

<b>REQUEST TO ESTABLISH DOCKET</b> (Please type or print. File original with CLK.)		
Date:	6/9/2016	
1. From Division / Staff:	Office Of Telecommunications/C. Beard <i>CB</i> <i>AT</i> <i>WJ</i>	
2. OPR:	C. Beard ; G Fogleman ; S. Deas ; Curtis Williams	
3. OCR:		
4. Suggested Docket Title:	Application for designation as eligible telecommunications carrier (ETC) by Phone Club Corporation.	
5. Program/Module/Submodule Assignment:	A19; B11	
6. Suggested Docket Mailing List		
a. Provide NAMES/ACRONYMS, if registered company		<input checked="" type="checkbox"/> Provided as an Attachment
Company Code, if applicable:	Parties (include address, if different from MCD):	Representatives (name and address):
TX676		
b. Provide COMPLETE NAME AND ADDRESS for all others (match representatives to companies)		
Company Code, if applicable:	Interested persons, if any, (include address, if different from MCD):	Representatives (name and address):
7. Check one:	<input checked="" type="checkbox"/> Supporting documentation attached	<input type="checkbox"/> To be provided with Recommendation
Comments:		

RECEIVED-FPSC  
 2016 JUN 13 PM 3:45  
 COMMISSION CLERK

May 17<sup>th</sup>, 2016.

Ms. Catherine Beard

Commission Clerk

Office of Commission Clerk & Administrative Services

Florida Public Service Commission

2540 Shumard Oak Boulevard

Tallahassee, Florida 32399-0850

Re: Phone Club Corporation – Application for Designation of Eligible Telecommunications Carrier

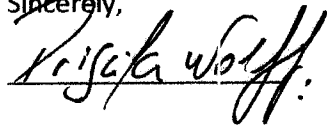
Dear Ms. Beard,

Enclosed please find the original and one (1) copy of the Application for Designation of Eligible Telecommunications Carrier submitted on behalf of Phone Club Corporation.

Please acknowledge receipt of this filing by date-stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope enclosed for this purpose.

Any questions you may have regarding this filing may be directed to me at (786) 777-0079 or via email to [phoneclubcorp@aol.com](mailto:phoneclubcorp@aol.com).

Sincerely,



Priscila Wolff

President

Phone Club Corporation

4262 Old A1A – Palm Coast, FL 32137. P.O. Box 908 Flagler Beach, FL 32136-0908

Telephone: (786) 777- 0079 Toll Free: 1800 505-1545 WWW.PHONECLUB.US

**STATE OF FLORIDA**  
**FLORIDA PUBLIC SERVICE COMMISSION**

**PHONE CLUB CORPORATION** ) Docket No: \_\_\_\_\_  
Application for designation as an Eligible )  
Telecommunications Carrier for purposes Of )  
Receiving Federal Universal Service Support )  
Pursuant to Section 214(e)(2) of the )  
Telecommunication Act of 1996. )

**PHONE CLUB CORPORATION**  
**APPLICATION FOR DESIGNATION AS AN**  
**ELIGIBLE TELECOMMUNICATIONS CARRIER**

Comes now Phone Club Corporation (Phone Club) and pursuant to the Telecommunications Act of 1996, 47 U.S.C. §214(E)(2) (the "Act") and the rules of the Federal Communications Commission ("FCC") 47 C.F.R. §54.201, hereby requests that the Florida Public Service Commission ("Commission") designate Phone Club as a telecommunications carrier eligible under the provisions Of Section 54.210 (d) to receive federal universal service support.

1. Section 214(e)(2) of the Act provides that a state Commission may, upon its own motion, or upon request, designate a common carrier to be an "eligible telecommunications carrier" for purposes of receiving universal service support under the Act. Section 214(e)(2) also requires that the carrier designated meet the requirements of Section 214(e)(1). Section 214(e)(1) states:

A common carrier designated as an eligible telecommunications carrier...shall be eligible to receive universal service support in accordance with section 254 and shall, throughout the service area for which the designation is received-

