allow Inland to receive the RDOF funding to provide Washington residents a greater choice of services currently not widely available in the unserved or underserved census block groups Inland seeks to serve. As a result, granting Inland's request should expand participation of qualifying customers in the Lifeline

program. In addition to bolstering public safety, Inland’s ETC designation will allow Inland to offer broadband and internet services in rural areas to enhance consumers access to on-line education and health services.

VII. INLAND MEETS ALL FINANCIAL AND TECHNICAL QUALIFICATIONS

47 CFR 54.202(a)(4) requires ETC applicants to demonstrate financial and technical capability to comply with applicable Lifeline service requirements. Inland’s abilities are proven by its experience and ongoing operations since 1989. Inland currently operates in two states and 20 Counties and provides service in very rural areas including several Tribal reservations (Nez Perce Tribe, Coeur d’Alene Tribe, and Spokane Tribe). Therefore, Inland has the technical qualifications and experience required and upon receipt of the RDOF funding (and future funding) will have the further financial ability to bring services to these additional unserved and underserved areas in the state of Washington consistent with its RDOF obligations. Inland has experience with the high-cost universal service program and has successfully fulfilled its obligations.

VIII. OTHER REQUIREMENTS

In addition to meeting all of the above, Inland will adhere to the additional requirements and conditions of receiving RDOF-based USF support.

Consistent with 47 U.S.C. 254(e), Inland certifies that it will use all federal universal service support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

IX. CONCLUSION

Inland respectfully requests expedited review and designation as an ETC for the Designated Census Blocks identified in **Exhibit 1** no later than October 1, 2024.

Dated: June 24, 2024

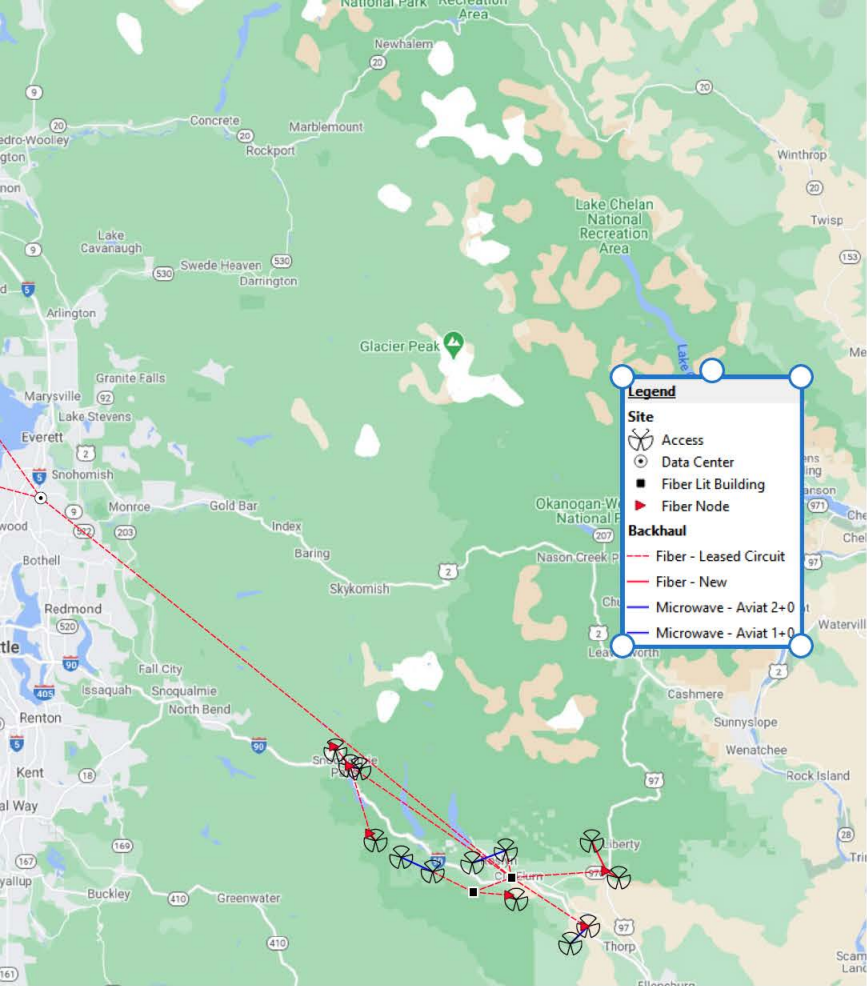
EXHIBIT 1

Designated Census Blocks in Kittitas County, WA

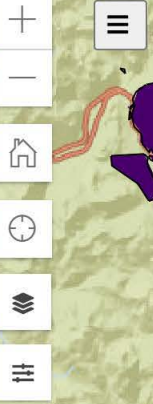
State	County	Study Area Code	Winning Bid	Locations	Annual Assigned Support
Washington	Kittitas	529033	WA-037-9751001	1,391	\$484,476.91

