

**JOINT STATEMENT OF
COMMISSIONERS MICHAEL O'RIELLY AND MIGNON L. CLYBURN**

Re: *Adak Eagle Enterprises, LLC and Windy City Cellular, LLC, WC Docket No. 10-90, Petitions for Waiver of Certain High-Cost Universal Service Rules, WT Docket No. 10-208.*

Congress directed the FCC to ensure that consumers throughout the Nation, including Alaska, have access to reasonably comparable services at reasonably comparable rates. But this obligation is not without limits and we need to balance the interests of consumers that benefit from subsidies in high cost areas with the burdens on consumers and businesses that pay into USF to ensure that support is provided and used in a cost-effective manner. This balance is one of the reasons that the FCC adopted a rule that no carrier should receive more than \$3,000 per “line” per year in high cost support without further inquiry – support that is in addition to universal service subsidies associated with intercarrier compensation reform.

While we recognize the challenges associated with providing service in the Adak Island area, the Commission made clear that it would engage in a “rigorous, thorough and searching review comparable to a total company earnings review” to determine whether expenses were justified and a waiver of its rules should be granted.

Despite the extensive record developed over the three years that this waiver has been pending, serious questions remain. Without sufficient answers, the Commission is unable to approve a waiver. Rather than prolong this already lengthy inquiry, it is important to provide a response. We are very mindful of the potential impact on residents of Adak, but there is no evidence that they are at risk of losing access to communications services.