

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

In the Matters of)	
)	
Connect America Fund)	WC Docket No. 10-90
)	
Universal Service Reform – Mobility Fund)	WT Docket No. 10-208
)	
Petitions for Waiver of Windy City Cellular, LLC)	
and Adak Eagle Enterprises, LLC)	

ORDER

Adopted: June 14, 2013

Released: June 14, 2013

By the Chief, Wireless Telecommunications Bureau and the Chief, Wireline Competition Bureau:

1. By this Order, the Wireless Telecommunications Bureau (WTB) and the Wireline Competition Bureau (WCB) (collectively, Bureaus) approve limited, interim relief from certain Commission rules governing high-cost universal service support to provide Windy City Cellular, LLC (WCC) and Adak Eagle Enterprises, LLC (AEE) with additional interim support. Specifically, the Bureaus authorize fixed support in the amount of \$40,104 for WCC and \$33,276 for AEE for a period of one month. The Bureaus provide this continued limited, interim relief while we review the companies' respective waiver petitions,¹ including proposals that were recently filed to reduce certain expenses.²

2. In December 2012, the Bureaus granted WCC and AEE interim relief while the Bureaus reviewed the carriers' respective waiver petitions.³ The Bureaus approved additional relief to provide both WCC and AEE with interim support in the amounts of \$40,104 per month and \$33,276 per month, respectively, for a period of six months or until the Bureaus resolved the petitions. During that time, AEE

¹ Petition for Waiver of Windy City Cellular, LLC, WC Docket No. 10-90 et al. (filed Apr. 3, 2012); Adak Eagle Enterprises, LLC Petition for Waiver of Section 54.302 of the Commission's Rules, WC Docket No. 10-90 and WT Docket No. 10-208 (filed May 22, 2012). For more detailed background on the AEE and WCC petitions, see the Bureaus' order granting interim relief to AEE and WCC. *Connect America Fund; Universal Service Reform – Mobility Fund; Petitions for Waiver of Windy City Cellular, LLC, and Adak Eagle Enterprise, LLC*, WC Docket No. 10-90, WT Docket No. 10-208, Order, 27 FCC Rcd 15836 (Wireless Tel. Bur./Wireline Comp. Bur. 2012) (*AEE/WCC Interim Relief Order*).

² Letter from Monica S. Desai, Counsel, Adak Eagle Enterprises, LLC and Windy City Cellular, LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission, Submission of Supplemental Information, WC Docket No. 10-90 et al. (filed May 15, 2013) (AEE May 15, 2013 Ex Parte); Letter from Monica S. Desai, Counsel, Adak Eagle Enterprises, LLC and Windy City Cellular, LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 10-90 et al. (filed May 31, 2013) (AEE May 31, 2013 Ex Parte).

³ *AEE/WCC Interim Relief Order* (providing interim support to AEE & WCC). WTB granted WCC similar interim relief in June 2012. *Connect America Fund; Universal Service Reform – Mobility Fund; Petition for Waiver of Windy City Cellular, LLC*, WC Docket No. 10-90, WT Docket No. 10-208, Order, 27 FCC Rcd 6224 (Wireless Tel. Bur. 2012) (*WCC Interim Relief Order*).

and WCC submitted several filings in support of their petitions, including two expense reduction proposals filed on May 15, 2013 and May 31, 2013.⁴

3. In order to fully consider the recent submissions, we grant a one-month further extension of the interim relief to AEE and WCC. The support will be provided pursuant to the same terms and conditions as the prior interim relief awarded in this proceeding. Specifically, as a condition of interim support, WCC must continue providing wireless service on the same terms and conditions, or coordinate with WTB staff on a transition plan should WCC elect to terminate service.⁵ In addition, AEE must maintain its existing services. To the extent that AEE must discontinue, reduce or impair service, it must coordinate with WCB staff on a transition plan in order to minimize customer disruption.⁶ The Bureaus also expect AEE and WCC to actively pursue any and all further cost cutting and revenue generating measures they can take in order to reduce their dependency on universal service support to the level of the cap.⁷ The interim relief provided in this Order will be subject to true-up following the Bureaus' final determination on the merits of the petitions.

4. For the reasons discussed above, WTB hereby authorizes Windy City Cellular, LLC interim relief in the amount of \$40,104⁸ for a period of one month.⁹ In addition, WCB hereby authorizes Adak Eagle Enterprises, LLC interim relief in the amount of \$33,276¹⁰ for a period of one month.¹¹

5. IT IS ORDERED, pursuant to the authority contained in sections 4(i), 4(j) and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), and 254, sections 0.91, 0.131, 0.291, 0.331, and 1.3 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.131, 0.291, 0.331, and 1.3, and paragraph 544 of the *USF/ICC Transformation Order*,¹² FCC 11-161, that the Universal Service

⁴ See, e.g., Letter from Monica S. Desai, Counsel, Adak Eagle Enterprises, LLC and Windy City Cellular, LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 10-90 et al. (filed Feb. 28, 2013); Letter from Monica S. Desai, Counsel, Adak Eagle Enterprises, LLC and Windy City Cellular, LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 10-90 et al. (filed Apr. 12, 2013); Letter from Monica S. Desai, Counsel, Adak Eagle Enterprises, LLC and Windy City Cellular, LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 10-90 et al. (filed May 14, 2013); AEE May 15, 2013 Ex Parte; Letter from Monica S. Desai, Counsel, Adak Eagle Enterprises, LLC and Windy City Cellular, LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 10-90 et al. (filed May 16, 2013); Letter from Monica S. Desai, Counsel, Adak Eagle Enterprises, LLC and Windy City Cellular, LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 10-90 et al. (filed May 20, 2013); AEE May 31, 2013 Ex Parte.

⁵ See, e.g., *AEE/WCC Interim Relief Order*, 27 FCC Rcd at 15840, para. 11.

⁶ The condition on the waiver enabling AEE to obtain interim support is in addition to any otherwise-applicable discontinuance requirements. See, e.g., 47 U.S.C. § 214(a); 47 C.F.R. § 63.71.

⁷ See *AEE/WCC Interim Relief Order*, 27 FCC Rcd at 15836-40, paras. 2-11.

⁸ See *WCC Interim Relief Order*, 27 FCC Rcd at 6227-28, paras. 12-15 (describing the methodology used to determine the interim support amount for WCC).

⁹ This one month interim relief is for the period subsequent to the final disbursement of interim relief authorized by the *AEE/WCC Interim Relief Order*.

¹⁰ See *AEE/WCC Interim Relief Order*, 27 FCC Rcd at 15839-40, para. 9 (describing the methodology used to determine the interim support amount for AEE).

¹¹ See *supra* note 9.

¹² *Connect America Fund et al.*, WC Docket No. 10-90 et al., Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663 (2011) (*USF/ICC Transformation Order*), *pets. for review pending sub nom. In re: FCC 11-161*, No. 11-9900 (10th Cir. filed Dec. 8, 2011).

Administrative Company SHALL MAKE payment to Windy City Cellular, LLC and Adak Eagle Enterprises, LLC in accordance with the amount, terms and conditions described herein.

6. 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

Ruth Milkman
Chief, Wireless Telecommunications Bureau

Julie A. Veach
Chief, Wireline Competition Bureau