

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE:

PREMIER WIRELESS, INC.

DOCKET NO. 199 IAC 39.2

ORDER DESIGNATING ELIGIBLE CARRIER

(Issued August 25, 2008)

On July 8, 2008, Premier Wireless, Inc. (Premier), filed with the Utilities Board (Board) an application for universal service eligible carrier status in certain Iowa exchanges. Premier asks that the Board designate it as an eligible telecommunications carrier (ETC) pursuant to 199 IAC 39.2 in the identified exchanges attached to this order. No objections have been filed regarding this application.

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 (the Act). Under the Act (and the Federal Communications Commission (FCC) regulations implementing the Act), the Board must determine that a carrier meets certain service requirements before it may be designated an eligible carrier as set forth in subrule 39.2(4). The carrier must:

- 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 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 Premier 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, Premier will offer at least one universal service fund package with unlimited local calling.

In its request for designation, Premier states that it satisfies each of these 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 Premier 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.

Premier states that it is licensed by the FCC to serve the areas of ISA 86 (WPSF619), ISA 117 (WPOL774), ISA 114 (WPOL807), ISA 116 (WPOL776), ISA 120 (WPOL775), ISA 118 (WPOL777), ISA 158 (WPOL808), and ISA 151 (WPOL809) in Iowa as identified in Exhibits A and B 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 Premier satisfies 199 IAC 39.2(5).

Premier 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 Premier adequate to assure that public interest concerns will be satisfied.

The Board also notes that it has recently adopted amendments to the certification and reporting requirements for ETCs. Premier is required to file a certification regarding its use of universal service funds with the Board in addition to various reports. The certification and reports must be made pursuant to 199 IAC 39 as described in Docket No. RMU-06-1, In re: Eligibility, Certification, and Reporting Requirements for Eligible Telecommunications Carriers [199 IAC 39].

IT IS THEREFORE ORDERED:

1. Eligible telecommunications carrier status is granted to Premier Wireless, Inc., as requested in its application filed July 8, 2008, subject to the voluntary commitments described in the body of this order.

2. The designated service area for Premier Wireless, Inc., shall be the area in Iowa where Premier Wireless, Inc., 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 Premier Wireless, Inc., 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/ Krista K. Tanner

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Darrell Hanson

Dated at Des Moines, Iowa, this 25th day of August, 2008.

EXHIBIT A

ISA 86 (WPSF619)

Rock Valley

Hull

Boyden

Hawarden

Ireton

Orange City

East Hudson

Inwood

Doon

George

Struble

ISA 117 (WPOL774)

Matlock

ISA 114 (WPOL807)

Sioux Center

ISA 116 (WPOL776)

Maurice

ISA 120 (WPOL775)

Sanborn

ISA 118 (WPOL777)

Granville

ISA 158 (WPOL808)

Dickens

ISA 151 (WPOL809)

