

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF NEXUS COMMUNICATIONS, INC.	)	
FOR ADDITIONAL DESIGNATION AS AN	)	CASE NO.
ELIGIBLE TELECOMMUNICATIONS CARRIER	)	2009-00110
IN KENTUCKY	)	

COMMISSION STAFF'S DATA REQUEST  
TO NEXUS COMMUNICATIONS, INC.

Nexus Communications, Inc. ("Nexus"), pursuant to 807 KAR 5:001, shall file with the Commission the original and four copies of the information requested herein on or before July 15, 2009. Responses to requests for information shall be appropriately bound, tabbed, and indexed. Each response shall include the name of the witness responsible for responding to the questions related to the information provided.

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 the 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.

Nexus shall make timely amendment 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. For any request to which Nexus fails or refuses to furnish all or part of the requested information, it shall provide a

written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall 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.

1. The Federal Communications Commission granted TracFone Wireless, Inc.'s ("TracFone") Petition for Forbearance and designated TracFone as an Eligible Telecommunications Carrier ("ETC") in certain states subject to six conditions.<sup>1</sup> Please explain in detail if Nexus is willing to accept those same conditions and how it will accomplish each condition.

2. Kentucky currently requires that all ETCs perform an audit of all customers receiving Lifeline benefits. Each customer must provide proof of eligibility. Does Nexus agree to audit all wireline and wireless Lifeline customers each year rather than conduct a yearly audit of only a sample of customers?

3. All the Incumbent Local Exchange Carriers ("ILECs") in Kentucky offer unlimited local calls. Provide an explanation as to how Nexus will offer a local usage

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<sup>1</sup> Petition of TracFone Wireless, Inc. for Forbearance from 47 USC § 214(e)(1)(A) and 47 C.F.R. § 54.201(i), 20 FCC Rcd 15095 (2005) ("TracFone Forbearance Order") and In the Matter of Federal-State Joint Board on Universal Service: TracFone Wireless, Inc. Petition for Designation as an Eligible Telecommunications Carrier in the State of New York et al., 23 FCC Rcd 6206 (2008) (granting TracFone's ETC petitions for Alabama, Connecticut, Delaware, District of Columbia, Massachusetts, New Hampshire, New York, North Carolina, Pennsylvania, Tennessee, and Virginia) ("TracFone ETC Order").

plan comparable to the plans offered by the ILECs in Kentucky for both wireline and wireless usage. Provide demonstrative evidence of such Nexus plans in other states where Nexus has received ETC designations.

4. Explain the process by which Nexus will verify the eligibility of Lifeline customers. Provide details about how and where Lifeline subscribers will be able to initiate service.

5. Refer to Exhibit 1 of the Nexus petition. It states that a Lifeline customer may purchase additional minutes of use.

a. Will the discounted minutes of use be made available only for Lifeline customers, or are they rated at the same usage rates as other Nexus customers?

b. If the minutes are discounted for only Lifeline customers, what security measures will Nexus put into place to ensure that only Lifeline customers will be able to purchase the usage cards?

6. Refer to Exhibit 1 of the Nexus petition. The Exhibit states a Lifeline telephone account will remain active for one year as long as the customer continues to receive government assistance.

a. How will Nexus monitor the accounts of Lifeline customers to ensure that the customers are receiving the benefit of the service? For example, if a customer stops using his or her Lifeline Nexus after six months, or if the wireless device is damaged so that it cannot be used, will Nexus continue to credit the customer with minutes to his or her account?

b. Under the scenario described above, will Nexus continue to receive Universal Service Fund disbursements for the provision of service even if the service is not being used?

7. The Kentucky Universal Service Fund for Lifeline support is maintained by a fee of eight cents per access line per month which is collected by carriers from every wireline and wireless subscriber. Nexus has not previously collected those funds from its Kentucky subscribers.

a. Upon receiving ETC designation, will Nexus begin contributing to the fund?

b. If so, explain how Nexus will implement the collection process and provide a detailed explanation of the methodology to be used to equate prepaid minutes to a month of service.

8. As of June 1, 2009, the Commission requires wireless carriers to support the Kentucky Telecommunications Relay Service and the Kentucky Telecommunications Access Program.<sup>2</sup> Each fund is supported by a fee of two cents per access line per month which is collected by carriers from every wireline and wireless subscriber.

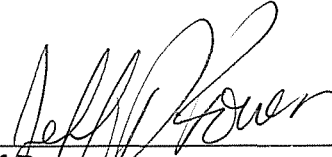
a. Upon receiving ETC designation, will Nexus begin contributing to the funds?

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<sup>2</sup> See Case No. 2007-00464, *Petition of the Kentucky Commission on the Deaf and Hard of Hearing to Expand the Funding Base for the Kentucky Telecommunications Access Program* (Ky. PSC Feb. 16, 2009). Wireless carriers had not been required to participate in the collection of either fee from their subscribers prior to this Order.

b. If so, explain how Nexus will implement the collection process and provide a detailed explanation of the methodology to be used to equate prepaid minutes to a month of service.

9. Does Nexus seek to receive Lifeline support from the Kentucky Universal Service Fund?



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Jeff Derouen  
Executive Director  
Public Service Commission  
P.O. Box 615  
Frankfort, KY 40602

DATED: JUN 22 2009

cc: Parties of Record

Honorable Douglas F Brent  
Attorney at Law  
Stoll Keenon Ogden, PLLC  
2000 PNC Plaza  
500 W Jefferson Street  
Louisville, KY 40202-2828

Steven Fenker  
President  
Nexus Communications, Inc.  
3629 Cleveland Avenue, Suite C  
Columbus, OH 43224