- (A) offer the services that are supported by the Federal Universal Service support mechanism under section 254(c), either using its own facilities or a combination of its own facilities and resale of another carrier's services (including the service offered by another eligible telecommunications carrier); and
  - (B) Advertise the availability of such services and the charges therefore using a media of general distribution.
2. With regard to non-rural telephone companies, Section 214(c)(5) of the Act and C.F.R. Section 54.207 define the term "service area" to be a "geographic area" established by a state commission for the purpose of determining universal service obligations and support mechanisms". For the purpose of this application, the minimum geographic area that an applicant must serve to be designated as an ETC will be assumed to be an exchange.
  3. This Petition establishes that Phone Club meets the two criteria set forth in Section 214(e)(1). It also identifies the "service area" that Phone Club requests the Commission establish for purposes of Phone Club receiving low income funding assistance.

## **Background**

4. Phone Club is a Competitive Local Exchange Carrier ("CLEC") licensed by the Commission to provide local exchange service within the State of Florida. The Florida Public Service Commission licensed Phone Club Corporation to provide local exchange service on September 3<sup>rd</sup> 2002, under Docket No. 020536, Order No. PSC-02-1196-CO-TX, Certificate TX676. Phone Club provides Local Telephone Service only (wireline).  
Phone Club currently provides basic local exchange service in the State of Florida. Phone Club offers the supported services through resale.
5. Phone Club's street address and principal place of business is 4262 Old A1A, Palm Coast, FL 32137. Phone Club's telephone number is 786-777-0079.
6. All correspondence, communications, pleadings, notices, orders and decisions relating to this application should be addressed to:

Priscila Wolff  
President  
Phone Club Corporation  
P.O. Box 908  
Flagler Beach, FL 32136  
Phone: 786-777-0079  
Toll free: 1 800 505 1545  
[phoneclubcorp@aol.com](mailto:phoneclubcorp@aol.com)

7. Under 214(e)(1) of the Act, a telecommunications carrier may be designated as an ETC and thereby receive universal service support so long as the carrier, throughout its service areas: (a) offers the services that are supported by federal universal service support mechanisms under §254(c) of the Act, either using its own facilities or a combination of its own facilities and those of another carriers (including services offered by another ETC); and (b) advertises the availability of and charges for such services using media of general distribution. Section 54.201(b) of the FCC's Rules states that the Commission shall, on its own motion or upon request, designate a common carrier an ETC so long as the carrier meets the requirements of Section 54.201(d), which restates the requirements found in §214(e)(1) of the Act. Section 214(e)(2) of the Act and Section 54.201(c) of the FCC's Rules state that the Commission may, in the case of an area serviced by a rural telephone company, and shall, in the case of all other areas, designate more than one common carrier as an ETC for a service area the Commission designates, provided each additional requesting carrier satisfies 214(e)(1) of the Act and Section 54.201(d) of the FCC's Rules. Before designating an additional ETC for an area services by a rural telephone company, the Commission shall find that such designation is in the public interest.

**Phone Club Corporation Provides the Core Services Required to Qualify for Universal Service Support**

8. Pursuant to Section 54.101(a) of the FCC's Rules, the following core services and functions are to be offered by an ETC and should be supported by federal universal support mechanisms:
  - a) Voice grade access to the public switched network. "Voice grade access" is define as a functionality that enables a user of telecommunications services to transmit voice communications, including signaling the network that the caller wishes to place a call, and to receive voice communications, including receiving a signal indicating there is an incoming call. For the purposes of this part, bandwidth for voice grade access should be, at minimum, 300 to 3,000 Hertz;
  - b) Local usage. "Local usage" means an amount of minutes of use of exchange service, prescribed by the FCC, provided free of charge to end users;
  - c) Dual tone multi-frequency signaling or its functional equivalent. "Dual tone multi-frequency" (DTMF) is a method of signaling that facilitates the transportation of signaling through the network, shortening call set-up time;

