

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  IOWA 15 WIRELESS, LLC, d/b/a CELLULAR ONE	DOCKET NO. 199 IAC 39.2(4)
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**ORDER DESIGNATING ELIGIBLE CARRIER**

(Issued March 27, 2006)

On January 10, 2006, Iowa 15 Wireless, LLC (Iowa 15), filed with the Utilities Board (Board) an application for universal service eligible carrier status in Iowa. Iowa 15 requests the Board designate it as an eligible telecommunications carrier (ETC) pursuant to 199 IAC 39.2(4) in the identified areas shown in Exhibit B attached to this order.

Board rule 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 Federal Communications Commission (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 CFR § 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 In re: Federal State Joint Board on Universal Service, "First Report and Order," CC Docket No. 96-45, March 17, 2005. See also 199 IAC 39.2(1)"b." However, the FCC has not quantified a minimum amount of local usage required to be included in a universal service offering. Id., at ¶ 33. The Board understands that Iowa 15 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, Iowa 15 will offer at least one universal service offering with unlimited local calling.

In its request for designation, Iowa 15 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 Iowa 15 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.

Iowa 15 states that it is licensed by the FCC to serve the six Iowa counties that are identified in Exhibit A attached to this order and that it intends to provide universal service fund-supported services throughout its licensed service areas. The Board finds that this assertion by Iowa 15 satisfies 199 IAC 39.2(5).

Iowa 15 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 Iowa 15 adequate to assure that public interest concerns will be satisfied.

The Board also notes that pursuant to a federal mandate, Iowa 15 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 Iowa 15 Wireless, LLC, as requested in its application filed January 10, 2006, subject to the voluntary commitments described in the body of this order.
2. The designated service area for Iowa 15 Wireless, LLC, shall be the area in Iowa where Iowa 15 Wireless, LLC, is licensed by the Federal Communications Commission to provide service.

3. The Executive Secretary of the Utilities Board shall mail copies of this order to Iowa 15 Wireless, LLC, 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 27<sup>th</sup> day of March, 2006.

**Exhibit A**

**Counties Served**

**Clay, Dickinson, Buena Vista, Emmet, Palo Alto, and Pocahontas Counties in Iowa.**

## **Exhibit B**

### **Wire Centers Served**

**Lake Park  
Spirit Lake  
Milford  
Superior  
Terril  
Dollover  
Armstrong  
Estherville  
Wallingford  
Ringsted  
Cylinder  
Whittmore  
West Bend  
Mallard  
Curlew  
Ayrshire  
Emmetsburg  
Ruthven  
Graettinger  
Fenton  
Everly  
Spencer  
Dickens  
Royal  
Gillet Grove  
Webb  
Sioux Rapids  
Peterson  
Linn Grove  
Marathon  
Rembrant  
Albert City  
Storm Lake  
Aurelia  
Newell  
Fonda  
Palmer  
Pomeroy  
Manson  
Pocahontas  
Rolfe  
Havelock  
Laurens  
Plover  
Bradgate**