Webb

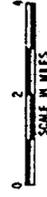
Exhibit B

IOWA UTILITIES BOARD O'BRIEN COUNTY INCUMBENT LOCAL TELEPHONE SERVICE AREA REFERENCE MAP

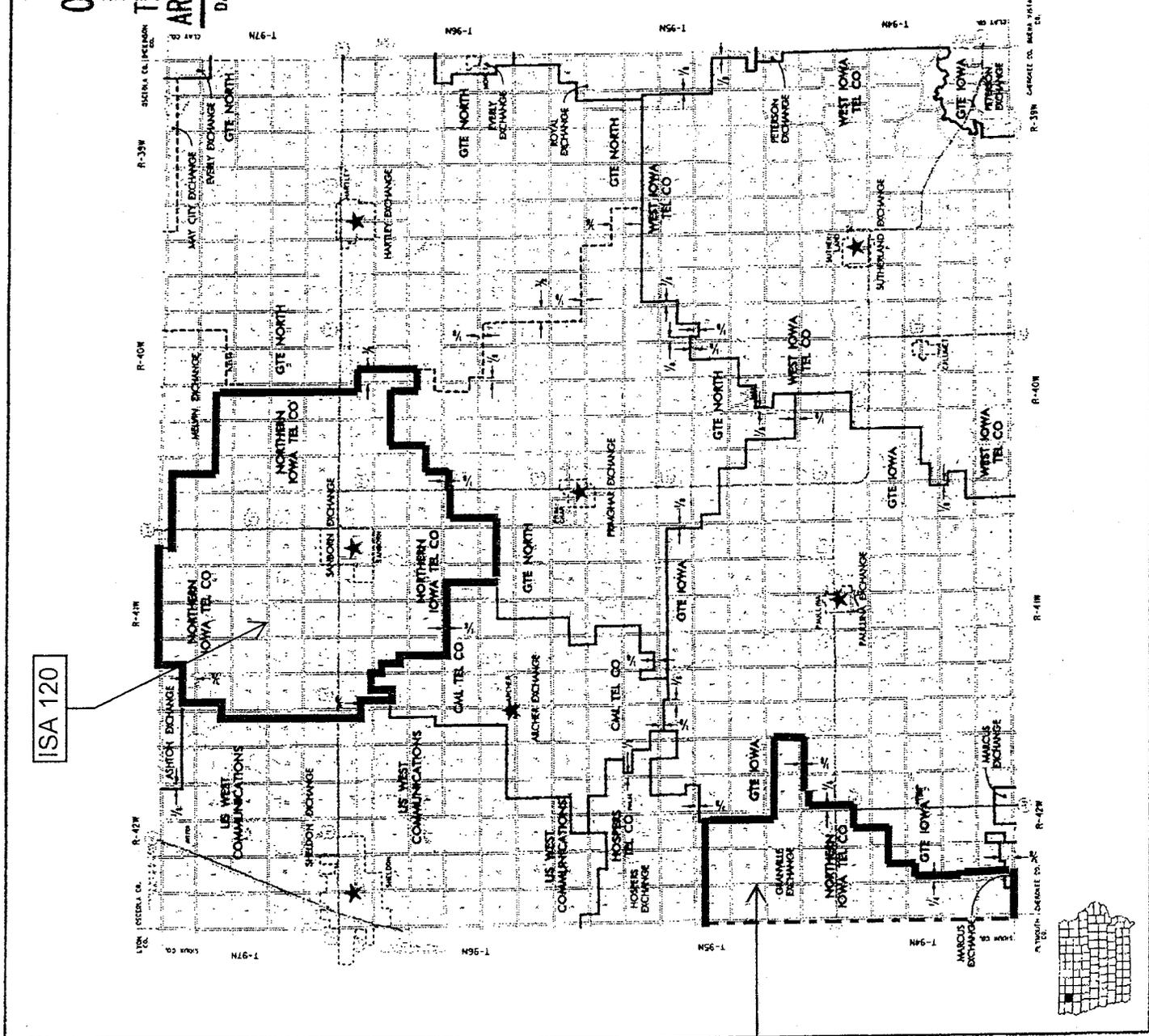
DATE ISSUED: 01-MAY-1999

LEGEND

- COMPANY BOUNDARY
 - - - EXCHANGE BOUNDARY
 - ▬ AREA CODE /ATA BOUNDARY
 - ▬ LATA BOUNDARY ONLY
 - CORPORATE BOUNDARY
 - ★ EXCHANGE HEADQUARTERS
- BOUNDARIES FOLLOW SECTION HALF SECTION, OR QUARTER SECTION LINES OR NATURAL BARRIERS EXCEPT AS INDICATED



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DEPARTMENT OF TRANSPORTATION



ISA 120

ISA 118

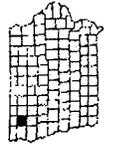


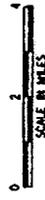
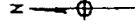
Exhibit B