- d) Single-party service or its functional equivalent. "Single-party service" is telecommunications service that permits users to have exclusive use of a wireline subscriber loop or access line for each call placed, or, in the case of wireless telecommunications carriers, which use spectrum shared among users to provide service, a dedicated message path for the length of a user's particular transmission;
  - e) Access to emergency services. "Access to emergency services" includes access to services, such as 911 and enhanced 911, provided by local governments or other public safety organizations. 911 is defined as a service that permits a telecommunications user, by dialing the three-digit code "911" to call emergency services through a Public Service Access Point (PSAP) operated by the local government. "Enhanced 911" is defined as 911 service that includes the ability to provide automatic numbering information (ANI), which enables the PSAP to call back if the call is disconnected, and automatic location information (AH), which permits emergency service providers to identify the geographic location of the calling party. "Access to emergency services" includes access to 911 and enhanced 911 services to the extent the local government in an eligible carrier's service area has implemented 911 or enhanced 911 systems;
  - f) Access to operator Services. "Access to operator services" is defined as access to any automatic or live assistance to a consumer to arrange for billing or completion, or both, of a telephone call;
  - g) Access to interexchange service. "Access to interexchange service" is defined as the use of the loop, as well as that portion on the switch that is paid for by the end user, or the functional equivalent of these network elements in the case of a wireless carrier, necessary to access an interexchange carrier's network;
  - h) Access to directory assistance. "Access to directory assistance" is defined as access to a service that includes, but not limited to, making available to customers, upon request, information contained in directory listings; and
  - i) Toll limitation for qualifying low-income consumers.
9. Phone Club offers all the supported services enumerated under Section 254(c) using its own facilities or those obtained from other carriers. Accordingly, the Company satisfies the requirement set forth in Section 214(e)(1)(A).

#### **Phone Club Satisfies the Requirements of the FCC'S ETC Order**

10. On March 17, 2005, FCC 05-46 ("FCC ETC Order") was released. In that order, the FCC urged that the new procedures it contained serve as guidelines for state commissions to follow in their

evaluation of ETC applications before those commissions. State commissions, however, are not bound by the guidelines in the FCC ETC Order when they evaluate ETC applications.

11. The guidelines in the FCC ETC Order generally require that the ETC applicant must demonstrate (1) a commitment and ability to provide services, including providing service to all customers within its proposed service area; (2) how it will remain functional in emergency situations; (3) that it will satisfy consumer protection and service quality standards; (4) that it offers local usage comparable to that offered by incumbent LEC; (5) an understanding that it may be required to provide equal access if all other ETC's in the designated service area relinquish their designations pursuant to section 214(e)(4) of the Act.
12. More specially, the guidelines in the FCC ETC Order require the following:
  - a) An ETC Applicant shall commit to provide service throughout its proposed designated service area to all customers who make a reasonable request for service. If the ETC's network already passes or covers the potential customer's premises, the ETC should provide service immediately. In those instances where a request comes from a potential customer within the applicant's licensed service area but outside its existing network coverage, the ETC applicant should provide service within a reasonable period of time if service can be provided at reasonable cost. If an ETC applicant determines that it cannot serve the customer as reasonable cost, then the ETC must report the unfulfilled request to the commission within 30 days after making such determination.
  - b) An ETC Applicant shall submit a five year plan that describes with specificity proposed improvements or upgrades to the applicant's network on a wire center-by-wire center basis throughout its proposed designated service area.
  - c) An ETC Applicant shall demonstrate its ability to remain functional in emergency situations. Specifically, in order to be designated as an ETC, an applicant must demonstrate it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations.
  - d) An ETC Applicant shall demonstrate that it will satisfy appropriate consumer protection and service quality standards.

- e) An ETC Applicant shall demonstrate that it offers a local usage plan comparable to the one offered by the incumbent LEC in the service areas for which it seeks designation.
- f) An ETC Applicant shall certify that the carrier acknowledges that the FCC may require it to provide equal access to long distance carriers if all other ETCs withdraw from the market.

**Applicant's Commitment to Provide Service throughout Its ETC Designated Area**

13. Applicant possesses the ability and hereby makes a commitment to provide service throughout its proposed ETC designated service area to all customers who make a reasonable request for service. If Applicant's network already passes or covers the potential customer's premises, Applicant will provide service immediately. For those instances where a request comes from a potential customer within Applicant's proposed ETC Designated Area but outside its existing network coverage, Applicant will provide service within a reasonable period of time if service can be provided at a reasonable cost utilizing one or more of the following methods: (1) modifying or replacing the requesting customer's equipment; (2) deploying a roof mounted antenna or other equipment; (3) adjusting network or customer facilities; or (4) reselling services from another carrier's facilities to provide service. If Applicant determines that it cannot serve the customer using one or more of these methods, then it will report the unfulfilled request to the commission within 30 days after making such determination.

