

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  WINNEBAGO COOPERATIVE TELEPHONE ASSOCIATION (WIRELESS)	DOCKET NO. 199 IAC 39.2(4)
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**ORDER DESIGNATING ELIGIBLE CARRIER**

(Issued March 14, 2006)

On January 13, 2006, Winnebago Cooperative Telephone Association (Winnebago) filed with the Utilities Board (Board) an application for universal service eligible carrier status in Iowa. Winnebago requests the Board designate it as an eligible telecommunications carrier pursuant to 199 IAC 39.2(4) in the identified areas attached to this order.

Board rule 199 IAC 39.2 provides a means by which the Board can designate Iowa telecommunications companies to be eligible to receive funding from the universal service fund, as defined by the Telecommunications Act of 1996, 47 U.S.C. § 254. Under the Act (and FCC regulations implementing the Act), the Board must determine that a carrier meets the following service requirements before it may be designated an eligible carrier as set forth in subrule 39.2(4):

- 1) Offer the services supported by the federal universal service fund;

- 2) Offer the services using its own facilities or a combination of its own facilities and resale (47 C.F.R. § 54.201(c) provides that “own facilities” includes purchased unbundled network elements);
- 3) Advertise the availability of the supported services; and
- 4) Offer the services throughout the designated service area.

An ETC must also offer a minimum amount of local exchange service, defined in usage minutes, provided with no additional charge to customers. See FCC 98-272, October 26, 1998. See also 199 IAC 39.2(1)"b." The FCC has not yet quantified a minimum amount of local usage required to be included in a universal service offering, but has initiated a separate rule making proceeding to address this issue. Id. Any minimum local usage requirements established by the FCC as a result of that rule making would be applicable to all designated ETCs. The Board understands that Winnebago will comply with any and all minimum local usage requirements adopted by the FCC. The Board also understands that until the FCC establishes a minimum requirement, Winnebago will offer at least one universal service offering with unlimited local calling.

In its request for designation, Winnebago states that it satisfies each of these named requirements. Based upon these unopposed representations and the company’s commitment to follow the minimum local usage requirements when adopted by the FCC, the Board finds that Winnebago offers the services supported

by the federal universal service fund, using its own facilities or a combination of its own facilities and resale of the facilities of another carrier.

Winnebago states that it is licensed by the FCC to serve the areas of ISA 93, 156, and 157 in Iowa and that it intends to provide universal service fund-supported services throughout its licensed service areas. The Board finds that this assertion by Winnebago satisfies 199 IAC 39.2(5).

Winnebago also states that it will provide to the Board, for informational purposes, a description of the service and rate plan(s) when it commences providing universal service fund offerings to Iowa customers. The Board finds these commitments by Winnebago adequate to assure that public interest concerns will be satisfied.

The Board also notes that pursuant to a federal mandate, Winnebago is required to file a certification regarding its use of universal service funds with the Board. This filing must be made pursuant to 199 IAC 22.2(7).

**IT IS THEREFORE ORDERED:**

1. Eligible telecommunications carrier status is granted to Winnebago Cooperative Telephone Association (Wireless) as requested in its application filed January 13, 2006, subject to the voluntary commitments described in the body of this order.
2. The designated service area for Winnebago Cooperative Telephone Association (Wireless) shall be the area in Iowa where Winnebago Cooperative

Telephone Association (Wireless) is licensed by the Federal Communications Commission to provide service as attached to this order.

3. The Executive Secretary of the Utilities Board shall mail copies of this order to Winnebago Cooperative Telephone Association (Wireless) the Universal Service Administration Company, the Federal Communications Commission Universal Service Branch, and the Federal Communications Commission Office of the Secretary.

**UTILITIES BOARD**

/s/ John R. Norris

/s/ Diane Munns

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

/s/ Curtis W. Stamp

Dated at Des Moines, Iowa, this 14<sup>th</sup> day of March, 2006.

# EXHIBIT A

**ISA 93 includes the wire center of:**

Northwood

**ISA 156 includes the wire centers of:**

Rake  
Scarville  
Buffalo Center  
Thompson  
Leland  
Lake Mills  
Forest City  
Woden  
Crystal Lake

**ISA 157 includes the wire centers of:**

Joice  
Fertile  
Hanlontown  
Kensett  
Grafton