



October 31, 2018

VIA ELECTRONIC FILING

Mr. Daniel P. Wolf
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101-2147

Re: **Petition Regarding Eligible Telecommunications Carrier Status
Docket No. P5891-**

Dear Mr. Wolf:

Attached hereto, please find a Summary of Filing and a Petition of Jaguar Communications, Inc. Regarding Eligible Telecommunications Carrier Status for filing in a new docket.

All individuals on the attached service list have been electronically served as appropriate.

Thank you for your assistance. Please do not hesitate to contact me should you have any questions or concerns or if you require additional information. My direct dial number is (507) 214-0269 and my email address is kanderson@jagcom.net.

Sincerely,

JAGUAR COMMUNICATIONS, INC.
/s/ Kristine A. Anderson
In-House Counsel

Enclosure

cc: Service List

CERTIFICATE OF SERVICE

I, Kristine Anderson, hereby certify that I have this day served a true and correct copy of the following document to all persons at the addresses indicated on the attached list by electronic filing, electronic mail, or by depositing the same enveloped with postage paid in the United States Mail at Owatonna, Minnesota:

**Petition of Jaguar Communications, Inc. Regarding
Eligible Telecommunications Carrier Status
Docket No. P5891-_____**

filed this 31st day of October, 2018.

/s/ Kristine A. Anderson
Kristine A. Anderson, Esq.
In-House Counsel
Jaguar Communications, Inc.

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Linda	Chavez	linda.chavez@state.mn.us	Department of Commerce	85 7th Place E Ste 280 Saint Paul, MN 55101-2198	Electronic Service	No	GEN_SL_Jaguar Communications, Inc._Petition for ETC Designation
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC	445 Minnesota Street Suite 1800 St. Paul, MN 55101	Electronic Service	No	GEN_SL_Jaguar Communications, Inc._Petition for ETC Designation
Ian	Dobson	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012130	Electronic Service	No	GEN_SL_Jaguar Communications, Inc._Petition for ETC Designation
Daniel P	Wolf	dan.wolf@state.mn.us	Public Utilities Commission	121 7th Place East Suite 350 St. Paul, MN 551012147	Electronic Service	No	GEN_SL_Jaguar Communications, Inc._Petition for ETC Designation

STATE OF MINNESOTA

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Nancy Lange
Dan Lipschultz
Matt Schuerger
Katie Sieben
John Tuma

Chair
Commissioner
Commissioner
Commissioner
Commissioner

MPUC Docket No. P5891-/

**IN THE MATTER OF THE PETITION
OF JAGUAR COMMUNICATIONS, INC.
REGARDING ELIGIBLE
TELECOMMUNICATIONS
CARRIER STATUS**

SUMMARY OF FILING

Please take notice that on October 31, 2018, Jaguar Communications, Inc. (“Jaguar”) filed with the Minnesota Public Utilities Commission a Petition seeking designation as an ETC for certain areas and confirming its prior designation as an ETC for certain areas. Jaguar seeks ETC designation for purposes of securing CAF II funding for awarded areas and the ability to obtain support for eligible Lifeline customers throughout its service area.

Dated: October 31, 2018

Respectfully submitted,

/s/

Kristine A. Anderson

STATE OF MINNESOTA

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Nancy Lange	Chair
Dan Lipschultz	Commissioner
Matt Schuerger	Commissioner
Katie Sieben	Commissioner
John Tuma	Commissioner

MPUC Docket No. P5891-_____

**IN THE MATTER OF THE PETITION
OF JAGUAR COMMUNICATIONS, INC.
REGARDING ELIGIBLE
TELECOMMUNICATIONS
CARRIER STATUS**

PETITION

OVERVIEW

Jaguar Communications, Inc. (Jaguar) submits this Petition Regarding Eligible Telecommunications Carrier Status to the Minnesota Public Utilities Commission (Commission) to seek confirmation of its prior designation as an Eligible Telecommunications Carrier (ETC) in certain areas and expansion/designation as an ETC for certain additional areas for the purposes of receiving funding from the Universal Service Fund (USF) related to certain Connect America Fund Phase II (CAF II) areas and for its low-income support program (Lifeline).