**Applicant's Five Year Network Improvement Plan**

14. Phone Club is not providing a Five Year Network Improvement Plan since it does not seek high-cost universal service support.

**Applicant's Ability to Remain Functional in Emergency Situations**

15. Applicant has the ability to remain functional in emergency situations. Applicant has a reasonable amount of back-up power to ensure functionality without external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations.
16. Applicant's entire network is monitored to check for proper operations at all times. Applicant has technicians on call 24 hours per day and 7 days per week. Applicant also stocks a full complement of spare parts for all network components.



Applicant's Commitment on Consumer Protection and Service Quality Standards

17. Applicant will satisfy appropriate consumer protection and service quality standards. Applicant has existing customer care programs that demonstrate its commitment to quality service.

Applicant's Comparable Local Usage/Rate Plans

18. Applicant offers local usage plans comparable to the service plans offered by the incumbent LECs in the wire centers for which it seeks ETC designation. A comparison of Applicant's existing service plans with other carriers is provided in Appendix B as evidence in the case.
19. Applicant acknowledges that Section 54.405 of the FCC's Rules requires all ETCs to make Lifeline services (as defined in Section 54.401 of the FCC's Rules) available to qualifying low-income consumers. Applicant commits to make Lifeline and Link-up service available for qualified customers. Applicant will charge a reduced or zero activation fee to Link-up eligible subscribers. With respect to Lifeline-eligible subscribers, Applicant commits to offer a service plan to provide a low-cost service option comparable in price to that offered by the ILEC.

Applicant's Commitment to Advertise Supported Service

20. Phone Club's advertising will conform to rules adopted by this Commission. Specifically, in accordance with Code Part 757, Phone Club will advertise the general availability of, and charges for, the supported services listed above to all telecommunications customers in the specified geographic area on a quarterly basis. It will place those advertisements in a media of general distribution to include direct mail, television and radio ads, and Internet that targets the residential customer. In addition, if the Commission so requests, Phone Club will provide proof of its advertising practices to the Commission. With regard to the availability of low-income services, Phone Club will also advertise in accordance with the Commission's rules. Finally, Phone Club is willing to provide written notification of universal service programs to the directors of municipal, State and Federal governmental agencies within Phone Club's service territory whose clientele is likely to benefit from the program.

Applicant's Commitment on Carrier of Last Resort Equal Access Requirement

21. Applicant acknowledges that the FCC or GPSC may require it to provide equal access to long distance carriers if all other ETCs withdraw from the market.
22. Applicant commits to make equal access available to allow a subscriber that elects to pay its own toll charges to pre-select its long distance carrier for all toll calls which the customer originates if the ILEC in a wire center within its proposed ETC designated service area drops its ETC designation.

### **Phone Club's Proposed ETC Service Area**

23. Phone Club is not a "rural telephone company" as that term is defined by §153(37) of the Act. Under Section 54.207(a) of the Rules, a "service area" is a "geographic area" established by a state commission for the purpose of determining universal service obligations and support mechanisms. Phone Club's proposed service area includes all of the non-rural AT&T service areas in the State of Florida. For non-rural service areas, there are no restrictions on how a state commission defines the "service areas" for purposes of designating a competitive ETC. Therefore the Commission may designate Applicant as an ETC in all the wire centers of the above-mentioned ILECs as shown on Appendix A. For these service areas, Phone Club presently only seeks Low Income support through the Lifeline and Link-Up programs.

### **ETC Designation for Phone Club Will Greatly Enhance Lifeline and Link-up Services Available in Florida**

24. Phone Club acknowledges that Section 54.405 of the FCC's Rules requires all ETC'S to make Lifeline services (as defined in Section 54.401 of the FCC's Rules) available to qualifying low-income consumers. Lifeline services are available to qualifying low-income consumers in its service areas. Indeed, designation of Phone Club as an ETC would also allow Lifeline and Link-up service to be available to Phone Club's customers thereby offering telecommunications to a market that often is limited in services and selection.
25. The Phone Club Application is before this Commission under an established set of rules and statutory requirements.
26. Phone Club does not have any pending action or final unsatisfied judgment or decisions against it from any state or federal agency or court which involve customer service or rates, which action, judgment or decision has occurred within three (3) years of the date of the application.

