

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)
)

ORDER

Adopted: November 25, 2014

Released: November 25, 2014

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

1. In this order, we approve a request filed by AT&T Services, Inc. on behalf of its affiliate AT&T Mobility, LLC (f/k/a Cingular Wireless, LLC) (collectively, AT&T) to relinquish its eligible telecommunications carrier (ETC) designation in Virginia in study area code (SAC) 199009. The relinquishment shall be effective on December 31, 2014.¹

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 Consistent with this statutory requirement, once the requesting ETC makes the requisite showing under section 214(e)(4), a state commission or this Commission grants the request for relinquishment.

3. The Wireline Competition Bureau designated AT&T Mobility as an ETC on May 1, 2008.⁴ Pursuant to section 214(e) of the Act, AT&T filed notice of its intent to relinquish its ETC

¹ See Notice of Relinquishment of Eligible Telecommunications Carrier Designation, WC Docket No. 09-197 (filed Oct. 14, 2014) (AT&T Relinquishment Notice).

² 47 U.S.C. § 214(e)(6).

³ 47 U.S.C. § 214(e)(4).

⁴ See *High-Cost Universal Service Support, Federal-State Joint Board on Universal Service, Alltel Communications, Inc., et al., Petitions for Designation as Eligible Telecommunications Carriers*, Order, WC Docket No. 05-337, CC Docket No. 96-45, 23 FCC Rcd 8834, Appendix B (2008). The Commission designated Highland Cellular as an ETC in 2004. *Federal-State Joint Board on Universal Service, Highland Cellular, Inc. Petition for Designation as an Eligible Telecommunications Carrier*, CC Docket 96-45, Memorandum Opinion and Order, FCC 04-37 (rel. April 12, 2004). AT&T Inc. acquired Dobson Cellular Corporation, of which Highland Cellular was a subsidiary in 2007. See *Applications of AT&T Inc. and Dobson Communications Corporation for Consent to Transfer Control of Licenses and Authorization*, WT Docket No. 07-153, 22 FCC Rcd 20295 (2007). AT&T worked with the Universal Service Administrative Company (USAC) to consolidate Highland Cellular’s SAC with AT&T Mobility’s SAC; the SAC consolidation was completed in 2009, leaving only SAC 199009. See Letter from Cathy Carpino, AT&T, to Ms. Marlene H. Dortch, Secretary, FCC, *High-Cost Universal Service Support*, WC Docket No. 05-337; *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45; *Highland Cellular, LLC (SAC 199002) and AT&T Mobility (SAC 199009) Virginia ETC Designations* (filed Nov. 5, 2008).

designation in Virginia in SAC 199009.⁵ In its filing, AT&T provides a list of incumbent local exchange carrier ETCs as well as a list of the competitive ETCs providing service in AT&T Mobility's service area.⁶ AT&T indicates that it will continue to offer service as a non-ETC in these areas.⁷ AT&T also indicates that it will notify its Lifeline customers in writing that AT&T Mobility will cease participating in the Lifeline program, informing customers that if they desire to continue receiving Lifeline benefits, they should contact another provider.⁸ Additionally, AT&T states that it will not impose an early termination fee on any Lifeline customer who opts to leave AT&T to obtain Lifeline discounted service from another provider.⁹ Based on these circumstances, including our finding that AT&T has demonstrated that various carriers designated as ETCs in the areas in which it seeks to relinquish its designation will continue to serve AT&T's Lifeline subscribers, we conclude that it is appropriate to grant AT&T's request to relinquish its ETC designation.¹⁰

4. 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 designation of AT&T Services, Inc. on behalf of its affiliate AT&T Mobility, LLC (f/k/a Cingular Wireless, LLC in Virginia in study area code 199009 IS RELINQUISHED to the extent provided herein.¹¹

5. IT IS FURTHER ORDERED that, AT&T SHALL TRANSMIT a copy of this order to each of the relevant state commissions and the Universal Service Administrative Company.

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

Ryan B. Palmer
Chief
Telecommunications Access Policy Division
Wireline Competition Bureau

⁵ See AT&T Relinquishment Notice at 1.

⁶ *Id.* at 2, Attachments A and B.

⁷ *Id.* at 2.

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.* at 2, Attachments A and B.

¹¹ The Universal Service Administrative Company shall discontinue the eligibility of the SAC assigned to AT&T Mobility effective December 31, 2014.