

**Before the  
Washington Utilities and Transportation Commission**

In the Matter of the Petition of	)	
	)	Docket No. UT-023040
INLAND CELLULAR	)	
	)	PETITION FOR MODIFICATION
For Designation as Eligible	)	
Telecommunications Carriers	)	
Under 47 U.S.C. § 214(e)(2)	)	

Inland Cellular LLC (“Inland Cellular”) (d/b/a Inland Cellular), hereby petitions the Commission for modification of its Order designating Inland Cellular<sup>1</sup> eligible telecommunications carrier (“ETC”) status for purposes of receiving all available support from the federal Universal Service Fund (“USF”) including, but not limited to, support for rural, insular and high-cost areas and low-income customers.

**I. Background**

1. On July 10, 2002, Inland Cellular Telephone Company (“ICTC”), as general partner of and on behalf of both Washington RSA No. 8 Limited Partnership (d/b/a Inland Cellular) (study area code (“SAC”) 529003) and Eastern Sub-RSA Limited Partnership (d/b/a Inland Cellular) (SAC 529004), petitioned the Commission *For Designation as an Eligible Telecommunications Carrier* and the Commission granted ICTC’s petition in an order (Order 01) released August 30, 2002<sup>2</sup> (“*Inland Cellular Order*”).

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<sup>1</sup> See Docket No. UT-023040, *Order Granting Petition for Designation as an Eligible Telecommunications Carrier*, (August 30, 2002), Page 3, Footnote 10, “Hereinafter the operating company and the limited partnerships, collectively, will be referred to as “Inland Cellular””.

<sup>2</sup> See Docket No. UT-023040, *Order Granting Petition for Designation as an Eligible Telecommunications Carrier*, (August 30, 2002)

2. On September 19, 2005, ICTC submitted a petition to the Commission requesting modification of Docket No. UT-023040 (“*Inland Cellular Order*”). The Commission granted ICTC’s petition in an order with a service date of October 12, 2005<sup>3</sup>.

3. On September 7, 2011, and then revised on October 3, 2012, ICTC submitted a petition to the Commission requesting modification of Docket No. UT-023040 (“*Inland Cellular Order*”). In its petition, ICTC requested that the Commission modify Order 01 by changing the designation of the Asotin Telephone Company, Anatone exchange, to *full* from *partial* for ETC funding. In Docket No. UT-023040, Order 03, *ORDER GRANTING MODIFICATION*, the Commission Orders:

- 1) *The Commission modifies the partial designation of Inland Cellular as an ETC in the Anatone exchange in Order 01 to a full designation.*
- 2) *The Commission further modifies the list of exchanges in which Inland Cellular is designated as an ETC as reflected in Appendix A to this Order.*

4. Inland Cellular now requests that the Commission modify the *Inland Cellular Order*, on a going forward basis, to add language stating that Inland Cellular is an ETC throughout its licensed cellular service territory and remove the confinement of the list of exchanges reflected in the Appendix to the *Inland Cellular Order* as modified in Order 03.

## **II. Change of Ownership – No Longer Limited Partnerships**

5. All previous filings were performed by ICTC as general partner of and on behalf of Washington RSA No. 8 Limited Partnership (“WA8LP”) (d/b/a Inland Cellular) and Eastern Sub-RSA Limited Partnership (“WA5LP”) (d/b/a Inland Cellular). In late December of 2012,

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<sup>3</sup> See Docket No. UT-023040, Order No. 02, Order Granting Modification, (October 12, 2005)

ICTC purchased the remaining limited partnership interests in both WA8LP and WA5LP. ICTC formed a subsidiary called Inland Cellular LLC (d/b/a Inland Cellular) and by petition to the FCC in January of 2013, the cellular licenses for WA8LP and WA5LP were transferred to Inland Cellular LLC; shortly thereafter, all assets, liabilities, revenues and expenses of WA8LP and WA5LP were transferred to Inland Cellular LLC to consolidate recordkeeping.

### III. Changes in Universal Service Support

6. Contained in Order 01 and then modified in Order 03, is a list of non-rural telephone company exchanges (service areas) and rural telephone company service areas (exchanges)<sup>4</sup>. From its implementation until December 31, 2011, Universal Service Support for Competitive Eligible Telecommunications Carriers was based on the incumbent local exchange carriers' level of support for these areas/exchanges. This has been referred to as the Identical Support Rule. The FCC eliminated the Identical Support Rule<sup>5</sup> and froze identical support as of December 31, 2011, and started a five-year phase-out of this support which commenced on July 1, 2012. To replace this support for mobile providers, the FCC intends to implement Mobility Fund Phase II<sup>6</sup> which will not be dependent on incumbent local exchange carriers' level of support for these areas/exchanges. Instead, it will be predicated on eligible geographic areas and whether the area funded is within the mobile carrier's licensed service territory. In addition to its

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<sup>4</sup> The WUTC has explained that it uses wireline incumbent telephone company exchange names and boundaries to describe wireless and other ETC service areas, but the two designations are independent and the use of exchange names and boundaries is convenience only. See *In the Matter of the Petition of Sprint Corporation, d/b/a Sprint PCS, Sprintcom, Inc., Sprint Spectrum, L.P., and WirelessCo., L.P. for Designation as an Eligible Telecommunications Carrier*, Docket No. UT-043120, Order No. 01, ¶ 7, n.3; ¶ 47, n.19 (Jan. 13, 2005) (“*Sprint PCS Rural Order*”).

