

DECISION MEMORANDUM

**TO: COMMISSIONER REDFORD
COMMISSIONER SMITH
COMMISSIONER KEMPTON
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL**

**FROM: WELDON STUTZMAN
DEPUTY ATTORNEY GENERAL**

DATE: JULY 31, 2008

**SUBJECT: CASE NO. SYR-T-08-01
APPLICATION OF SYRINGA WIRELESS FOR DESIGNATION AS AN
ELIGIBLE TELECOMMUNICATIONS CARRIER**

On April 30, 2008, Syringa Wireless LLC filed an Application requesting designation as an eligible telecommunications carrier (ETC) pursuant to Sections 214(e)(1)-(2) of the Telecommunications Act of 1934 as amended by the federal Telecommunications Act of 1996. The Commission is authorized to designate carriers as ETCs, and set forth requirements for designation in Order No. 29841 issued August 4, 2005 in Case No. WST-T-05-1. The Application states that Syringa Wireless is a commercial mobile radio service carrier providing mobile service as defined in the federal statute, and also provides intrastate telecommunications services. See 47 U.S.C. § 153(27) and 47 U.S.C. § 153(22). Syringa provides service in 17 counties in south and east Idaho.

Syringa's Application states that it satisfies all of the statutory and regulatory requirements for ETC designation. Syringa asserts that it will offer the services required for carriers to be eligible for federal Universal Service Funds, including voice grade access to the public switched telephone network, local calling, and access to emergency services and ability to remain functional in emergency situations. Syringa requests that it be designated as eligible to receive all available support from the federal Universal Service Fund including support for rural, insular and high-cost areas and low-income customers in geographic areas, and that it be approved to participate in the Lifeline program. Syringa's Application asserts that its designation as an ETC is consistent with the public interest, convenience and necessity, and that it is consistent with the purposes and fundamental goals of preserving and advancing universal

service, ensuring the availability of quality telecommunications services at just, reasonable and affordable rates, and promoting the deployment of advanced telecommunications services to rural and high-cost areas. Syringa asserts that it satisfies the items considered by the Federal Communications Commission when analyzing the public interest benefits of an ETC application: (1) unique advantages and disadvantages of the competitor's service offering through a cost-benefit analysis, (2) potential for cream skimming, and (3) impact on the federal Universal Service Fund.

Staff recommends that the Commission approve the Application as to the non-rural wire centers listed in the Application. Satisfied that the Application meets the minimal requirements, Staff recommends that the Commission approve the Application in the rural wire centers served by Albion Telephone Company, CenturyTel of Idaho, Custer Communications, Direction Communications, Filer Mutual, Fremont Telecom Company, Mud Lake, Project Mutual, Citizens Communications/Frontier Communication, Silver Star-Teton and Silver Star Communications. Staff recommends that the Commission deny the Application for the non-rural wire centers served by Midvale Telecom Company, and Rural Telephone Company, as these wire centers represent partial service areas.

COMMISSION DECISION

Should the Application of Syringa Wireless LLC for designation as an eligible telecommunications carrier be approved?



Weldon B. Stutzman
Deputy Attorney General

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