



Federal Communications Commission
Washington, D.C. 20554

September 12, 2005

RECEIVED SEP

The Honorable Maria Cantwell
Jackson Federal Building
915 2nd Avenue, Suite 3206
Seattle, WA 98174-1003
ATTN: Jay Pearson

Dear Senator Cantwell:

Thank you for forwarding an e-mail from your constituent, Douglas Rupp, concerning his community's efforts to obtain telephone service in an unserved area near Index, Washington. Mr. Rupp seeks assistance with his community's request for telephone service that currently is pending before the Washington Utilities and Transportation Commission (Washington Commission).

Consistent with the dual federal/state jurisdictional structure embodied in the Communications Act of 1934, as amended, section 214(e)(3) provides the Federal Communications Commission (Commission), with respect to interstate services, and a State commission, with respect to intrastate services, the authority to order a common carrier to provide the services supported by federal universal service support. In May 2005, Mr. Rupp and his neighbors petitioned the Washington Commission for an order to extend the exchange area boundary of Verizon's telephone exchange near Index, Washington, to include their properties. According to the most recent projections of the Universal Service Administrative Company, Verizon will receive approximately \$17.3 million in federal high-cost universal service support in 2005.¹ The purpose of federal universal service support is, among other things, to enable consumers in rural and high-cost areas to have access to telecommunications services at reasonable and affordable rates.

In June 2005, Verizon filed an answer to the petition and a motion to dismiss the petition, arguing that the Washington Commission does not have the authority to order Verizon to provide the requested service. The Washington Commission staff disagreed in its response dated August 17, 2005, and is awaiting action by the Washington Commission. These documents are available on the Web site provided by Mr. Rupp, www.wutc.wa.gov/050778. An evidentiary hearing on this matter is scheduled for December 12-13, 2005, assuming that the Washington Commission rejects Verizon's

¹ See USAC Quarterly Administrative Filing 2005, Fourth Quarter (4Q) Appendix, HC01, filed August 2, 2005, at <http://www.universalservice.org/overview/filings>.

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motion to dismiss the petition. If you should need further information on this matter, you may want to contact Bob Shirley of the Washington Commission staff at 360-664-1186.

Sincerely,



Cathy Carpino
Deputy Chief
Telecommunications Access Policy Division
Wireline Competition Bureau