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IDAHO PUBLIC
UTILITIES COMMISSION

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION
OF WWC HOLDING CO., INC. D/B/A
CELLULAR-ONE® SEEKING
DESIGNATION AS AN ELIGIBLE
TELECOMMUNICATIONS CARRIER
THAT MAY RECEIVE FEDERAL
UNIVERSAL SERVICE SUPPORT.

Case No. WST-T-05-01

**IDAHO TELEPHONE ASSOCIATION'S
COMMENTS**

The Idaho Telephone Association ("ITA"), by and through its attorneys, Givens Pursley LLP, files these Comments in response to the Idaho Public Utilities Commission's Notice of Request for Additional Public Comments (Order No. 29791) in the above entitled case ("Notice").

The Commission's Notice requests comments on whether or not the Commission should adopt the Federal Communications Commission's rules regarding the designation of eligible telecommunications carriers ("ETC"), codified at 47 CFR § 54.202. For the reasons previously stated in its Motion to Dismiss, the ITA urges the Commission to adopt the FCC's rules in their entirety. Taken as a whole, the rules provide a reasonable and predictable framework for future ETC decisions, and they are generally consistent with previously enunciated Commission policies.

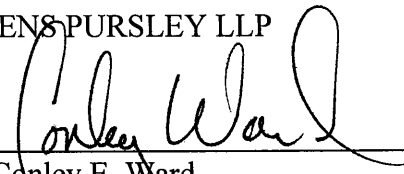
The ITA is particularly concerned with the adoption of two rules. The first is section (a)¹ of the FCC rules, 47 CFR § 54.202(a)(1). Subsection A of this initial rule requires an ETC applicant to make a number of commitments designed to insure that the applicant will make reasonable efforts to fulfill the carrier of last resort obligations that come with ETC status. Subsection B of the rule requires submission of five-year plans that explain precisely where and how USF support will be deployed to serve the public interest. The ITA submits that both aspects of this rule are reasonable and necessary to insure that public funds are in fact used for their intended purposes.

The second rule that the ITA regards as particularly crucial appears in 47 CFR § 54.202(c). This rule requires the Commission to conduct a public interest review and, in cases where an ETC applicant seeks designation for an area below the full study area of a rural telephone company, a “cream skimming” analysis. Again, this rule is both reasonable and necessary to prevent unfair competition and excessive USF support for competitive ETCs.

Finally, the ITA suggests one small addition to the FCC’s rules. As written, Section 54.202(a)(5) requires an ETC applicant to “acknowledge” that it may be required to provide equal access to long distance carriers if no other ETC is providing equal access within the service area. The ITA suggests that a mere “acknowledgement” of this obligation is meaningless if the carrier can later plead that it is technically incapable of meeting this requirement when compelled to do so. Consequently, the ITA recommends that the Commission additionally require applicants to explain how they would provide equal access to long distance carriers if that becomes necessary.

RESPECTFULLY SUBMITTED this 17th day of June, 2005.

GIVENS PURSLEY LLP

By 
Conley E. Ward
Attorneys for Idaho Telephone Association

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of June, 2005, I caused to be served a true and correct copy of the foregoing document by the method indicated below and addressed to the following:

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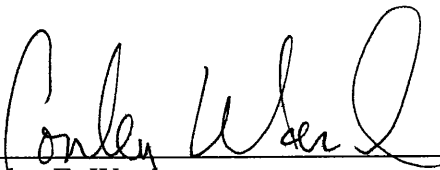
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