IOWA UTILITIES BOARD CLAY COUNTY INCUMBENT LOCAL TELEPHONE SERVICE AREA REFERENCE MAP

DATE ISSUED: 01-MAY-1999

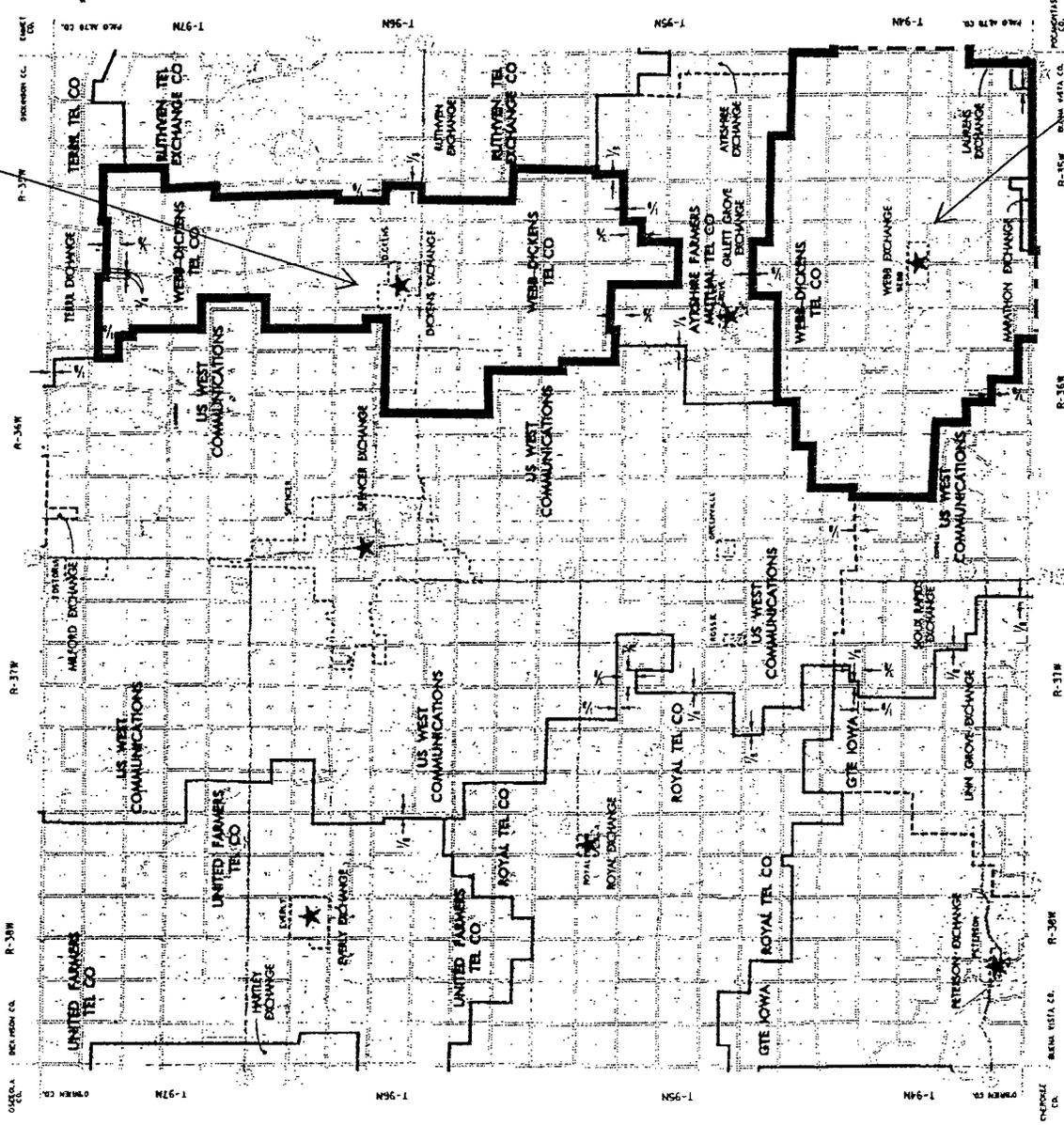
LEGEND

- COMPANY BOUNDARY
 - - - EXCHANGE BOUNDARY
 - - - AREA CODE / LATA BOUNDARY
 - - - LATA BOUNDARY ONLY
 - - - CORPORATE BOUNDARY
 - ★ EXCHANGE HEADQUARTERS
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ISA 158



ISA 151

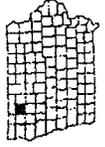


EXHIBIT B

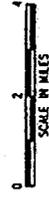
IOWA UTILITIES BOARD BUENA VISTA COUNTY INCUMBENT LOCAL TELEPHONE SERVICE AREA REFERENCE MAP

DATE ISSUED: 01-MAY-1989

LEGEND

- COMPANY BOUNDARY
- - - EXCHANGE BOUNDARY
- AREA CODE/LATA BOUNDARY
- LATA BOUNDARY ONLY
- CORPORATE BOUNDARY
- ★ EXCHANGE HEADQUARTERS

BOUNDARIES FOLLOW SECTION, HALF SECTION, QUARTER SECTION, AND NEIGHBORHOOD BARRIERS EXCEPT AS INDICATED



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DEPARTMENT OF TRANSPORTATION

ISA 151

