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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. DBA CELLULAR-ONE® SEEKING DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER THAT MAY RECEIVE FEDERAL UNIVERSAL SERVICES SUPPORT	)	**CASE NO. WST-T-05-1**

VERIZON COMMENTS REGARDING THE FCC'S ETC REQUIREMENTS

Pursuant to the Idaho Public Utilities Commission's ("Commission") May 27, 2005 Notice of Request For Additional Public Comment, Verizon Northwest Inc. ("Verizon") provides the following comments regarding whether the Commission should adopt the FCC's recently amended eligible telecommunications carrier ("ETC") standards and requirements[1] in determining whether to grant ETC status to an applying carrier.

I. INTRODUCTION

On January 1, 1998, Verizon was designated as an ETC by the Commission in Case No. GTE-T-97-12 for its service area. Verizon believes new regulatory burdens would not be warranted because, as a wireline incumbent local exchange carrier ("LEC"), Verizon is already subject to customer relations rules and to numerous financial reporting requirements established by the Commission. Thus, Verizon is in a different situation from a wireless carrier or a non-incumbent wireline ETC that is not already subject to these detailed requirements. Verizon urges the Commission to not impose new, more burdensome requirements upon Verizon in order to maintain its ETC status.

[1] Report and Order, *In the Matter of Federal-State Joint Board on Universal Service*; CC Docket No. 96-45; FCC 05-46 (rel. March 17, 2005) ("*ETC Order*").

II. FCC ELIGIBILITY REQUIREMENTS

The FCC has adopted additional eligibility requirements for ETCs that include: 1) providing a five-year plan that demonstrates how high-cost universal service support will be used to improve coverage, service quality, or capacity in every wire center for which it seeks designation and expects to receive universal service support; 2) demonstrate its ability to remain functional in emergency situations; 3) demonstrate that it will satisfy consumer protection and service quality standards; 4) offer local usage plans comparable to those offered by the incumbent local exchange carrier in areas for which it seeks designation; and 5) acknowledge that it may be required to provide equal access if all other ETCs in the designated service area relinquish their designation pursuant to 47 USC 214(e)(4). *ETC Order* at 2. Although Verizon supports the principles of competitive and technological neutrality as significant considerations in the overall public interest analysis that the Commission must undertake for ETC designation, there are circumstances in Idaho that require a departure from the FCC's ETC eligibility requirements at the state level.

First, because Verizon is already subject to detailed financial reporting requirements, an additional requirement to provide a "five-year plan" showing what it would do with universal service funds would be redundant and unnecessary. Second, the FCC's requirement for an ETC to "demonstrate its ability to remain functional in emergency situations" would be unnecessary because as an incumbent LEC with Carrier of Last Resort (COLR) responsibilities, Verizon is already committed to maintain service in the face of weather and other emergencies. Third, the FCC's new requirement for an ETC to "demonstrate its commitment to meeting consumer protection and service quality standards" would be redundant with existing state customer protection rules already in place in Idaho.[2] Therefore there is no need for the Commission to adopt this new FCC standard. Fourth, the FCC's eligibility requirement for an ETC to "demonstrate that it offers a local usage plan comparable to the one offered by the incumbent LEC in the service areas for which the applicant seeks designation" makes no sense when the ETC is also the incumbent LEC, such is Verizon. Finally, the FCC eligibility requirement for ETC applicants to acknowledge that the FCC may require equal access in the event that no other ETC is providing equal access within the same service area also is not applicable to an incumbent LEC, such as Verizon, because it is already subject to equal access requirements. However, if a CLEC ETC serves an area where equal access is not available, it should be ordered to provide it.

III. FCC ANNUAL CERTIFICATION AND REPORTING REQUIREMENTS

The FCC has created annual reporting requirements for ETCs including: 1) progress updates on its five-year service quality improvement plan; 2) detailed information on network outages caused by emergencies; and 3) a count of unfulfilled customer requests for service and number of complaints per 1,000 handsets or lines. *ETC Order* at 3. These requirements should not apply to an incumbent LEC, such as Verizon, for the same reason that the underlying requirements should not apply, as discussed above.

V. CONCLUSION

For all of the foregoing reasons, the Commission should not impose new, more burdensome ETC requirements upon incumbent LECs, such as Verizon.

Dated: June 17, 2005

Authorized Representative

[2] IDAPA 31.41.01.