

UT-023040 Inland Cellular Telephone Company

Chairwoman Showalter: Next item is A4. Regarding Inland Cellular Telephone Company.

Bob Shirley: Thank you Madame Chair. The last docket I gave away my memo and that is a benefit to all, so I will just say that the request of Inland Cellular is virtually identical and indeed their petition was often word for word identical to that of RCC and the staff recommendation is that the commission consider all the arguments that we need to, and material provided by staff in the memo today. And in RCC. I believe I will be followed by an opponent of this decision who will also make a brief comment so that we do not have a 2 hour discussion as we did with RCC. So with that I recommend adoption.

Chairwoman Showalter: Thank you. Any questions? Mr. Snyder or Mr. Finnigan.

Rick Finnigan: Rick Finnigan on behalf of the Washington Independent Telephone Association and its members and specifically Pioneer Telephone Company and Ponterey Telephone Company, Asotin Telephone Company, and St. John Cooperative Telephone and Telegraph Company. I had discussed this with Mr. Shirley earlier and indicated that I would send in a letter asking that the legal and policy issues raised with the U. S. Cellular filings and the RCC filings be incorporated into this. Just to preserve our record and on that basis that would conclude our comments. I did send that letter in and would just ask that you accept that request and we can move on.

Chairwoman Showalter: We have that. Question though. Do you have any comments on this particular application? I understand all of the general arguments that you were

making. But we have before us a particular application that is Inland. Is there anything about Inland per say that you want to add?

Rick Finnigan: The only difference between... The only additional argument that was advanced with RCC Minnesota that is not here with Inland Cellular. Is the issue of their maps and whether they can actually provide service in the areas that they say they can. That was issue that I presented with RCC Cellular and it does not appear to be here in this one. So I am not making that factual argument that I raised before. So the rest of the policy and legal arguments essentially that's what they were.

Chairwoman Showalter: In the previous case with RCC wasn't it Inland Telephone Company who traveled the RCC district trying to determine where coverage was and wasn't?

Rick Finnigan: Yes, Inland Telephone Company did that, yes.

Chairwoman Showalter: But in this case they are the ones who are applying?

Rick Finnigan: No they are not. Inland Telephone Company is applying in this case. It's a distinct company.

Chairwoman Showalter: What relationship does it have if any to?

Rick Finnigan: They are affiliates. But we stated that the last time. But they are distinct legal entities.

Chairwoman Showalter: So in this case. In this instance we don't have any comparable survey of the district in question. The geographical district in question, Is that correct? Comparable to what we had before us in the RCC docket?

Rick Finnigan: That's true.

Chairwoman Showalter: Thank you. Any other questions? Mr. Snyder.

Robert Snyder: Good morning, Robert Snyder with respect to this matter and I am appearing on behalf of Whidbey Telephone Company. We have made comments in connection with the RCC Minnesota application to the extent that it involved a division of areas, geographic areas that had previously been designated as service areas for eligible telecommunication carrier designation purposes. And like the previous speaker we simply ask that those same comments be incorporated into this record with respect to this application. There was a discussion there, like with the transcript, which is somewhat, the present version of the transcript which is somewhat confused. The relevant section of the Federal Act involved Title 47 USC as section 214E5. E as in Edward 5. Thank you very much.

Chairwoman Showalter: Thank you. I would like to ask you the same question. We have and we will take into consideration all the comments that you made in the RCC docket. Is there anything about this application Inland Cellular that you would like to add?

Robert Snyder: On behalf of Whidbey Telephone, no.

Chairwoman Showalter: Thank you. Commissioner Hemstad. No. All right. Thank you. Mr. Shirley did you have a further comment?

Bob Shirley: It may not be necessary. But if my comments weren't clear. I represented and I will say on the record that staff agrees in preparing the order and we will respect the incorporation of those policies, legal arguments and act accordingly. I appreciate the ability today to do this quickly. Thank you.

Commissioner Hemstad: In docket UT-023040 with regard to Inland Cellular Telephone Company, I move that the commission designate Inland Cellular Telephone

Company as an eligible telecommunications carrier for the exchanges and parts of exchanges listed in the attachment to the staff memo and direct Inland Cellular to provide a .shp map of its services areas.

Patrick Oshie: I second the motion.

Chairwoman Showalter: And the motion carries.