Although Jaguar previously received the Commission's approval for designation as an ETC for some parts of its service territory, Jaguar did not perfect its ETC status with the USF, has not received a USF study code, and has never sought nor obtained USF reimbursement typically associated with ETC providers. Jaguar recently participated in the Federal Communications Commission's (FCC) CAF II auction and was deemed a winning bidder for eighteen locations in the eligible census blocks in the census block groups identified in Attachment A (Funded Areas).

Hence, Jaguar takes this opportunity to both seek ETC designation for areas that were not previously considered by the Commission and to obtain confirmation of its prior ETC designation, thus ensuring that the Funded Areas are included, pursuant to § 214(e) of the Communications Act of 1934 (47 U.S.C. 214). Upon receipt of the Commission's approval and confirmation, Jaguar will seek to perfect its ETC status by obtaining an appropriate Study Area Code(s).

The following requisite information is supplied pursuant to Minn. R. part 7829.1300, Subp. 3:

Petitioner: Jaguar Communications, Inc.
213 South Oak Avenue
Owatonna, MN 55060
507-213-1000

Attorney and:
Contact Person Kristine A. Anderson (In-House Counsel)
for Jaguar Jaguar Communications, Inc.
213 South Oak Avenue
Owatonna, MN 55060
kanderson@jagcom.net
507-213-0269

Date of Filing: October 31, 2018

Proposed Effective: The proposed effective date of designation of eligibility to receive
Date Universal Service Support is immediately upon the Commission's
issuance of an Order

Rule Controlling: Minn. R. part 7811.1400, Subp. 12
Time Frame for
Commission Action Minn. R. part 7811.1400 identifies the timing and procedures
and Response to for intervention, submission of comments and replies, and
Petition challenges to the Petition's form and completeness.

Identification of: Identified on Attachment A, incorporated herein by reference
Service Area for Upon information and belief, none of the LECs servicing the
which Designation requested areas are rural telephone companies within the meaning
is Sought of relevant statutes and rules.

Minnesota Rule 7811.1400, Subp. 4 requires that, when filing for a Petition seeking ETC designation, Jaguar identify several things, including some of the information provided above, an explanation regarding how Jaguar satisfies the requirements for receiving universal support, and other matters. This Petition addresses each of the requisite areas; and, the Petitioners respectfully request that the Commission approve Jaguar's request for ETC designation and/or reaffirm its existing designation as an ETC for the identified areas.

DISCUSSION

Background

Jaguar is a Minnesota corporation in good standing with the Minnesota Secretary of State's Office. Jaguar currently provides telephone and other telecommunications services in Minnesota.

Jaguar was certified to provide long distance and local exchange service in certain exchanges served by US West and Contel/GTE in 2000 in Docket No. P5891/NA-00-357. Jaguar received approval to amend its certificate to include certain exchanges served by CenturyTel, Citizens Telecom, Frontier, Citizens Communications, Embarq, Qwest, Ace, Home Telephone, Mankato Citizens, Mid-Communications, and Scott Rice Telephone in Docket No. P5891/NA-M-08-446. Jaguar received ETC certification for the Qwest Minnesota exchanges of Owatonna, Faribault, Waseca, Albert Lea, Rochester, Stewartville exchanges in Docket No. P5891/M-06-1159. It received ETC certification for the Preston, Spring Valley, Green Isle, Henderson, Alden, Blooming Prairie, Byron, Claremont, Clarks Grove, Dodge Center, Ellendale, Hayfield, Rochester, Stewartville, New Richland exchanges in Docket No. P5891/M-08-1343 conditioned on filing interconnect agreements with Embarq and CenturyTel. An interconnect agreement with Embarq was filed. No interconnect agreement with CenturyTel was filed; and, Jaguar does not currently serve those exchanges.

Jaguar Meets the Requirements for Designation as an ETC

Federal rules provide that voice telephony services shall be supported by federal universal service support mechanisms.” 47 C.F.R. 54.101(a) (2018). In order to be eligible for such support, voice telephony services must provide voice grade access to the public switched network or functional equivalent; provide for minutes of use for local service at no additional charge to end users; provide access to emergency services such as 911 and enhanced 911; and provide toll limitation services to qualifying low-income consumers. *Id.*

The Commission shall, upon request, designate a common carrier that meets the necessary requirements as an ETC for a service area designated by the Commission. 47 C.F.R. 54.201(b) (2018). A common carrier designated as an ETC must offer the services that are supported by federal universal support mechanisms, either using its own facilities or a combination of its own facilities and resale of another carrier’s services; and, advertise the availability of such services and charges using media of general distribution. 47 C.F.R. 54.201(d) (2018).

