

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF EVERYCALL COMMUNICATIONS,)
INC. DBA ALL AMERICAN HOME PHONE AND)
D/B/A LOCAL USA FOR RELINQUISHMENT OF) Case No. 2014-00148
ELIGIBLE TELECOMMUNICATIONS CARRIER)
DESIGNATION)

ORDER

On July 13, 2009, the Commission granted the request of EveryCall Communications, Inc. d/b/a All American Home Phone and d/b/a Local USA (“EveryCall”) for designation as an Eligible Telecommunications Carrier (“ETC”).¹ EveryCall is authorized to receive low-income support for the purpose of providing the federal Lifeline program. On April 22, 2014, EveryCall petitioned the Commission, pursuant to 47 U.S.C. § 214(e)(4) and 47 C.F.R. § 54.205, for relinquishment of its ETC status in Kentucky and to discontinue the provision of wireline local exchange and interexchange services to both Lifeline and non-Lifeline customers.

EveryCall is a non-facilities-based wireline provider using the services of BellSouth Telecommunications, LLC d/b/a AT&T Kentucky (“AT&T Kentucky”) as its underlying carrier, and provides services solely in AT&T Kentucky’s service territory. EveryCall offers both postpaid and prepaid service to Lifeline and non-Lifeline

¹ Case No. 2009-00051, In the Matter of the Petition of Everycall Communications, Inc. D/B/A Local USA D/B/A All American Home Phone for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Kentucky (Ky. PSC July 13, 2009).

customers. It currently serves approximately 96 subscribers in Kentucky, of which 22 subscribe to one of EveryCall's Lifeline plans.²

Under 47 U.S.C. § 214(e)(4), a State commission shall permit a carrier to relinquish its ETC designation in any area served by more than one ETC. AT&T Kentucky, EveryCall's underlying carrier, is designated as an ETC, and the Commission is aware that it also serves as an underlying carrier for several utilities designated as ETCs. Therefore, following relinquishment of EveryCall's ETC designation, there will continue to be several ETCs in the study area that provide Lifeline. Because other ETCs currently serve the entire area in which EveryCall is designated an ETC in Kentucky, notice need not be provided to those carriers to permit them to purchase or construct facilities to ensure that EveryCall's customers will continue to receive service.

EveryCall provided written notice on April 15, 2014, to each of its customers in Kentucky advising that it will no longer provide service after June 15, 2014. The notice informed customers that they must make arrangements with another carrier to avoid loss of service and provided a toll-free number that customers may call to have an EveryCall service representative assist with the transition.³

47 USC § 214 (e)(4) states in part:

The State commission . . . shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. An eligible telecommunications carrier that seeks to relinquish its eligible telecommunications carrier designation for an area served by more than one eligible telecommunications carrier shall give advance notice to the State commission of such relinquishment. Prior to permitting a telecommunications

² Petition at 2.

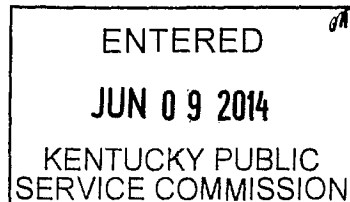
³ *Id.*

carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State commission shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunications carrier. The State commission . . . shall establish a time, not to exceed one year after the State commission approves such relinquishment under this paragraph, within which such purchase or construction shall be completed.

The Commission finds that, pursuant to 47 U.S.C. § 214(e)(4) above, because AT&T Kentucky is EveryCall's underlying carrier and serves as an underlying carrier for numerous utilities designated as ETCs, there is more than one ETC in the area of relinquishment, and those carriers have sufficient facilities for the provision of service. The Commission also finds that EveryCall has provided sufficient notice to its customers to enable those customers to seek alternative service providers.

The Commission being sufficiently advised, IT IS HEREBY ORDERED that EveryCall's request to withdraw as an ETC is granted. This case is now closed and removed from the Commission's docket.

By the Commission



ATTEST:



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