

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

NEW CINGULAR WIRELESS PCS, LLC	)	
("AT&T MOBILITY) NOTICE OF ACQUISTION	)	CASE NO.
AND REQUEST FOR TRANSFER OF ELIGIBLE	)	2008-00077
TELECOMMUNICATIONS CARRIER DESIGNATION)	)	

ORDER

On March 27, 2009, New Cingular Wireless PCS, LLC d/b/a AT&T Mobility ("AT&T Mobility") filed a petition with the Commission providing notice of a partial relinquishment of an Eligible Telecommunications Carrier ("ETC") Designation by American Cellular Corporation ("ACC").<sup>1</sup> By Order dated April 14, 2008, the Commission granted a request by AT&T Mobility to transfer the ETC designation of ACC to AT&T Mobility for the market areas for which ACC was previously designated as an ETC. The exceptions to that request were ACC market areas Kentucky RSA 6 and 8, as those areas were being divested, pursuant to an order of the Federal Communications Commission. In its filing on March 27, 2009, AT&T Mobility stated that market areas Kentucky RSA 6 and 8 were successfully divested to Cellco Partnership d/b/a Verizon Wireless and its subsidiaries ("Verizon Wireless") as of December 22, 2008. AT&T Mobility stated that ACC's ETC designations for those markets were not

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<sup>1</sup> On February 26, 2008, AT&T, Inc., the parent company to AT&T Mobility, notified the Commission that it acquired ACC and would merge it into AT&T Mobility in April 2008.

transferred to Verizon Wireless and, therefore, requests Commission approval to relinquish the ETC designations for the divested areas, effective December 22, 2008.

The Commission finds that the petition lacks information critical and necessary to the Commission's decision on the request for relinquishment. The Commission finds that petitioner should respond to the requests for information included in the Appendix to this Order.

IT IS THEREFORE ORDERED that:

1. AT&T Mobility shall respond to the Commission's data request, as provided in the Appendix to this Order, no later than April 17, 2009.

2. a. AT&T Mobility shall file with the Commission the original and five copies of the information requested herein, with a copy to all parties of record. Responses to requests for information shall be appropriately bound, tabbed and indexed and shall include the name of the witness responsible for responding to the questions related to the information provided.

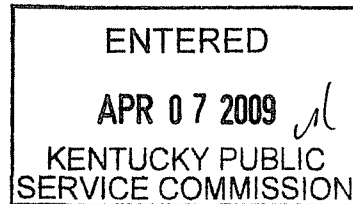
b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

c. AT&T Mobility shall make timely amendments to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect.

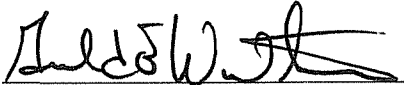
d. For any requests to which AT&T Mobility fail or refuse to furnish all or part of the requested information, AT&T Mobility shall provide a written explanation of the specific grounds for the failure to completely and precisely respond.

e. Careful attention should be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations.

By the Commission



ATTEST:

*for*   
Executive Director

## APPENDIX

### APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2008-00077 DATED **APR 06 2009**

1. AT&T Mobility is requesting that the Commission approve its request to relinquish its ETC designation effective December 22, 2008. Is it AT&T Mobility's position that the 1996 Telecommunications Act allows an ETC to relinquish its designation before gaining approval from a state Commission? Provide a detailed explanation of the basis for your answer.

2. Has either AT&T Mobility or Verizon Wireless been acting as an ETC since December 22, 2008 for those customers in the areas in which ACC seeks to relinquish its ETC Designation?

3. Has either AT&T Mobility or Verizon Wireless been providing Lifeline and Link-up services to customers since December 22, 2008 for those customers in the areas in which ACC seeks to relinquish its ETC Designation?

4. Has either AT&T Mobility or Verizon Wireless received any High-Cost or Low-Income support from the state or Federal Universal Service Funds since December 22, 2008 for those customers in the areas in which ACC seeks to relinquish its ETC Designation?

5. How many Lifeline customers are in Kentucky RSA 6 and 8?

6. Has either AT&T Mobility or Verizon Wireless identified any other ETCs in the areas of relinquishment other than the incumbent local exchange carriers that may be able to serve customers?

- a. If so, provide the names of those incumbent carriers.
- b. Have any wireless ETCs been identified?
- c. If so, provide the names of those wireless carriers.

7. In March 2009, Verizon Wireless made notifications to the Lifeline customers in the affected areas that Lifeline service would no longer be available to them as of March 30, 2009. Has AT&T Mobility notified its customers that they will have to seek Lifeline services from other ETCs and has it provided a list of ETCs that will be eligible to serve those customers?

a. If so, provide details about the methods of notice to those customers, including the dates on which notice was given. If notice was provided by written letter, provide a copy of that letter.

b. If notice has not been provided, explain why such notice is not required or necessary.

8. Has either AT&T Mobility or Verizon Wireless notified the Universal Service Administration Company ("USAC") or the Federal Communications Commission ("FCC") that it no longer serves customers in the relinquished area?

- a. If yes, provide copies of the notices.
- b. If no, explain why notice was not provided.

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