In order to be designated as an ETC, a provider must certify that it will comply with the service requirements applicable to the support that it receives. 47 C.F.R. 54.202(a)(i) (2018). Although typical ETC applicants must provide a five-year plan describing proposed improvements to its network, that requirement is waived for CAF-II recipients. FCC Public Notice DA 18-714, July 10, 2018. The provider must also demonstrate its ability to remain functional in emergency situations; satisfy applicable consumer protection and service quality standards; and, demonstrate that designation as an ETC serves the public interest. 47 C.F.R. 54.202 (2018).

Jaguar meets the requirements for designation as an ETC, as demonstrated by consideration of its particular facts and circumstances and by its previous designation as an ETC for certain service areas.

- Jaguar is a common carrier within the meaning of the federal definition thereof for purposes of ETC designation because it offers local exchange service including a basic

phone line and various features to choose from to the general public, thereby making it an entity “engaged as a common carrier for hire, in interstate or foreign communications by wire or radio.” *See*, 47 U.S.C. § 153 (11) (2018).

- Jaguar has the capability and intent to continue to offer voice telephony services, including Lifeline services, as evidenced by the fact that it currently provides telephony services over its own fiber-optic facilities and the facilities of its underlying carriers. Through Jaguar’s interconnection agreements with various ILECs, Jaguar’s customers are currently, and will continue to be, able to make and receive calls on the public switched telephone network. Jaguar is committed to provide service to all customers making a reasonable request for service. Jaguar certifies that it will: (a) provide service on a timely basis to requesting customers within the Service Area where Jaguar’s network already passes the potential customer’s premises; and (b) provide service within a reasonable period of time, if the potential customer is within the Service Area but not passed by Jaguar’s current network facilities, if service can be provided at reasonable cost by constructing network facilities. The services Jaguar offers meet the Basic Local Service requirements under Minn. Rule 7812.0600.
- Jaguar provides for minutes of local usage at no additional cost to end users because Jaguar includes unlimited local usage in all of its telephone service offerings.
- Jaguar provides access to emergency services for its users. Jaguar has an approved 911 plan; and, it provides access to enhanced 911 services including providing ANI and ALI information to the appropriate PSAPs.
- Jaguar provides toll limitation services to all of its customers at note charge.
- Jaguar respectfully requests that it be designated as an ETC for each of the exchanges identified in Attachment A. Jaguar is committed to providing the supported services throughout the service area to customers who make a request for such services.
- Jaguar will offer and advertise the availability of, and charges for, the supported services throughout its service area. Jaguar currently offers and advertises its telecommunications services to customers using multiple channels of general distribution, including print, internet, radio, direct mail, in its office, and inside and outside sales. The availability of Jaguar’s service offerings and the corresponding rates for those services throughout its service area are advertised through media of general distribution in a manner that fully informs the general public. Advertisement of its service offerings is a part of, and integrated into, Jaguar’s current advertising for its existing array of services and offerings in a manner that fully complies with federal requirements; and, Jaguar commits to continuing such advertisement in the future.
- Jaguar will comply will all certification, verification, and reporting requirements required for any and all USF support that it receives. Jaguar acknowledges and hereby

certifies that it will comply with the requisite federal and state laws, regulations, rules, requirements, and policies regarding universal support and the services it provides. Jaguar recognizes that it will be bound by the relevant rules contained Title 47, Part 54 of the Code of Federal Regulations.

