

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

UNDOCKETED

NOTICE OF STAFF WORKSHOP

TO: ALL INTERESTED PERSONS

RE: POLICY ISSUES RELATING TO ELIGIBLE TELECOMMUNICATIONS CARRIERS

ISSUED: August 2, 2007

NOTICE is hereby given that staff of the Florida Public Service Commission will conduct a workshop to which all persons are invited, at the following time and place:

Monday, August 20, 2007 – 1:00 p.m. – 5:00 p.m.  
Room 148, Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida

The workshop is being held to discuss certain policy issues in regard to eligible telecommunications carriers. Commissioners may participate.

If you wish to comment but cannot attend the workshop, please submit your comments to: Kira Scott, Appeals, Rules & Mediation Section, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0852 (850) 413-6216. A copy of the agenda is attached to this notice.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Office of Commission Clerk at (850) 413-6770 at least 48 hours prior to the workshop. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1-800-955-8771.

By DIRECTION of the Florida Public Service Commission, this 2nd day of August, 2007.



ANN COLE  
Commission Clerk

(SEAL)

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DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

## **AGENDA**

### **ELIGIBLE TELECOMMUNICATIONS CARRIER WORKSHOP**

August 20, 2007 - 9:30 a.m.  
Room 148, Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, FL

#### **OPENING REMARKS OF COMMISSION STAFF**

#### **DISCUSSION OF ISSUES**

- Specifics of Filing an ETC Petition with the FPSC
  - Provision of Supported Services listed in 47 C.F.R. §54.101(a)(1)
  - Demonstration of Commitment to Provide Service
  - Demonstration of Ability to Remain Functional in an Emergency Situation
  - Offering of Comparable Local Usage
  - Acknowledgement of potentially being required to provide equal access
- Annual Certification
- Revocation of eligible telecommunications carrier status
- Requirements for previously designated eligible telecommunications carriers and future designations
- Lifeline and Link-up advertising requirements
- Review of Records
- Relinquishment of ETC status

#### **QUESTIONS TO BE ANSWERED – (ETCs should come prepared to answer the following questions at the workshop.)**

- 1) What is the role and authority of the FPSC in the USF process?
- 2) How many ETCs should be designated in a rural wire center?
- 3) How many ETCs should be designated in a non-rural wire center?

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- 4) If a limit is set on the number of ETCs designated in a wire center, how should it be decided which ETC(s) serve it? (e.g., one wireline & one wireless?)
- 5) How should "Public Interest" be determined for ETC designation in a rural area?
- 6) Can a state apply a "Public Interest" standard found in § 214(e)(2) of the Telecommunications Act of 1996, to carriers seeking ETC status in non-rural study areas? If so, how should "Public Interest" be determined for ETC designation in a non-rural area?
- 7) What additional criteria should be required to obtain ETC status for high-cost funds? (e.g., USF funds must be invested in Florida? USF funds must be used in unserved areas?)
- 8) Pursuant to § 214(e)(1), should an entity be required to establish its ability to serve all customers of the current ETC, if the incumbent ETC relinquishes its designation?
- 9) In Order No. PSC-07-0288-PAA-TP, the FPSC concluded that ". . . we now have jurisdiction to consider CMRS applications for ETC designation." Given that the FCC's jurisdiction to designate a carrier as an ETC, in § 214(e)(6) of the Telecommunications Act of 1996, is premised on a state commission not having jurisdiction, can the FCC designate any additional carriers within Florida?
- 10) Can the FCC continue to perform annual certification of carriers that it has designated if it no longer has jurisdiction under § 214(e)(6) of the Telecommunications Act of 1996?
- 11) Should an ETC be required to offer all supported services pursuant to 47 C.F.R. § 54.101(a)(1), not just, e.g., Lifeline and Link-Up?
- 12) If an ETC uses its ETC designation only for the purposes of providing Lifeline service, should a waiver be sought of other requirements to offer services? What is the extent of the FPSC's authority to grant such waivers?
- 13) What can Florida do to relinquish its role as being the number one net contributor to the USF fund?
- 14) In considering the "Public Interest" standard for ETC designation, to what degree should the following aspects be considered:
  - a. The benefits of increased customer choice?
  - b. The impact of the designation on the universal service fund?
  - c. The unique advantages and disadvantages of the competitor's service offering?
- 15) How should the comparable local usage requirement of ETC designation be considered?

- 16) Should the amount of per-line support received by the incumbent LEC be a consideration in ETC designation?
- 17) Should a requirement of one line per household for USF be imposed? Does the FPSC have the authority to take such action?
- 18) Should ETCs be required to list the projects and locations of all projects for which USF funds will be used in their five-year plans? Should ETCs be required to provide an explanation if a project isn't completed by the time of the next annual recertification?
- 19) How should the benefit be measured of adding plant in a wire center using USF funds? (e.g., more customers? more handsets? better coverage?)
- 20) What criteria should be used to determine if an ETC is meeting the Lifeline and Link-Up advertising requirements?
- 21) What criteria should be met if an ETC decides it wishes to relinquish its ETC designation?
- 22) What are the differences in the requirements to be an ETC versus the requirements of a carrier of last resort (COLR)?
- 23) Do the responsibilities associated with ETC designation differ from those afforded a COLR under state law? If so, what are the differences and similarities?
- 24) Should a company which is a reseller and who also leases network elements be required to have a certain percentage of customers served by the leasing of network elements to meet the "own facilities" requirement?
- 25) What percentage of wireless CETC support should go to new towers in unserved areas?
- 26) What other issues need to be addressed when considering ETC policy?

#### **QUESTIONS FROM PARTICIPANTS**

#### **SCHEDULE FOR ANY POST-WORKSHOP WRITTEN COMMENTS**

#### **CLOSING REMARKS**