



PUBLIC NOTICE

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DA 03-3594

WIRELINE COMPETITION BUREAU INITIATES PROCEEDING TO CONSIDER THE MINNESOTA PUBLIC UTILITIES COMMISSION PETITION TO REDEFINE RURAL TELEPHONE COMPANY SERVICE AREAS IN THE STATE OF MINNESOTA

CC Docket No. 96-45

Release Date: November 7, 2003

The Wireline Competition Bureau (Bureau) provides notice that it is initiating a proceeding to consider a petition filed by the Minnesota Public Utilities Commission (Minnesota Commission) requesting the Commission's agreement with the Minnesota Commission's proposal to redefine the "service areas" of certain rural telephone companies in the state of Minnesota.¹ Pursuant to section 54.207(c)(3) of the Commission's rules, the Bureau has 90 days from the release date of a Public Notice to initiate a proceeding to consider a state commission's petition to redefine the service area of a rural telephone company.² The Wireline Competition Bureau released a Public Notice seeking comment on the Minnesota Commission's petition on August 12, 2003.³ The comment cycle established by that Public Notice closed on September 9, 2003 and no further comments will be sought in this proceeding at this time.⁴

The Minnesota Commission seeks to redefine the service areas of the following rural telephone companies: CenturyTel, Citizens Telephone Company, Frontier Communications of Minnesota, Inc.,

¹ *Petition of the Minnesota Public Utilities Commission for Agreement to Redefine the Service Areas of Twelve Minnesota Rural Telephone Companies*, CC Docket No. 96-45, filed on August 7, 2003 (*Minnesota Commission Petition*). For areas served by a rural telephone company, section 214(e)(5) of the Communications Act of 1934, as amended (the Act), provides that the company's service area will be its study area "unless and until the Commission and the States, after taking into account the recommendations of a Federal-State Joint Board instituted under section 410(c), establish a different definition of service area for such company." 47 U.S.C. § 214(e)(5).

² 47 C.F.R. § 54.207(c)(3). If the Commission did not initiate a proceeding within 90 days of the release of the Public Notice, the definition proposed by the Minnesota Commission would be deemed approved by the Commission and would take effect in accordance with state procedures. 47 C.F.R. § 54.207(c)(3)(ii).

³ See *Wireline Competition Bureau Seeks Comment on the Minnesota Public Utilities Commission's Petition to Redefine Rural Telephone Company Service Areas in the State of Minnesota*, CC Docket No. 96-45, Public Notice, DA 03-2641 (rel. Aug. 12, 2003).

⁴ See *id.*

Mid-State Telephone Company d/b/a KMP (TDS Telecom), Scott-Rice Telephone Company, United Tel Co. of Minnesota (UTC of Minnesota), Federated Telephone Company, Melrose Telephone Company (diversiCOM), Winsted Telephone Company (TDS Telecom), Eckles Telephone Company (Blue Earth Valley Telephone Company), Lakedale Telephone Company, and Farmers Mutual Telephone Co.⁵ The Minnesota Commission proposes to redefine these rural telephone company service areas into service areas that conform to the licensed service area of Midwest Wireless Communications (MidWest), a wireless telecommunications carrier that has recently been designated as an eligible telecommunications carrier.⁶ Specifically, for CenturyTel, the Minnesota Commission proposes to classify as a separate service area each of CenturyTel's wire centers served by MidWest.⁷ For the remaining rural telephone companies listed above, MidWest's licensed service area does not cover the entirety of certain of those telephone companies' wire centers. In such instances, the Minnesota Commission proposes to redefine each telephone company's service area by combining into a single service area the portions of the telephone company's service area that MidWest is licensed to serve.⁸

Pursuant to section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, this proceeding will be conducted as a permit-but-disclose proceeding in which ex parte communications are permitted subject to disclosure. For further information, contact Thomas Buckley, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-7400, TTY (202) 418-0484.

⁵ See *Minnesota Commission Petition* at 8-9.

⁶ See *id.* at 2.

⁷ See *id.* at 10.

⁸ See *id.* at 10-11; Attachment 3.