

DECISION MEMORANDUM

TO: COMMISSIONER KEMPTON
COMMISSIONER SMITH
COMMISSIONER REDFORD
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: NEIL PRICE
DEPUTY ATTORNEY GENERAL

DATE: JANUARY 13, 2010

SUBJECT: APPLICATION OF ALLIED WIRELESS COMMUNICATIONS CORP.
FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS
CARRIER, CASE NO. ALL-T-10-01

On December 16, 2010, Allied Wireless Communications Corp. dba Alltel Wireless (“Allied” or “Company”) filed an Application, pursuant to Section 214(e)(2) of the Telecommunications Act of 1934, for designation as an eligible telecommunications carrier (“ETC”) in the State of Idaho. *Application* at 1.

THE APPLICATION

Allied is a commercial mobile radio services (“CMRS”) carrier licensed by the Federal Communications Commission (“FCC”) to provide service in various locations in Idaho. *Id.* at 2. Allied is a wholly owned subsidiary of Atlantic Tele-Network, Inc. (“ATNI”) a publicly-traded corporation headquartered in Beverly, Massachusetts. *Id.* ATNI, and ultimately Allied, recently acquired certain wireless assets, licenses and accompanying authorizations in six states, including Idaho, from subsidiaries of Verizon Wireless. *Id.* Allied states that it is authorized to use “the Alltel brand name in the acquired areas (including Idaho) and intends to continue using the Alltel name going forward.” *Id.* at 3.

Inasmuch as it will lead to improved coverage, service quality and reliability of service, Allied believes that designating the Company as an ETC in Idaho would be in the public interest. *Id.* at 19. Allied seeks ETC designation in “certain rural telephone company study areas and non-rural telephone company wire centers in the state of Idaho.” *Id.* at 18, Exhibit 4.

The Application contains information related to Allied’s voice grade access service, local usage plan, functionally equivalent dual tone multi-frequency signaling, single party service, emergency services, operator services, interexchange (long-distance) services, directory assistance and toll limitation for qualifying low-income consumers. *Id.* at 5-9. Allied has also committed to complying with the additional criteria mandated by the Idaho ETC Requirements Order. *Id.* at 9-16. Allied will provide its services through the utilization of its “existing cellular network infrastructure . . .” and “as necessary, through the resale of another carrier’s service or through roaming arrangements.” *Id.* at 16. The Company pledges to advertise the availability of its services throughout its ETC service area using general media sources – as well as other expanded media sources as necessary. *Id.* at 17.

Allied asserts that its Application presents “no possibility for cream-skimming. . . .” *Id.* at 28. Allied is “not targeting particular areas based on the possibility of receiving uneconomic levels of support.” *Id.* Rather, the Company “is only seeking ETC designation in this Application in areas that cover the entirety of the incumbent LEC service area.” *Id.*

Finally, Allied “commits to use available federal USF support for its intended purposes – the provision, maintenance, and upgrading of facilities and services for which support is intended.” *Id.* at 29.

STAFF RECOMMENDATION

Staff has reviewed Allied’s Application and recommends that it be processed through Modified Procedure with a 21-day comment period.

COMMISSION DECISION

Does the Commission wish to process Allied’s Application for ETC designation through Modified Procedure with a corresponding 21-day comment period?



Neil Price
Deputy Attorney General

M:ALL-T-10-01_np