

**In the Matter of a Notice to Rural Digital Opportunity Fund (RDOF) Grant Winners and In the Matter of a Petition of LTD Broadband LLC to Expand its Designation as an Eligible Telecommunications Carrier.**

**Dockets P999/CI-21-86, P6995/M-21-133**

Commissioner Tuma offers the following decision option amendments:

1. A. Find, based on the record before the Commission as of now, the requirements for ETC designation have been met, approve LTD’s petition for ETC designation in the census blocks listed in its petition subject to this Commission’s ongoing jurisdiction to oversee ETC compliance as set forth in sections 214(e)(2) and 254(f) of the Communications Act of 1934, as amended, the FCC’s Universal Service rules, codified at 47 C.F.R. section 54, and the applicable FCC auction materials. Staff shall provide notice for comment, by July 1, 2021, to address the state’s present and recommended authority over ETC companies and the role of DOC, DEED, DPS, OAG, and the Commission in overseeing ETCs.
  - B. So that state agencies and the Commission’s Consumer Affairs Office may explain service expectations to customers in the affected census blocks, LTD shall do the following:
    - i. Within 10 days of the order LTD shall make a compliance filing explaining when it is legally obligated to commence advertising and providing voice telephony and Lifeline services as required by the FCC under their RDOF order.
    - ii. Further, as part of the compliance filing, LTD shall explain its comments at page 7 of its petition where it states that it “is committed to providing the supported services throughout the Service Area to all customers who make a request for such services *if service can be provided at reasonable cost by constructing network facilities*” and how that is in compliance with the FCC Rural Digital Opportunity Fund, Report and Order (FCC 20-5), particularly paragraph 6 of the order
  - C. In its 2021 ETC recertification filing, LTD shall provide a detailed explanation of when it is obligated under the FCC rules and FCC CAF II orders to commence offering voice telephony and Lifeline services upon deployment of their CAF II broadband.