



**ITS TELECOMMUNICATIONS SYSTEMS, INC.**

15925 SW Warfield Blvd. • P. O. Box 2770 CENTER  
Indiantown, Florida 34956  
772-597-2111

10 MAY -6 AM 7:02

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COMMISSION CLERK  
10 MAY -6 AM 10:19

May 3, 2010

Mrs. Ann Cole, Director  
Division of the Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

RE: FPSC Docket No. 100150-TL  
State Certification of Rural Telecommunication Carriers pursuant to 47 C.F.R.  
§54.314

Dear Mrs. Cole:

Enclosed for filing in the above referenced docket is the original and three (3) copies of the signed Affidavit of Michael Abramson on behalf of ITS Telecommunications certifying that all federal high cost support received by ITS Telecommunications in 2011 will only be used for the provisioning, maintenance, and upgrading of facilities and services for which such support is intended.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning same to me.

Thank you for your assistance in this matter and should you have any questions, please contact me at (772) 597-3161

Sincerely,

Donna J. Marreel  
Regulatory Manager

cc: Jeffrey S, Leslie, President  
Michael Abramson, Vice President

- COM \_\_\_\_\_
- APA \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL 1
- RAD** 2
- SSC \_\_\_\_\_
- ADM \_\_\_\_\_
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**FPSC DOCKET NO. 100150-TL  
State Certification of Rural Telecommunication Carriers Pursuant to  
47 C.F.R. §54.314**

**AFFIDAVIT**

**STATE OF FLORIDA  
COUNTY OF MARTIN**

BEFORE ME, the undersigned authority, personally appeared **Michael Abramson**, known to me to be a credible person and of lawful age, who deposed and said:

My name is Michael Abramson. I am employed by **ITS Telecommunications Systems, Inc.** (ITS or the "Company") as Vice President. I possess substantial knowledge of the Company's operations and am an officer authorized to give this affidavit on behalf of the Company. This affidavit is being given to support the certification of the Florida Public Service Commission ("Commission") as contemplated in 47 C.F.R. §54.314.

ITS hereby certifies that it will utilize all federal high-cost support it receives during 2011 only for the provision, maintenance and upgrading of facilities and services for which the support is intended, consistent with 47 U.S.C. § 254(e) of the Telecommunications Act of 1996.

1. In lieu of providing progress reports on a five-year service quality improvement plan, ITS submits that certain requirements, procedures and processes to which the Company adheres, and which are further explained in the following paragraphs, constitute the Company's progress report with respect to the receipt and utilization of federal universal service support. Under the existing rules and processes discussed the federal support funds received by the Company and other rural incumbent local exchange carriers ("ILECs") are, in fact, an integral part of the rural ILEC's recovery of expenditures incurred in the provision, maintenance and upgrading of its provision of universal service. Essentially, the Company receives federal universal service support ("USF") through various programs which are administered through the Universal Service Administrative Company ("USAC"). USAC has contracted with the National Exchange Carrier Association, Inc. ("NECA") to assist in data collection necessary for the remittance of USF. The company submits, not less frequently than annually, detailed information requested by NECA in the USF data collection process. USF data used in the USF calculations by NECA must also be filed with the FCC by November 1<sup>st</sup> of each year.

Rural ILECs must attest to the information submitted. Further, NECA and its auditors must attest to the validity and integrity of NECA's process. In other words, the ILEC cost studies and responses to data collection requests are subject

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to audit. The information provided in response to all of the universal service fund mechanisms utilizes FCC accounts for regulated costs and must be in compliance with FCC rules in Parts 32, 36, 54 and 64.

All cost studies submitted by rural ILECs and all USF funding submitted by rural ILECs must be based upon financial statements. In addition, NECA performs focus reviews of cost studies as well as the USF filings for the cost companies involved in the NECA process. In addition, an officer of the rural ILEC must certify the accuracy and validity of the filed information. This process ensures that the Company will not be deprived of the USF funding upon which the Company depends to provide rural telephone customers with affordable and quality telecommunications services.

The federal USF received by the Company and other rural ILECS is divided into four categories: High Cost Loop Support ("HCLS"); Local Switching Support ("LSS"); Interstate Common Line Support ("ICLS"); and Safety Net Additive Support ("SNAS"). Each of these mechanisms has been created by the FCC in conjunction with the Federal-State Joint Board on Universal Service. This means that representatives from State Commissions have also been involved in the development of these mechanisms through their representation in the Joint Board process.