### **Conclusion**

WHEREFORE, on basis of the foregoing, Phone Club respectfully requests that the Commission: (1) designate Phone Club as a telecommunications carrier eligible under the provisions of the Section 54.201 (d) of the FCC's Rules to receive federal universal service support; and (2) respectfully requests that the Florida Service Commission either by order or minute action without a hearing within (90) days from the date of this Application; (3) request that the Executive Secretary to send appropriate notice of this order to the Federal Communications Commission; and, (4) issue such other orders as are deemed necessary or convenient in this matter.

DATED this 17<sup>th</sup> day of May, 2016.

Respectfully submitted,

A handwritten signature in black ink that reads "Priscila Wolff". The signature is written in a cursive style with a large initial "P".

Priscila Wolff

President-Owner

**Phone Club Corporation**

**4262 Old A1A**

**Palm Coast, FL 32137**

**(786)777-0079**

**phoneclubcorp@aol.com**

**VERIFICATION**

The undersigned, Priscila Wolff, being first duly sworn on oath, deposes and states that she is the President - owner of Phone Club Corporation, that she has read the foregoing Application for Designation as an Eligible Telecommunications Carrier, and that the contents thereof are true and correct to the best of her information and belief.

*Priscila Wolff*

Priscila Wolff

President

Phone Club Corporation



SUBSCRIBED and sworn to before me

This 13<sup>th</sup> day of May, 2016.

*[Signature]*  
\_\_\_\_\_  
Notary Public

STATE OF FLORIDA  
COUNTY OF FLAGLER

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of May, 2016 by Priscila Wolff who is personally known to me or has produced [Signature] as identification,