<sup>5</sup> See *Report and Order and Further Notice of Proposed Rulemaking, FCC 11-161*, at 29, 498, 519-520.

<sup>6</sup> See *Report and Order and Further Notice of Proposed Rulemaking, FCC 11-161*, at 28, 493-532.

licensed service territory, a mobile carrier can be authorized to serve additional areas. The additional areas arise when a bordering area is identified as being in the territory of another mobile carrier's licensed service territory, however, that mobile carrier may or may not have service in that bordering area. The process is that the mobile carrier that is seeking to provide service to the bordering area asks the mobile carrier whose licensed service territory the border area is contained in for an extension. Both mobile carriers sign-off on the extension through an extension agreement (extension of service area boundaries as contemplated by Section 22.903(d)(2) of the FCC's Rules and Regulations)<sup>7</sup>. The extension agreement is filed with the FCC. Inland Cellular does operate in such FCC extended service areas.

#### **IV. Conclusion**

7. The Commission has determined that the public interest is served by designating Washington RSA No. 8 Limited Partnership and Eastern Sub-RSA Limited Partnership (both *d/b/a* Inland Cellular) as ETC's. Inland Cellular now requests:

- A) The Commission to modify the *Inland Cellular Order*, on a going forward basis, to add language in the Ordering clause to state that Inland Cellular is an ETC "throughout its licensed cellular service territory as well as any extended service areas filed with the FCC;"
- B) Acknowledge the name change to Inland Cellular LLC (*d/b/a* Inland Cellular) (SAC 529003) (formerly Washington RSA No. 8 Limited Partnership); and,

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<sup>7</sup> Other sections that may be applicable for an Extension, FCC Rules, 47 C.F.R. §§ 22.902(d) and 22.905.

C) Acknowledge the name change to Inland Cellular LLC (d/b/a Inland Cellular)  
(SAC 529004) (formerly Eastern Sub-RSA Limited Partnership).

8. Inland Cellular respectfully requests that the Commission issue the requested modification set forth above and we thank the Commission for its time. With the pending ETC certifications due to the FCC later this fall, Inland Cellular requests expedited treatment of this Petition.

Respectfully submitted,

**Inland Cellular LLC**

By: 

James K. Brooks  
Treasurer/Controller

**BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**CERTIFICATE OF SERVICE**

I, James K. Brooks, hereby certify that I have, on this 7<sup>th</sup> day of August, 2013, placed in the United States mail, first-class postage pre-paid, a copy of the foregoing: In the Matter of the Petition of INLAND CELLULAR For Designation as Eligible Telecommunications Carriers Under 47 U.S.C. § 214(e)(2), Docket No. UT-023040, PETITION FOR MODIFICATION, filed today to the following:

Asotin Telephone Company  
TDS Telecom  
Gail Long, State Government Affairs  
Post Office Box 1566  
Oregon City, Oregon 97045

CenturyLink  
Mark Reynolds  
1600 7<sup>th</sup> Avenue  
Room 3206  
Seattle, Washington 98191-0001

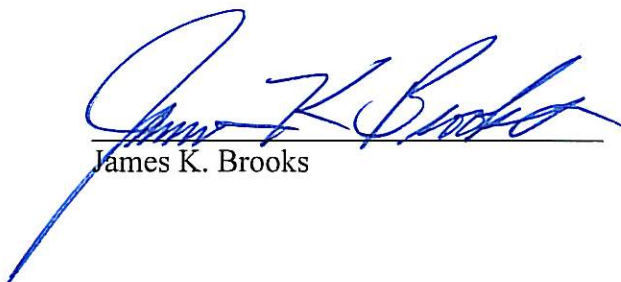
CenturyLink  
Tim Grigar, VP & GM  
8102 Skansie Avenue  
Gig Harbor, Washington 98332-8415

Frontier Communications Northwest, Inc.  
Carl Gipson, Director-State Gov. Relations  
1800 41<sup>st</sup> Street  
WA0105RA  
Everett, Washington 98206

Pioneer Telephone Company  
Dallas Filan, General Manager  
Post Office Box 207  
LaCrosse, Washington 99143-0207

St. John Telephone Company  
Greg Morasch, General Manager  
Post Office Box 268  
St. John, Washington 99171

Washington Independent Telephone Assoc.  
Betty Buckley, Exec Vice President  
2405 Evergreen Park Drive SW  
Suite B-4  
Olympia, Washington 98502-6053

  
James K. Brooks