

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INQUIRY INTO THE STATE UNIVERSAL )  
SERVICE FUND )

CASE NO.  
2016-00059

ORDER

On February 1, 2016, the Commission, on its own motion, initiated this administrative proceeding to investigate the current and future funding, distribution, and administration of the Kentucky Universal Service Fund ("KUSF"), which provides supplemental support for authorized telecommunications carriers that also participate in the federal Lifeline program. The Commission named as parties, *inter alia*, all Local Exchange Carriers, all commercial mobile radio service providers, and all eligible telecommunications carriers ("ETC") (collectively "Carriers"). The Commission noted that some of the Carriers may not have an interest in this proceeding and allowed each Carrier that is not an ETC in Kentucky receiving both federal Universal Service Fund and state support the opportunity to file a written request setting forth the reasons why withdrawal as a party is appropriate.

On April 25, 2016, Dialog Telecommunications, Inc. ("Dialog") filed with the Commission a motion to withdraw or, in the alternative, an extension of time in which to respond to Commission Staff data requests. In its motion, Dialog states that, while it is designated as an ETC in Kentucky, it receives only federal support and that it collects and remits the monthly KUSF surcharge in Kentucky. Dialog states that, if allowed to withdraw, it will monitor any compliance items affected by this this proceeding.

The Commission does not lightly dismiss any ETC to this proceeding, regardless of whether that designation is solely for federal support or for state and federal support. However, in the case of Dialog, we note that Dialog does not receive KUSF support and has operated in Kentucky as an ETC with no history of Commission or Federal Communications Commission investigations, actions, and/or penalties relating to participation in the Lifeline program. We also note that, according to the records of the Universal Service Administration Company, Dialog receives a *de minimus* amount of federal Lifeline support, ranging from \$19 to \$37 a month.<sup>1</sup>

Based upon the above, we conclude that allowing Dialog to withdraw from this proceeding should be granted. Dialog will continue to be subject to Commission jurisdiction, as set forth in KRS Chapter 278, and will be bound by any decision the Commission renders in this proceeding.

IT IS THEREFORE ORDERED that:

1. Dialog's motion to withdraw is granted.
2. Dialog is no longer a party to this proceeding, and it shall be removed from the service list for this proceeding.
3. Dialog shall continue to be subject to Commission jurisdiction as set forth in KRS Chapter 278, shall be bound by any Orders the Commission issues in this proceeding, and shall be served with any future Orders that affect the monthly KUSF surcharge.

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<sup>1</sup> <http://www.usac.org/li/tools/disbursements/results.aspx>

By the Commission

ENTERED  
MAY 05 2016  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:



Acting Executive Director

Case No. 2016-00059

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Champaign, IL 61820

\*The Other Phone Company, LLC dba Access  
The Other Phone Company, LLC dba Access One  
4001 N Rodney Parham Road  
Little Rock, AR 72212

\*Windstream Communications, LLC  
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\*Windstream KDL, LLC  
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\*PAETEC Communications, LLC  
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