

**Stan Efferding dba Vilaire
7619 Burgess St. W Office
Lakewood, Wa. 98499
Ph: 206-419-5948 Fax: 253-475-6328**

April 2, 2003

Washington Utilities and Transportation Commission
PO Box 47250
Olympia, Wa 98504

Dear Sir or Madam:

Enclosed you will find our petition for designation as an ETC to be placed before the commission. We request this designation in order to obtain reimbursement from the federal government for providing service to customers eligible for the Washington Telephone Assistance Program.

We ask that our designation be made effective as of the date of our competitive classification in the state of Washington, December 18th, 2002. Vilaire has provided low-income service to thousands of Washington State residents qualified by the Washington Telephone Assistance Program between the date of classification and today. These customers have not been charged 50% of the activation charge for service due to the anticipated reimbursement for this fee from the Federal Government. A Federal Spin number has already been obtained by Vilaire in order to receive federal reimbursement for costs associated with providing the WTAP service. Vilaire was unaware that the ETC classification was necessary and/or different than our competitive classification (CLEC) in order to obtain the federal reimbursement. Vilaire cannot financially support this service with the reimbursement levels provided solely by WTAP. Vilaire has been ordered by the WUTC to provide WTAP services and has in good faith offered these services in anticipation of the full reimbursement from the Federal Government and the State.

Also attached is correspondence with the Central Services Division addressing Unbundled Network Elements (UNE's) as an ETC qualifying service (see attachment B).

Sincerely,

Stan Efferding

Petition for Designation as an Eligible Telecommunications Carrier (ETC)

Stan Efferding dba Vilaire

Pursuant to 214(e)(2) of the Telecommunications Act of 1934, as amended (“Act”), 47 USC 214(e)(2) and 54.201 of the Federal Communications Commission’s (“FCC”) rules, 47 CFR 54.201 and FCC Order 97-157. Stan Efferding dba Vilaire requests that it be designated as eligible to receive all available support from the Federal Universal Services Fund (“USF”) including, but not limited to, support for low-income customers. In support of this petition, the following is respectfully shown.

I. Name and address of Petitioner

1. The name and address of the Petitioner is Stan Efferding dba Vilaire, 7619 Burgess St. W. Office, Lakewood, Wa. 98499

II. Applicable Statutes and Rules

2. Statutes and rules implicated by the instant Petition are as follows: 47 USC 153(44), 214(e), 253(b), and 254(d); 47 CFR 51.5, 54.5, 54.2021 and FCC Order 97-157

III. Authorization and Service Area

3. Stan Efferding dba Vilaire, is a telecommunications carrier as defined in 47 USC 153(44) and 47 CFR 51.5 and FCC Order 97-157, and for the purposes of part 54 of the FCC’s rules.
4. A telecommunications carrier may be designated as an ETC and receive universal service support throughout its designated service area if it agrees to: (i) offer services that are supported by federal universal service support mechanisms, and (ii) advertise the availability of such services. In its First Report and Order implementing Sections 214(e) and 254, the FCC set forth the services a carrier must provide to be designated as an ETC in order to receive federal universal service support.

5. Section 214 (e)(1) of the Act provides that ETC designation shall be made for a “service area” designated by the state commission. In areas served by a non-rural company, the state commission may establish and ETC service area for a competitor without federal concurrence. **See attachment A for service areas requested for designation as an ETC.**

IV. Stan Efferding dba Vilaire, offers the supported services to Qualify for Federal USF Support

6. Section 214(e)(1) of the Act and Section 54.201(d) of the FCC’s rules provide that carriers designated as ETCs shall, throughout their service area, (1) offer the services that are supported by federal universal service support mechanisms either using their own facilities or a combination of their own facilities and resale of another carrier’s services, and (2) advertise the availability of such services and the charges therefore using media of general distribution. 47 USC 214(e)(1); CFR 54.201(d). The services which are supported by the federal USF are:

- 1) voice grade access to the public switched network;
- 2) local usage;
- 3) dual tone multi-frequency signaling or its functional equivalent;
- 4) single-party service or its functional equivalent;
- 5) access to emergency services;
- 6) access to operator services;
- 7) access to interexchange service;
- 8) access to directory assistance; and
- 9) toll limitation for qualifying low-income consumers

47 CFR 54.101(a)

7. Stan Efferding dba Vilaire, is contracted to lease Unbundled Network Elements in all areas serviceable by Qwest communications. Where Stan Efferding dba Vilaire leases Unbundled Network Elements, they are considered a facilities based provider according to FCC Order 97-157.

V. Statement of Need

8. Stan Efferding dba Vilaire is licensed as a competitive local exchange carrier with Washington State. Stan Efferding dba Vilaire serves many residents of the State of Washington who are on a limited income and public assistance. Stan Efferding dba Vilaire has been informed that it must offer the Washington Telephone Assistance Program to its customers that qualify for the program. Stan Efferding dba Vilaire is requesting ETC designation in order to obtain reimbursement of its costs to comply with this rule.

VI. Grant of Stan Efferding dba Vilaire Application would serve the public interest

9. By granting ETC designation to Stan Efferding dba Vilaire, this Commission will greatly benefit the people of Washington who qualify by lowering their telephone bills and allowing more money for other needs of these citizens and their families

Wherefore, pursuant to Section 214(2)(2) of the Act, Stan Efferding dba Vilaire respectfully requests that the Commission enter an Order designating Stan Efferding dba Vilaire as an ETC for the State of Washington.

Respectfully Submitted

Stan Efferding dba Vilaire

By: _____

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