

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Telecommunications Carriers Eligible for)	WC Docket No. 09-197
Universal Service Support)	
)	
Federal-State Joint Board on)	CC Docket No. 96-45
Universal Service)	
)	
Cellco Partnership d/b/a Verizon Wireless)	
Petition for Designation as an Eligible)	
Telecommunications Carrier in the State of)	
Alabama)	
)	
Cellco Partnership d/b/a Verizon Wireless)	
Petition for Designation as an Eligible)	
Telecommunications Carrier in the State of)	
North Carolina)	
)	
Cellco Partnership d/b/a Verizon Wireless)	
Petition for Designation as an Eligible)	
Telecommunications Carrier in the)	
Commonwealth of Virginia)	
)	
Alltel Communications, LLC Petition for)	
Designation as an Eligible)	
Telecommunications Carrier in the State of)	
Florida)	
)	
Alltel Communications, LLC Petition for)	
Designation as an Eligible)	
Telecommunications Carrier in the State of)	
Georgia)	

ORDER

Adopted: November 16, 2012

Released: November 16, 2012

By the Chief, Telecommunications Access Policy Division, Wireline Competition Bureau:

1. In this order, we approve the requests of Verizon Wireless and Alltel Communications, LLC (Alltel) (collectively, Verizon Wireless), to relinquish eligible telecommunications carrier (ETC) designations in Alabama, Florida, Georgia, North Carolina and Virginia, effective December 31, 2012.¹

¹ See Notice of Relinquishment of Eligible Telecommunications Carrier Designations on behalf of Verizon Wireless, CC Docket No. 96-45 (filed Sept. 21, 2012) (Verizon Wireless Relinquishment Notice).

2. Section 214(e)(6) of the Communications Act of 1934, as amended (the Act), authorizes the Federal Communications Commission to designate a carrier as an ETC when a state commission lacks jurisdiction.² Section 214(e)(4) of the Act provides that the Commission shall permit an ETC to relinquish its designation “in any area served by more than one” ETC so long as “the remaining [ETCs] ensure that all customers served by the relinquishing carrier will continue to be served.”³

3. In separate decisions in 2002 and 2004, the Wireline Competition Bureau designated as ETCs Alltel, Virginia Cellular, LLC and RCC Minnesota, Inc.⁴ Subsequently, through a series of transactions, Verizon Wireless acquired control of Alltel and its subsidiaries and affiliates, including Virginia Cellular, LLC, as well as RCC Minnesota, Inc. and its subsidiaries and affiliates.⁵ As a condition of its transaction with Alltel, Verizon Wireless agreed to phase out its federal high-cost universal service support in five equal increments beginning in January 2009.⁶ In 2010, the Commission provided Verizon Wireless with instructions on how to implement the merger condition to phase-out its high-cost universal service support, including relinquishment of ETC status.⁷

² 47 U.S.C. § 214(e)(6).

³ *Id.* at § 214(e)(4).

⁴ See *Federal-State Joint Board on Universal Service; Alltel Communications, Inc. Petitions for Designation as an Eligible Telecommunications Carrier in Alabama, Florida, Georgia, North Carolina, and Virginia*, CC Docket No. 96-45, Order, 19 FCC Red 20496 (Wireline Comp. Bur. 2004) (designating Alltel as an ETC in Alabama, Florida, Georgia, North Carolina and Virginia); *Federal-State Joint Board on Universal Service; Virginia Cellular, LLC Petition for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Virginia*, CC Docket No. 96-45, Memorandum Opinion and Order, 19 FCC Red 1563 (2004) (designating Virginia Cellular as an ETC in Virginia); *Federal State Joint Board on Universal Service; RCC Holdings, Inc. Petition for Designation as an Eligible Telecommunications Carrier Throughout its Licensed Service Area in the State of Alabama*, CC Docket No. 96-45, Memorandum Opinion and Order, 17 FCC Red 23532 (Wireline Comp. Bur. 2002) (designating RCC as an ETC in Alabama). In 2006, Alltel acquired Virginia Cellular’s operations in Virginia. Verizon Wireless Relinquishment Notice at 3. See also *High-Cost Universal Service Support; Federal-State Joint Board on Universal Service; Alltel Communications, Inc., et al. Petitions for Designation as Eligible Telecommunications Carriers*, WC Docket No. 05-337, CC Docket No. 96-45, Memorandum Opinion and Order, 23 FCC Red 8834 (2008) (approving the expansion of Alltel’s designated service areas in Alabama, North Carolina and Virginia and RCC’s designated service area in Alabama).