Census Block Group 530379751001

EXHIBIT 2
Network

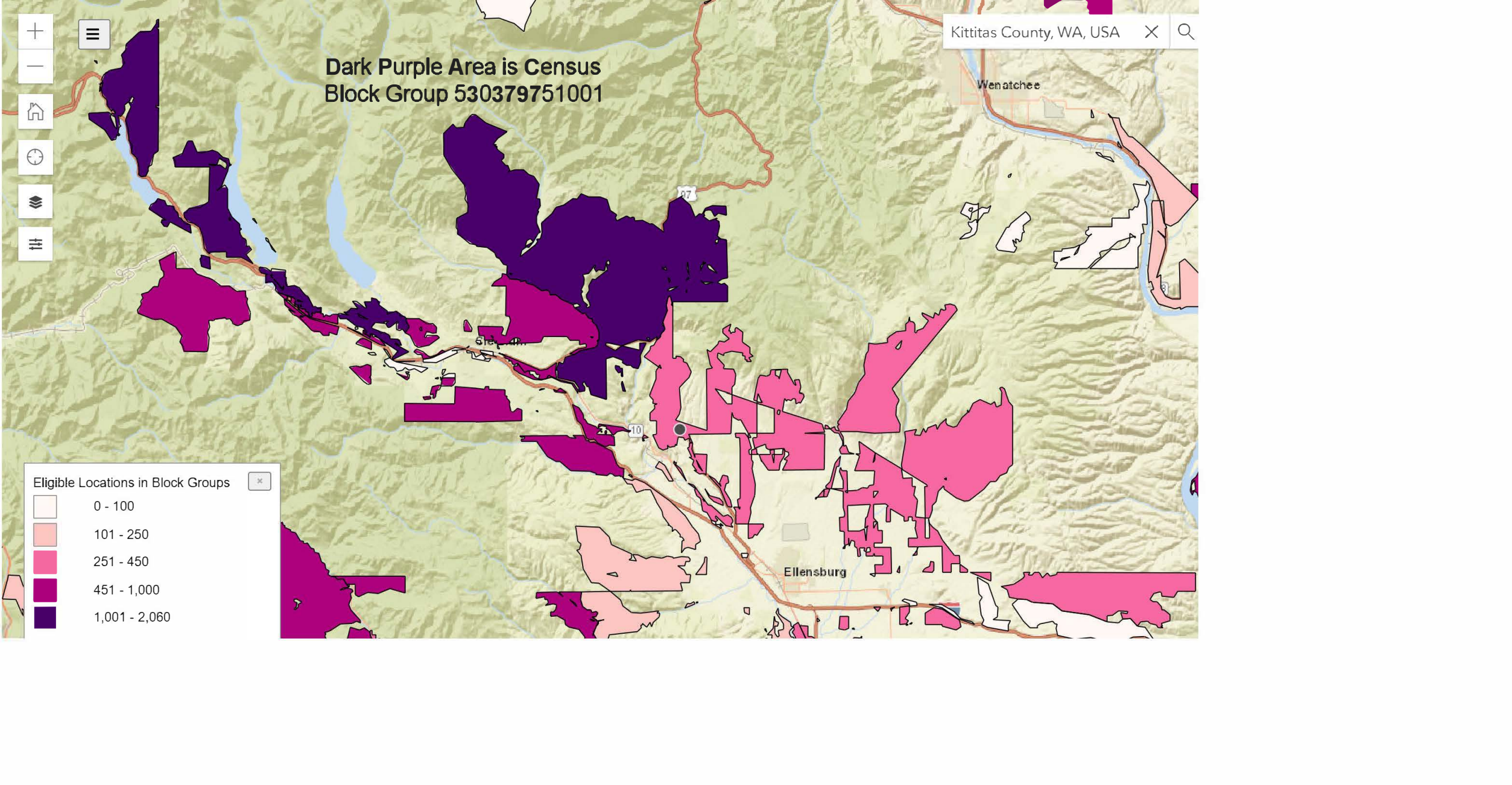


**Dark Purple Area is Census
Block Group 530379751001**



Eligible Locations in Block Groups

0 - 100
101 - 250
251 - 450
451 - 1,000
1,001 - 2,060



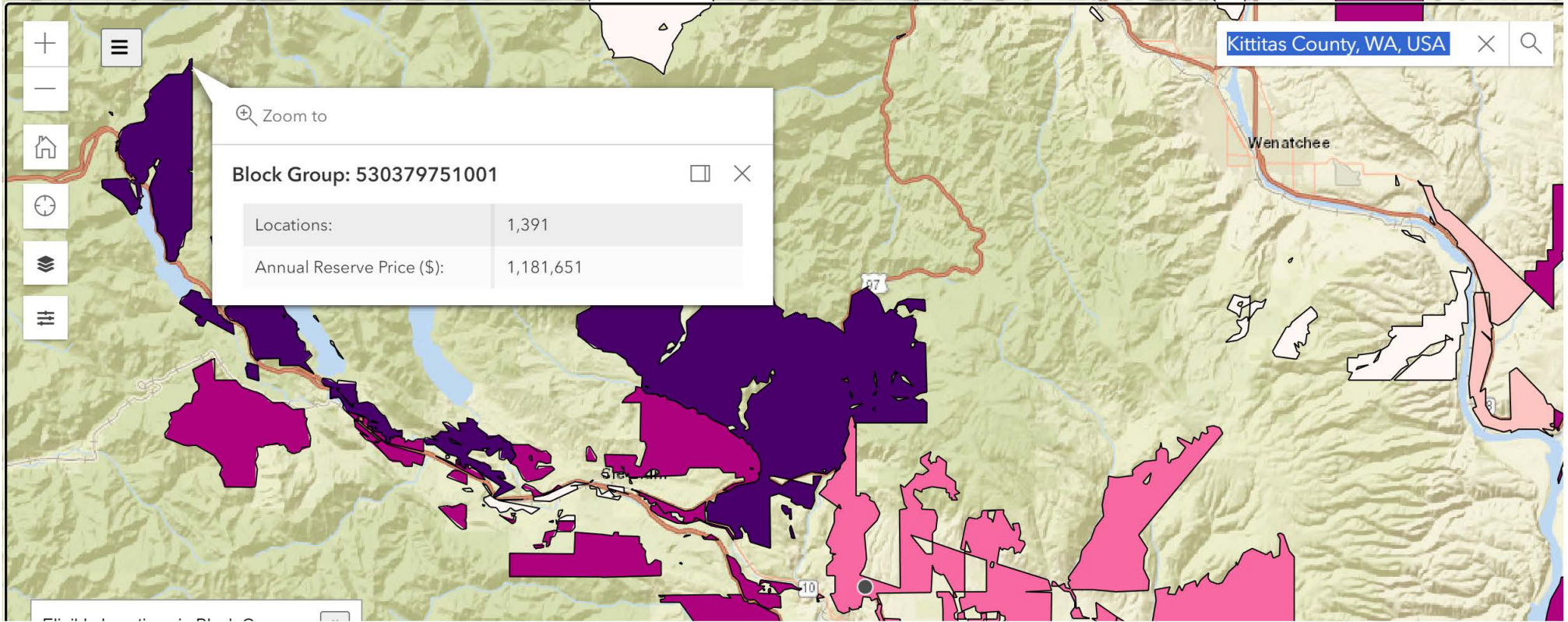


EXHIBIT 3
Certification of Petition

**BEFORE THE WASHINGTON UTILITIES & TRANSPORTATION
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("RDOF") Support

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DECLARATION OF NATHAN R. WEIS

I, the undersigned, Nathan R. Weis, do hereby declare under penalty of perjury as follows:

1. I am over the age of 18 years;
2. I am the President and majority owner of Inland Cellular LLC ("Inland") headquartered at 109 S. 1st Street, Roslyn, Kittitas County, Washington, 98941.
3. This Declaration is submitted in support of the Petition for Inland's Designation as an Eligible Telecommunications Carrier to receive support (the "Petition").
4. I have reviewed the Petition and the facts stated therein are true and correct to the best of my knowledge.
5. The federal universal service fund support received by Inland, including all support received from the RDOF, will only be used for the purposes for which the support is intended.
6. To the best of my knowledge, Inland, including all of its officers, is 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 certify under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge, information, and belief, and that this Declaration is executed on this 24th day of June, 2024, at 109 S. 1st Street, Roslyn, Kittitas County, Washington, 98941.



Nathan R. Weis, President