*[Signature]*  
\_\_\_\_\_  
Notary Public  
My commission expires: 9/9/17

## **Appendix A**

AT&T Areas

FMTNALMTRSO	FLBHFLMARSO	JCVLFLCLOST	MIAMFLNDSO	PAHKFLMARSO	WPBHFLANDSO
ARCHFLMARSO	FRBHFLFPDSO	JCVLFLCLDSO	MIAMFLOLDSO	PCBHFLNTDSO	WPBHFLGADSO
BCRTFLBTDSO	FTGRFLMARSO	JCVLFLFCDSO	MIAMFLPBDSO	PLCSFLMADSO	WPBHFLGR02T
BCRTFLMADS1	FTLDFLCRDSO	JCVLFLIARSO	MIAMFLPLDSO	PLTKFLMADSO	WPBHFLGRDSO
BCRTFLSADSO	FTLDFLCYDSO	JCVLFLJTRSA	MIAMFLPLRSO	PMBHFLCSDSO	WPBHFLHHDSO
BGPIFLMARSO	FTLDFLJADSO	JCVLFLLFDSO	MIAMFLRRDSO	PMBHFLFEDSO	WPBHFLHHRSO
BKVLFLJFDSO	FTLDFLMRDSO	JCVLFLNODSO	MIAMFLSHDSO	PMBHFLMADSO	WPBHFLLED SO
BLDWFLMARSO	FTLDFLOADSO	JCVLFLOWDSO	MIAMFLSODSO	PMBHFLNPRSO	WPBHFLRB84E
BLGLFLMADSO	FTLDFLPLDSO	JCVLFLRV38E	MIAMFLWDDSO	PMBHFLTADSO	WPBHFLRPDSO
BNNLFLMARSO	FTLDFLSGDSO	JCVLFLSJ73E	MIAMFLWMDSO	PMPKFLMARSO	WWSPF LHIDSO
BRSNFLMARSO	FTLDFLSU74E	JCVLFLSMDSO	MICCFLBBSO	PNCYFLCARSO	WWSPF LSHDSO
BYBHFLMADSO	FTLDFLWNSO	JCVLFLWCDSO	MLBRFLMADSO	PNCYFLMA04T	YNFNFLMARSO
CCBHFLAFRSO	FTPRFLMADSO	JPTRFLMADSO	MLTNFLRADSO	PNCYFLMADSO	YNTWFLMARSO
CCBHFLMADSO	GCSPFCLNDSO	KYHGFLMARSO	MNDRFLAVDSO	PNSCFBLBDSO	YULEFLMARSO
CDKYFLMARSO	GCVLFLMARSO	KYLRFLLSRSO	MNDRFLLODSO	PNSCFLFPDSO	
CFLDFLMARSO	GENVFLMARSO	KYLRFLMARSO	MNDRFLWRSO	PNSCFLHCRSO	
CHPLFLJADSO	GLBRFLMCDSO	KYWSFLMADSO	MNSNFLMARSO	PNSCFLPBDSO	
CNTMFLEDS1	GSVLFLMA01T	LKCYFLMADSO	MRTHFLVERSO	PNSCFLWA01T	
COCOFLMADSO	GSVLFLMADSO	LKMRF LHEDSO	MXVFLMARSO	PNSCFLWADSO	
COCOFLEMDSO	GSVLFLMADS1	LYHNFLOHDSO	NDADFLACDSO	PNVDFLMADSO	
COCYFL13AMD	GSVLFLNW33E	MCNPFLMARSO	NDADFLBRDSO	PRRNFLMADSO	
CSCYFLBARSO	HAVNFLMADSO	MDBGFLPMDSO	NDADFLGG03T	PRSNFLFDRSO	
DBRYFLDLOSO	HBSDFLMADSO	MIAMFLAEDSO	NDADFLGGDSO	PTSLFLMADSO	
DBRYFLMARS1	HLNVFLMADS1	MIAMFLAERSO	NDADFLOLDSO	PTSLFLSOCGO	
DELDFLMADSO	HLWDFLHA45E	MIAMFLALDSO	NKLRFLMARSO	SBSTFLFERSO	
DLBHFLKPDSO	HLWDFLMADSO	MIAMFLAPDSO	NSBHFLMADSO	SBSTFLMADSO	
DLBHFLMA27E	HLWDFLPEDSO	MIAMFLBA85E	NWBYFLMARSO	SGKYFLMARSO	
DLBHFLMARSO	HLWDFLWHD SO	MIAMFLBCDSO	OKHLFLMARSO	SNFRFLMADSO	
DLSPFLMARSO	HMSTFLFERSO	MIAMFLBRDSO	OLTWFLNRSO	STAGFLBSRSO	
DNLNFLWMRSO	HMSTFLHMDSO	MIAMFLCADSO	ORLDFLAPDSO	STAGFLMADSO	
DRBHFLMADSO	HMSTFLNARSO	MIAMFLDBRS1	ORLDFLCLDSO	STAGFLSHRSO	
DYBHFLFNRSO	HTISFLMADSO	MIAMFLFLDSO	ORLDFLMA04T	STAGFLWGRSO	
DYBHFLMADSO	HWTHFLMARSO	MIAMFLGRDSO	ORLDFLMADS1	STRTFLMADSO	
DYBHFLOBDSO	ISLMFLMARSO	MIAMFLGRDS1	ORLDFLPCDSO	SYHSFLCCRSO	
DYBHFLORSO	JAY FLMARSO	MIAMFLHLDSO	ORLDFLPHDSO	TRENFLMARSO	
DYBHFLPO01T	JCBHFLABRSO	MIAMFLICDSO	ORLDFLSADSO	TTVFLMADSO	
DYBHFLPODSO	JCBHFLMA24E	MIAMFLKEDSO	ORPKFLMADSO	VERNFLMARSO	
EGLLFLBGDSO	JCBHFLSPRSO	MIAMFLME32E	ORPKFLRWDSO	VRBHFLBERSO	
EGLLFLIHDSO	JCVLFLARDSO	MIAMFLMERSO	OVIDFLCADSO	VRBHFLMADSO	
EORNFLMARSO	JCVLFLBWDSO	MIAMFLNMDSO	PACEFLPVRSO	WELKFLMARSO	