

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

In the Matter of	)	
	)	
Telecommunications Carriers Eligible for Universal Service Support	)	WC Docket No. 09-197
	)	
Federal-State Joint Board on Universal Service	)	CC Docket No. 96-45
	)	
Sprint Corporation Designation as an Eligible Telecommunications Carrier in Alabama, Georgia, New York, and Virginia	)	

**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 request of Sprint Nextel Corporation (Sprint Nextel) to relinquish the eligible telecommunications carrier (ETC) designation of its affiliate Sprint Corporation (Sprint) in Alabama, Georgia, New York, and Virginia, effective December 31, 2012.<sup>1</sup>

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.<sup>2</sup> 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.”<sup>3</sup>

3. In 2004, the Wireline Competition Bureau designated Sprint as an ETC in certain areas in Alabama, Georgia, New York, and Virginia.<sup>4</sup> In 2008, Sprint merged with Clearwire and agreed as a condition of the merger to reduce its federal high-cost universal service support in five equal increments beginning in January 2009.<sup>5</sup> In 2010, the Commission provided Sprint with instructions on how to implement the merger condition to phase-out its high-cost universal service support, including relinquishment of ETC status.<sup>6</sup>

<sup>1</sup> See Notice of Relinquishment of Eligible Telecommunications Carrier Designation, WC Docket No. 09-197 (filed Aug. 1, 2012) (Sprint Relinquishment Notice).

<sup>2</sup> 47 U.S.C. § 214(e)(6).

<sup>3</sup> *Id.* at § 214(e)(4).

<sup>4</sup> See *Federal-State Joint Board on Universal Service; Sprint Corporation*, CC Docket No. 96-45, Order, 19 FCC Rcd 22663 (Wireline Comp. Bur. 2004).

<sup>5</sup> *Sprint Nextel Corp. and Clearwire Corporation, Applications For Consent to Transfer Control of Licenses, Leases, and Authorizations*, WT Docket No. 08-94, Memorandum Opinion and Order, 23 FCC Rcd 17570, 17613, para. 108 (2008).

<sup>6</sup> 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 (continued...)

4. Pursuant to section 214(e) of the Act, Sprint Nextel filed, on behalf of its affiliate, notice of its intent to relinquish Sprint's ETC designation in the states identified above.<sup>7</sup> In its filing, Sprint Nextel demonstrates that various carriers are designated as ETCs in the areas in which it seeks to relinquish its designations.<sup>8</sup> Sprint Nextel also indicates that it will continue to offer service on a non-ETC basis in these areas.<sup>9</sup> Finally, Sprint Nextel 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.<sup>10</sup> Based on these circumstances, we conclude that Sprint Nextel's present relinquishment is consistent with the phase-out obligations adopted by the Commission.<sup>11</sup> We therefore find it appropriate to grant Sprint Nextel's request to relinquish its designations.

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 Sprint Corporation in Alabama, Georgia, New York, and Virginia ARE RELINQUISHED, effective December 31, 2012.<sup>12</sup>

6. IT IS FURTHER ORDERED that, on behalf of its affiliate, Sprint Nextel Corporation SHALL TRANSMIT a copy of this order to the Alabama Public Service Commission, the Georgia Public Service Commission, the New York State Public Service Commission, the Virginia State Corporation Commission, and the Universal Service Administrative Company.

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

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Docket No. 96-45, Order and Notice of Proposed Rulemaking, 25 FCC Rcd 12854, 12860-61, para. 16 n.39 (2010) (*Corr Wireless Order*).

<sup>7</sup> See generally Sprint Relinquishment Notice.

<sup>8</sup> See *id.* at 3 (stating that other ETCs currently serve the entire service areas for which the company seeks to relinquish its designations), and Attachs. A through D (listing ETCs serving wire centers by state).

<sup>9</sup> See *id.* at 2-3.

<sup>10</sup> See *id.* at 4.

<sup>11</sup> *Corr Wireless Order*, 25 FCC Rcd at 12860, para. 15.

<sup>12</sup> Accordingly, the Universal Service Administrative Company should discontinue, effective December 31, 2012, the eligibility of study area codes 259007, 229001, 159007, and 199003, which are assigned to Nextel, and 259790, 229003, 159009, and 199005, which are assigned to Sprint.