HCLS for rural ILECs is based upon each company's embedded, unseparated loop cost. These costs are calculated using a set of complex algorithms approved by the FCC, the inputs for which are scrutinized by NECA. Therefore, HCLS is reimbursing ILECs for investments and expenses already incurred.

LSS rules established by the FCC use the embedded costs of the rural ILECs associated with switching investments, depreciation, maintenance, expenses, taxes and an FCC established rate of return. Therefore, LSS is reimbursing ILECs for investments and expenses already incurred. This amount is used to offset the rural ILECs interstate switching revenue requirement. The difference between the interstate switching revenue requirement, again as set forth in the company's annual interstate cost study and LSS, makes up the switching rate which is charged to interexchange carriers.

ICLS is a universal service mechanism which is based upon each company's embedded, interstate loop cost and allows rate-of-return companies to offset interstate common line access charges and recover its interstate common line

revenue requirement and still allow SLCs to remain affordable to customers. ICLS is reimbursing ILECs for investments and expenses already incurred. The

ICLS calculation uses the interstate cost structure of a rural incumbent local exchange carrier ("ILEC") based upon annual interstate cost studies that are submitted and certified by the companies and received by NECA. The difference between the interstate common line revenue requirement, again as set forth in the company's annual interstate cost study and the SLC revenue collected from end users, makes up the ICLS.

LSS rules established by the FCC use the embedded costs of the rural ILECs associated with switching investments, depreciation, maintenance, expenses, taxes and an FCC established rate of return. Therefore, LSS is reimbursing ILECs for investments and expenses already incurred. This amount is used to offset the rural ILECs interstate switching revenue requirement. The difference between the interstate switching revenue requirement, again as set forth in the company's annual interstate cost study and LSS, makes up the switching rate which is charged to interexchange carriers.

SNAS is support above the HCLS cap for carriers that make significant investment in rural infrastructure in years in which HCLS is capped. To receive this support, a rural ILEC must show that growth in telecommunications plant in service (TPIS) per line is at least 14 percent greater than the study area's TPIS in the prior year. Carriers seeking to qualify for SNAS must provide written notice to USAC that a study area meets the 14 percent TRIS trigger.

2. ITS hereby certifies that it follows appropriate procedures for network outage reporting as per the Federal Outage Reporting Order and State Outage Reporting Requirements. For the period between March 1, 2009 and March 1, 2010, ITS did not have any Federal FCC reportable outages.

ITS had one State PSC reportable outage that occurred on March 2, 2009. This resulted in all of our customers being without service for a period of one hour and 15 minutes.

3. ITS hereby certifies that it did fulfill all requests for service from potential customers.
4. ITS hereby certifies that it received zero FCC complaints during the period March 1, 2009 through March 1, 2010. ITS received one (1) complaint filed with the FPSC during the period March 1, 2009 to March 1, 2010.

State Certification of Rural Telecommunication Carriers Pursuant to 47 C.F.R. §54.314

- 5. ITS hereby certifies that it complies with the applicable state PSC quality of service standards and state consumer protection rules in accordance with Florida Statutes and the Florida Administrative Code.
- 6. ITS hereby certifies that it is able to function in emergency situations.
- 7. ITS hereby certifies that it offers a tariffed local usage plan.
- 8. ITS hereby certifies that it provides equal access to long distance carriers.

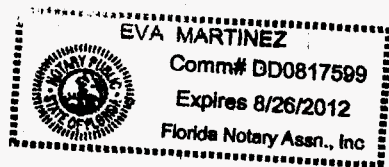
FURTHER AFFIANT SAYETH NOT.

*Michael Abramson*

Michael Abramson  
Vice President  
ITS Telecommunications Systems, Inc.

STATE OF FLORIDA  
COUNTY OF MARTIN

Acknowledged before me this 3rd day of May, 2010 by Michael Abramson, as Vice President of ITS Telecommunications Systems, Inc., who is personally known to me and did not take an oath.



*Eva Martinez*  
Eva Martinez  
Notary Public

Personally known   
Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_