ORIGINAL

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE COMMISSION'S CERTIFICATION OF RURAL CARRIERS' ELIGIBILITY TO RECEIVE FEDERAL HIGH-COST UNIVERSAL SUPPORT, PURSUANT TO THE TELECOMMUNICATIONS ACT OF 1996, THE FCC'S MAY 23, 2001 ORDER, AND OTHER RELATED FCC ORDERS	)	CAUSE NO. 42067 APPROVED: DEC 05 2013

ORDER OF THE COMMISSION

Presiding Officers:
David E. Ziegner, Commissioner
David E. Veleta, Administrative Law Judge

On May 23, 2001, the Federal Communications Commission ("FCC") issued an Order[1] ("the FCC's RTF Order") assigning to state commissions the responsibility of certifying whether rural carriers are using federal high-cost support in a manner consistent with the requirements of Section 254(e) of the Telecommunications Act of 1996 ("Section 254(e)"). Pursuant to Section 254(e), carriers must use universal service support "only for the provision, maintenance, and upgrading of facilities and services for which the support is intended." The FCC's RTF Order provided that state certifications should be submitted by October 1 each year for payments to be made during the following calendar year. If a rural carrier is not certified by its state commission, it will not receive federal high-cost support.

In order to carry out the FCC's directive, this Commission issued a consolidated order on August 22, 2001 in this Cause and Cause No. 40785 prescribing forms to be filled out and procedures to be followed by those rural carriers seeking certification ("August 22, 2001 Order"). Upon reviewing the applications submitted by rural carriers seeking certification, the Commission has since issued orders annually in this Cause certifying the eligibility of Indiana rural carriers to receive federal high-cost support. Since August 22, 2001, the Commission's certification responsibility was codified "concerning universal service and access to telecommunications service and equipment, including the designation of eligible telecommunications carriers under 47 U.S.C. 214." Indiana Code § 8-1-2.6-13(d)(5).

The FCC requires that carriers maintain detailed records. Specifically, recipients of high-cost support must "retain all records that they may require to demonstrate to auditors that the support they received was consistent with the Act and the Commission's rules[.]" *Comprehensive Review of the Universal Service Fund Management, Administration, and Oversight,* 22 FCC Rcd 16372, 16383-16384 (2007). The documents include, "without limitation", data supporting the calculation of line counts; customer records; fixed asset

[1] *Federal-State Joint Board on Universal Service, 16 FCC Rcd 11244 (2001).*

accounting documents; invoices and contracts for the purchase and maintenance of equipment or its upgrading; ledgers; and any other relevant documentation pertaining to the use of universal service funds. *Id.* In our Order in this Cause issued on September 19, 2007, we advised carriers that such documentation must be maintained, consistent with FCC mandates, and that the Commission may request such documentation in the future to assure that carriers' costs are compliant and that carriers are eligible for certification.

On November 18, 2011, the FCC adopted the USF/ICC Transformation Order[2]. The USF/ICC Transformation Order modified requirements for Section 254(e) annual state certifications regarding carriers use of high cost support.[3] States are required to annually certify that the Eligible Telecommunications Carriers ("ETCs") they designate use support consistent with Section 254(e) in order to receive high-cost support. The USF/ICC Transformation Order requires states to certify that all federal high-cost and Connect America Fund ("CAF") support was used in the preceding calendar year and will be used in the new calendar year only for the provision, maintenance and upgrading of facilities and services for which the support is intended.[4] The FCC also eliminated the separate certification requirements for rural and non-rural carriers and consolidated all certification rules for the two classes of carriers into a single rule. ETCs' separate certification requirements for Interstate Access Support and Interstate Common Line Support were eliminated.[5]

Upon reviewing the completed applications, the Commission now finds that the applications that have been submitted by the applicants listed in Attachment A demonstrate the requisite compliance with the requirements of Section 254(e) of the Telecommunications Act of 1996, as interpreted by the FCC's RTF Order and this Commission's August 22, 2001 Order. More specifically, based on the completed applications, we find that all entities listed in Attachment A to this Order will be using federal high-cost support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, consistent with Section 254(e).

In accordance with the FCC's RTF Order and the USF/ICC Transformation Order, we direct the Commission's Secretary to inform the Universal Services Administrative Company ("USAC") and the FCC that this Commission has certified that the carriers identified in Attachment A to this Order have met the requirements of Section 254(e) and the FCC's RTF Order.

IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:

1. The Indiana carriers identified in Attachment A to this Order shall be, and hereby are, certified by this Commission as having satisfied the requirements of Section 254(e) and the FCC's RTF Order.

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[2] *Connect America Fund, 26 FCC Rcd 17663 (2011)* ("USF/ICC Transformation Order").
[3] 47 C.F.R. § 54.314.
[4] 26 FCC Rcd at 17860.
[5] *Id.* at 17862.

2. The Commission's Secretary shall inform the FCC and USAC by December 16, 2013 that the aforementioned Indiana carriers have been so certified.

3. The Commission's Secretary shall forward a copy of this Order to all carriers identified in Attachment A.

4. This Order shall be effective on and after the date of its approval.

ATTERHOLT, LANDIS, AND ZIEGNER CONCUR; MAYS ABSENT:

APPROVED: DEC 05 2013

I hereby certify that the above is a true and correct copy of the Order as approved.

Shala M. Coe

Shala M. Coe
Acting Secretary to the Commission

ATTACHMENT A
Carrier Certification List
IURC Cause No. 42067

Eligible Telecommunications Carrier	Subdocket No.	SAC
Bloomingdale Home Telephone Company	HLS-8	320742
CNM-Rus, Inc (formerly known as Cinergy MetroNet)	NA	329010
Camden Telephone Co., Inc.	HSL-7	320744
Century Telephone of Central Indiana, Inc.	HSL- 9	320747
Century Telephone of Odon, Inc.	HSL-10	320801
Citizens Telephone Corp.	HSL-11	320751
Clay County Rural Telephone Coop., Inc. (d/b/a Endeavor Communications)	HLS-12	320753
Communications Corporation of Indiana	HLS-3	320776
Communications Corporation of Southern Indiana	HSL-4	320809
Craigville Telephone Co., Inc.	HSL-13	320756
Daviess-Martin County Rural Telephone Corp.	HSL-30	320759
Frontier Communications of Indiana, Inc.	HSL-14	320750
Frontier of Thorntown LLC	HLS-15	320828
Frontier Midstates Inc. d/b/a Frontier (Formerly Verizon North Systems – Alltel Study Area)	HLS-40	323034
Frontier North, Inc d/b/a Frontier (Formerly Verizon North Systems – GTE & Contel Study Areas)	NA	320772/320779
Geetingsville Telephone Co., Inc.	HLS-16	320771
Hancock Rural Telephone Corp.	HLS-33	320775
Hancock Communications, Inc.	HLS-42	329007
Home Telephone Company, Inc.	HLS-6	320778
Home Telephone Company of Pittsboro, Inc.	HLS-5	320777
Ligonier Telephone Company, Inc.	HLS-29	320783
Merchants & Farmers Telephone Company, Inc.	HLS-36	320788
Monon Telephone Co., Inc.	HLS-17	320790
Mulberry Cooperative Telephone Company, Inc.	HLS-18	320792
New Lisbon Telephone Co., Inc.	HLS-19	320796
New Paris Telephone, Inc.	HLS-32	320797
Northwestern Indiana Telephone Co., Inc.	HLS-38	320800
Perry-Spencer Rural Telephone Coop., Inc.	HLS-32	320807
Pulaski-White Rural Telephone Coop., Inc.	HLS-20	320813
Rochester Telephone Co., Inc.	HLS-35	320815
SEI Data, Inc.	HLS-44	329009
S&W Telephone Co., Inc.	HLS-21	320816
Smithvillle Telephone Co., Inc.	HLS-1	320818
Southeastern Indiana Rural Telephone Corp.	HLS-22	320819
Sunman Telecommunications Corp., Inc.	HLS-23	320825
Swayzee Telephone Co., Inc.	HLS-24	320826
Sweetser Telephone Co. Inc.	HLS-25	320827
Tipton Telephone Co., Inc.	HLS-2	320829
Tri-County Telephone Co., Inc.	HLS-34	320830
United Telephone of Indiana d/b/a CenturyLink	NA	320832
Washington County Rural Telephone Co., Inc.	HLS-26	320834
West Point Telephone Company	HLS-27	320837
Yeoman Telephone Company	HLS-28	320839