- Since Jaguar will only be receiving CAF-II funding, and not other high cost support funds, Jaguar is not required to submit a five year plan as is typical in high cost support ETC petitions. Jaguar will, in addition to receiving CAF-II funding, seek reimbursement for its Lifeline support given to eligible Minnesota customers and, thus, submits this Petition seeking ETC designation accordingly.
- Jaguar has the ability to remain functional emergency situations, having auxiliary and battery backups. In the event of a commercial power outage, the central office serving Jaguar's customers is equipped with electrical generators and battery power supply to continue providing service. Customers are also protected in the event of a network failure, as Jaguar's interoffice facilities serving are on a diverse routed fiber optic ring; thus, traffic can be automatically rerouted in the event of an emergency situation. With regard to any underlying carriers and service providers, Jaguar has agreements with them assuring continued service availability in emergent situations. Additionally, Jaguar complies with the Commission's Rules in Chapter 7810 establishing minimum standards for various operational matters, such as 7810.3900 (Emergency Operations); 7810.4900 (Adequacy of Service); and 7810.5300 (Dial Service Requirements).
- Jaguar's service satisfies consumer protection and service quality standards requirements. Jaguar prides itself on providing exceptional customer service and service quality. Jaguar, is subject to, and complies with, the Commission's Rules pertaining to service quality and consumer protection. Jaguar's tariff has specific provisions outlining the following terms addressing various consumer protection issues including, deposit and guarantee requirements, customer billing, appropriate handling of customer complaints and billing disputes, and disconnection and notice requirements. Jaguar's employees provide live answering for customer and technical service calls 24 hours a day, seven days a week, 365 days a year to address customer concerns and handle customer issues expeditiously. The specific provisions in Jaguar's tariff, as well as the relevant service quality rules to which Jaguar is bound, will apply throughout the Service Area and assure a high level of service quality and consumer protection.
- Jaguar's designation as an ETC for the requested areas serves the public interest. The Commission has repeatedly found that the designation of qualified competitive ETCs services the public interest and comports with the State's goals of supporting universal service, maintaining just and reasonable rates, promoting customer choice options, encouraging fair and reasonable competition for telephone service in a competitively neutral manner, and maintaining and/or improving the quality of telephone and customer service. Generally, the Commission evaluates the unique aspects of a provider's service offerings on a case by case basis. Consumers will benefit from an increased opportunity

for low-income consumers to take advantage of Lifeline offerings; and, those in the Funded Areas will benefit from increased choice in service providers. Jaguar's service offerings are excellent and, in many cases, superior to that of incumbent providers in the service area. Jaguar presently has fiber to the home in the service and plans to place fiber to the home in the future, offering a technically superior network to that of the ILECs. Jaguar believes customers will additionally benefit from choosing a locally owned and based provider which has demonstrated its commitment to, and success in, responding to the service needs of its residents. Jaguar's local exchange services are affordable and consistent with its tariffed rates; and, Jaguar will provide the benefit of Lifeline discounts to qualifying subscribers. Additionally, as discussed above, Jaguar is committed to serving customers within its service area and to providing excellent service quality, customer service, and consumer protection. Jaguar will provide equal access to long distance carriers within the service area. Finally, there would not be any negative impact to the USF as a result of Jaguar's designation as an ETC for the requested service area. Accordingly, the public interest would be served by ETC designation for Jaguar.

REQUEST FOR COMMISSION ACTION

Jaguar respectfully requests that the Commission confirm its prior ETC designation for the identified areas and grant it ETC designation for the remaining areas. As demonstrated herein, Jaguar meets all requirements for designation as an ETC for the requested service area. Jaguar respectfully requests that the Commission expeditiously consider and approve its Petition so that Jaguar can meaningfully engage in and meet the CAF II requirements.

