

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON DC 20554**

In the Matter of:	)	
	)	
Federal-State Joint Board on Universal Service	)	CC Docket No. 96-45
	)	
Michiana Metronet Inc.	)	
Centennial Michigan RSA 6 Cellular Corp.	)	
Centennial Michigan RSA 7 Cellular Corp.	)	
	)	
Petition for Waiver of Section 54.314(d)(3)	)	
Of the Commission's Rules	)	

**REPLY COMMENTS OF  
THE MICHIGAN PUBLIC SERVICE COMMISSION**

Pursuant to the Federal Communications Commission's ("FCC") procedural schedule established in the above docket, the Michigan Public Service Commission ("MPSC") hereby submits its reply comments.

**I. INTRODUCTION**

On November 26, 2003, the FCC requested comments regarding the petition of Michiana Metronet Inc., Centennial Michigan RSA 6 Cellular Corp., and Centennial Michigan RSA 7 Cellular Corp. ("Centennial") for a waiver of the April 1, 2003 deadline, as set by Section 54.314(d), to "allow Centennial to receive universal service support in Michigan" for the time period from September 11, 2003 to December 31, 2003.<sup>1</sup>

Section 54.314(a) places the burden on state regulatory agencies to file certification with both the Universal Service Administrative Company ("USAC") and the FCC, that companies

have provided affidavits stating that “all federal high-cost support provided to such carriers within that State will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.”<sup>2</sup>

Section 54.314(d) sets the deadlines for filings, outlining that the deadline of April 1<sup>st</sup> allows a company to receive support for the third and fourth quarters of that year.

## II. DISCUSSION

Centennial filed its application for eligible telecommunications carrier (“ETC”) status with the MPSC on March 28, 2003.<sup>3</sup> In accordance with the *Twelfth Report and Order*, the MPSC designated Centennial an ETC on September 11, 2003, within the six- month timeframe<sup>4</sup> and, on September 30, 2003, the MPSC issued a Minute Action certifying 43 ETCs.<sup>5</sup> On November 4, 2003, Centennial petitioned the FCC requesting a waiver to establish a funding mechanism from September 11, 2003 to December 31, 2003.

As CenturyTel, Inc. (“CenturyTel”) stated in its reply comments, Centennial’s application for ETC status did not reveal the need for the MPSC to “issue the necessary certification for the waiver period.”<sup>6</sup> In addition, Centennial’s affidavit for the 2004 year’s support did not provide the MPSC with information that Centennial would be requesting universal service support starting on September 11, 2003.

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<sup>1</sup> Michiana Metronet Inc., Centennial Michigan RSA 6 Cellular Corp., and Centennial Michigan RSA 7 Cellular Corp. Petition for Waiver of Section 54.314(d) of the Commissions Rules, CC Docket 96-45, November 4, 2003.

<sup>2</sup> Part 54, Universal Service, Section 54.314(a)

<sup>3</sup> MPSC Order, In the Matter of the Application of Michiana Metronet, Inc., Centennial Michigan RSA 6 Cellular Corp., and Centennial Michigan RSA 7 Cellular Corp., for Designation as Eligible Telecommunications Carriers Pursuant to Section 214(e)(6) of the Communications Act of 1934, U-13751, September 11, 2003.

<sup>4</sup> *Twelfth Report and Order, Memorandum Opinion and Order, and Further Notice of Proposed Rulemaking*, CC Docket No. 96-45 (FCC 00-208), June 30, 2000, ¶ 94.

<sup>5</sup> On October 9, 2003, an Erratum was issued to the Minute Action of September 30, 2003 to include Centennial Michigan RSA 6 Cellular Corp. and Centennial Michigan RSA 7 Cellular Corp. as ETCs eligible to receive universal service support for 2004.

<sup>6</sup> CenturyTel’s Reply Comments, CC Docket No. 96-45, December 10, 2003, pg. 2.

Centennial's application for ETC status in Michigan was determined through a formal proceeding.<sup>7</sup> CenturyTel (this proceeding's only opposition) was a very active participant in the application process arguing that Centennial's application should be denied, as it was not in the "public interest" and that providing Centennial with universal service funds would be an "unearned windfall" for the company.

### **III. CONCLUSION**

Centennial's ability to receive universal service support from September 11, 2003 to December 31, 2003 depends on two actions: 1) a waiver from Section 54.314(d)(3) of the FCC's rules, and 2) the certification of Centennial's affidavit that the funds will be used "only for the provision, maintenance, and upgrading of facilities and services for which the support is intended" by the MPSC.

Respectfully submitted,

**MICHIGAN PUBLIC SERVICE COMMISSION**

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**DATED: December 17, 2003**

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<sup>7</sup> MPSC Order, In the Matter of the Application of Michiana Metronet, Inc., Centennial Michigan RSA 6 Cellular Corp., and Centennial Michigan RSA 7 Cellular Corp., for Designation as Eligible Telecommunications Carriers Pursuant to Section 214(e)(6) of the Communications Act of 1934, U-13751, September 11, 2003.