⁵ See *Applications of Celco Partnership d/b/a Verizon Wireless and Rural Cellular Corporation for Consent to Transfer Control of Licenses, Authorizations, and Spectrum Manager Leases*, WT Docket No. 07-208, Memorandum Opinion and Order and Declaratory Ruling, 23 FCC Red 12463 (2008); *Applications of Celco Partnership d/b/a Verizon Wireless and Atlantis Holdings LLC for Consent to Transfer Control of Licenses, Authorizations, and Spectrum Manager and De Facto Transfer Leasing Arrangements, and Petition for Declaratory Ruling that the Transaction is Consistent with Section 310(b)(4) of the Communications Act*, WT Docket No. 08-95, Memorandum Opinion and Order and Declaratory Ruling, 23 FCC Rcd 17444 (2008) (*Verizon Wireless Merger Order*); see also *Federal-State Joint Board on Universal Service; Celco Partnership d/b/a Verizon Wireless, Petitions for Pro Forma Amendment of Eligible Telecommunications Carrier Designations in the Commonwealth of Virginia and the States of Alabama and North Carolina*, CC Docket No. 96-45, Order, 25 FCC Rcd 5955 (Wireline Comp. Bur. 2010) (approving a petition for *pro forma* amendment and consolidation of the ETC designations held by Alltel and its affiliated legal entities to reflect Verizon Wireless as the designated ETC in Alabama, North Carolina, and Virginia).

⁶ *Verizon Wireless Merger Order*, 23 FCC Rcd at 17534, para. 197.

⁷ See *High-Cost Universal Service Support; Federal-State Joint Board on Universal Service; Request for Review of Decision of Universal Service Administrator by Corr Wireless Communications, LLC*, WC Docket No. 05-337, CC Docket No. 96-45, Order and Notice of Proposed Rulemaking, 25 FCC Rcd 12854, 12860-61, para. 16 n.39 (2010) (*Corr Wireless Order*); see also *Connect America Fund et al.*, WC Docket No. 10-90 et al., Order, 27 FCC Rcd 2142, 2145, para. 7 (Wireline Comp. Bur. 2012) (*USF/ICC Second Clarification Order*) (clarifying how Verizon Wireless will receive support in 2012).

4. Pursuant to section 214(e) of the Act, Verizon Wireless filed notice of its intent to relinquish the ETC designations it holds in Alabama, Florida, Georgia, North Carolina, and Virginia.⁸ Verizon Wireless is relinquishing its ETC designations because, pursuant to the commitments it made in the *Verizon Wireless Merger Order*, its universal service support will be eliminated at the end of 2012.⁹ In its filing, Verizon Wireless demonstrates that various carriers are designated as ETCs in the areas in which it seeks to relinquish its designations.¹⁰ Verizon Wireless also indicates that it will continue to offer service as a non-ETC in these areas.¹¹ Finally, Verizon Wireless has indicated that it will provide written notice to each of its current Lifeline customers, advising the customer that while the company will discontinue providing Lifeline service, Lifeline discounts may be obtained from another ETC.¹² Verizon Wireless also voluntarily commits to providing existing Lifeline customers who choose to continue as Verizon Wireless subscribers with an equivalent carrier-provided discount on existing Lifeline service plans through December 31, 2013.¹³ Based on these circumstances, we conclude that Verizon Wireless's request is consistent with the phase-out obligations adopted by the Commission.¹⁴ We therefore find it appropriate to grant Verizon Wireless's request to relinquish its designations in Alabama, Florida, Georgia, North Carolina, and Virginia.

5. Accordingly, IT IS ORDERED that, pursuant to the authority contained in section 214(e)(4) of the Communications Act of 1934, as amended, 47 U.S.C. § 214(e)(4), and the authority delegated in sections 0.91 and 0.291 of the Commission's Rules, 47 C.F.R. §§ 0.91, 0.291, the ETC designations of Verizon Wireless in Alabama, Florida, Georgia, North Carolina, and Virginia ARE RELINQUISHED, effective December 31, 2012.¹⁵

6. IT IS FURTHER ORDERED that, Verizon Wireless SHALL TRANSMIT a copy of this order to the Alabama Public Service Commission, the Florida Public Service Commission, the Georgia Public Service Commission, the North Carolina Utilities Commission, the Virginia State Corporation Commission, and the Universal Service Administrative Company.

⁸ See generally Verizon Wireless Relinquishment Notice.

⁹ *Id.* at 2; see also *Verizon Wireless Merger Order*, 23 FCC Rcd at 17534, para. 197; *USF/ICC Second Clarification Order*, 27 FCC Rcd at 2145, para. 7 (“Verizon Wireless will not receive high-cost competitive ETC support after 2012”).

¹⁰ See Verizon Wireless Relinquishment Notice at 6 (stating that other ETCs currently serve the entire service areas for which Verizon Wireless seeks to relinquish its designations).

¹¹ See *id.* at 7.

¹² See *id.* at 6-7.

¹³ See *id.* at 7.

¹⁴ *Corr Wireless Order*, 25 FCC Rcd at 12860, para. 15.

¹⁵ Accordingly, the Universal Service Administrative Company should discontinue, effective December 31, 2012, the eligibility of study area codes 259029, 239003, and 199014, which are assigned to Cellco Partnership d/b/a Verizon Wireless, and 219903 and 229004, which are assigned to Alltel Communications, Inc.

7. IT IS FURTHER ORDERED that, pursuant to section 1.102(b)(1) of the Commission's rules, 47 C.F.R. § 1.102(b)(1), this order SHALL BE EFFECTIVE upon release.

FEDERAL COMMUNICATIONS COMMISSION

Trent B. Harkrader
Chief
Telecommunications Access Policy Division
Wireline Competition Bureau