

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

e-Tel, LLC FOR DESIGNATION AS AN)
ELIGIBLE TELECOMMUNICATIONS) CASE NO. 2002-00323
CARRIER)

ORDER

On August 29, 2002, e-Tel, LLC (e-Tel) petitioned the Commission to designate e-Tel as an eligible telecommunications carrier (ETC) pursuant to 47 U.S.C. § 214(e) and 47 C.F.R. 54.201-207.

PROCEDURE

On October 14, 2002, the Commission issued an Order requesting written comments from the parties and other interested persons. No comments were received. A data request was also attached to the Order as Appendix A and e-Tel responded on October 31, 2002.

e-TEL

e-Tel is a competitive local exchange carrier (CLEC) with its principal location at 607 Broadway, Paducah, Kentucky 42001. e-Tel provides local exchange service using its own facilities to approximately 600 customers within the city of Murray, Kentucky. e-Tel s proposed service area will include study areas currently served by BellSouth Telecommunications, Inc. (BellSouth).

STATUTORY PROVISIONS

To receive ETC status, the Federal Communications Commission (FCC) requires a common carrier to: (1) offer services that are supported by federal universal

support mechanisms¹ throughout its designated service area; (2) provide these services using its own facilities (including unbundled network elements) or a combination of its own facilities and resale of another carrier's facilities; and (3) advertise the availability of these services through media of general distribution.

The Commission finds that e-Tel has met the standards established by the FCC. e-Tel currently provides services eligible for support by the federal universal service fund to 100 percent of the lines in the service area for which it seeks ETC designation.² In response to the Commission's October 14, 2002 Order requesting information, e-Tel responded that it offers these services through use of its own facilities. e-Tel has not begun advertising the availability and price of these services using media of general distribution, but assures the Commission that it will do so if granted ETC status.³ e-Tel has fully complied with FCC guidelines regarding ETC designation.

CONCLUSION

e-Tel has provided sufficient evidence for this Commission to grant ETC status. This designation will benefit consumers in Kentucky by expanding the range of competitive choices and by providing an incentive for incumbent telephone companies to improve their existing networks.

¹ These services are: (1) Voice grade access to the public switched network; (2) Local usage; (3) Dual tone multi-frequency signaling or its functional equivalent; (4) Single-party service or its functional equivalent; (5) Access to emergency services; (6) Access to operator services; (7) Access to interexchange services; (8) Access to directory assistance services; and (9) Toll limitation for qualifying low-income consumers. 47 C.F.R. Section 54.101(a).

² e-Tel's Response to the Commission's October 14, 2002 Order at 2.

³ e-Tel's Response to the Commission's October 14, 2002 Order at 4.

The Commission, having reviewed the evidence of record and having been otherwise sufficiently advised, HEREBY ORDERS that:

1. e-Tel is designated as an ETC for the current service territory of BellSouth. Accordingly, e-Tel is eligible to receive federal Universal Service Fund support.

2. e-Tel shall offer universal support services to consumers in its service area.

3. e-Tel shall offer these services using its own facilities or a combination of its own facilities and resale of another carrier's services, including the services offered by another ETC.

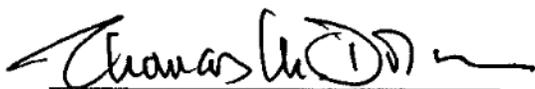
4. e-Tel shall advertise the availability of and charges for these services using media of general distribution.

5. A copy of this Order shall be served upon the FCC and the Universal Service Administrative Company.

Done at Frankfort, Kentucky, this 26th day of November, 2002.

By the Commission

ATTEST:


Executive Director