Dated: October 31, 2018

Respectfully submitted,

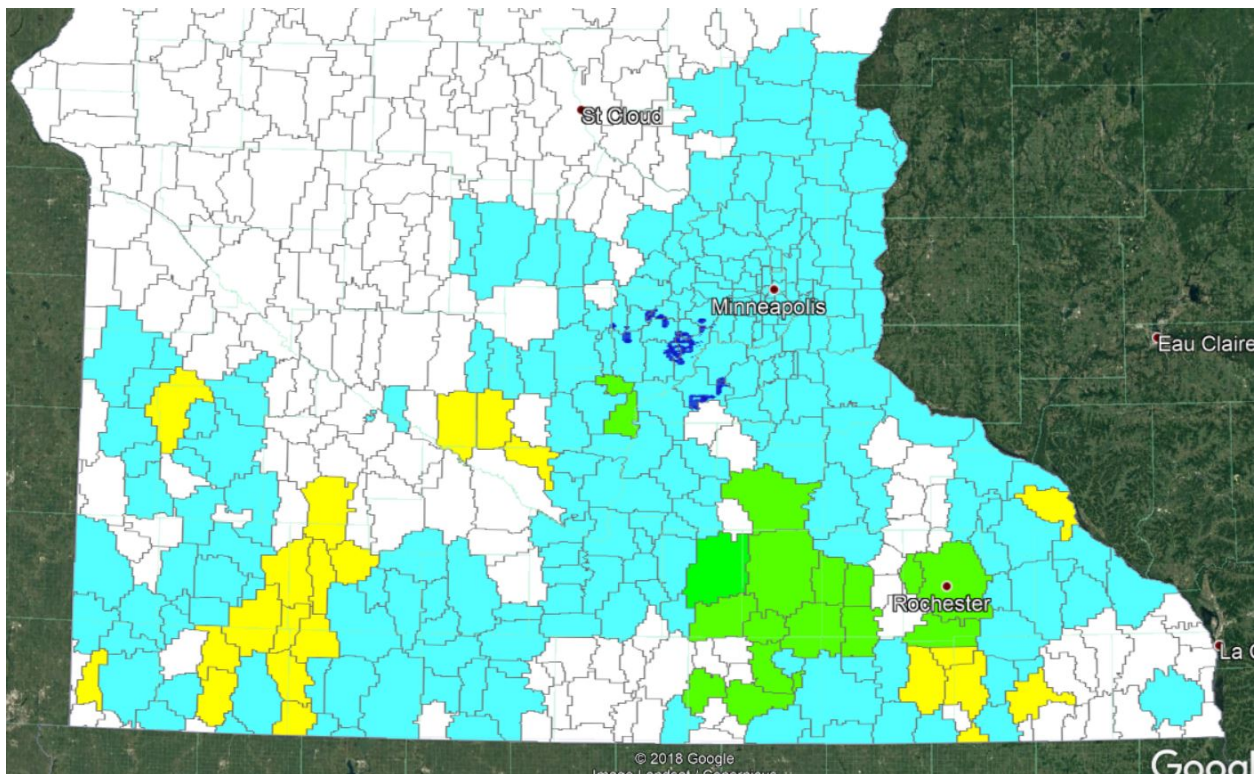
/s/

Kristine A. Anderson

ATTACHMENT A Requested Service Area

Map of Requested Service Area:

Jaguar respectfully requests ETC designation/confirmation for exchange areas shown in green and blue below.



Color Legend:

- Green Exchanges: Jaguar previously granted ETC designation; perfected with filed interconnection agreement. ***Included in requested ETC service area.***
- Blue Exchanges: Jaguar authorized to deliver service; no previous ETC designation; Jaguar has interconnection agreements with ILECS. (Note: not all areas are currently served; Jaguar will obtain appropriate emergency-related approvals prior to offering telephone service in currently unserved areas as appropriate.) ***Included in requested ETC service area.***
- Yellow Exchanges: Jaguar authorized to deliver service; Jaguar does not have interconnection agreements with ILECs. ***Not included in requested ETC service area.***

Green Exchanges (Jaguar previously granted ETC designation):

Citizens Telecom

620 LATA

Alden, Blooming Prairie, Byron, Claremont, Clarks Grove, Dodge Center,
Ellendale, Hayfield

Embarq Minnesota

620 LATA

New Richland

Frontier Communications

628 LATA

Green Isle, Henderson

Qwest Corporation

620 LATA

Albert Lea, Faribault, Owatonna, Rochester, Stewartville, Waseca

Blue Exchanges (Jaguar requests ETC designation):

Citizens Telecom

620 LATA

All Exchanges (including Adams, Arco, Bigelow, Brownsdale, Butterfield,
Cannon Falls, Cherry Grove, Comfrey, Cottonwood, Delft, Fountain, Ghent,
Hanley Falls, Hardwick, Hollandale, Jasper, Kenyon, Kiester, Leroy, Lyle, Lynd,
Mountain Lake, Odin, Tyler, Wanamingo, West Concord)

628 LATA

Almelund, Delano, Dexter, Lindstrom, Maple Plain, Mound, New Germany, St.
Bonifacius, Scandia-Marine on St. Croix, Taylors Falls, Watertown, Wyoming

Embarq Minnesota

620 LATA

All Exchanges (including Altura, Elgin, Eyota, Lewiston, Millville, Plainview,
Rolling Stone, St. James, Waldorf, Zumbro Falls)

626 LATA

Grove City

628 LATA

Brownnton, Buffalo Lake, Chaska, Cokato, Cologne, Dassel, Glencoe, Hastings,
Howard Lake, Lake City, Lester Prairie, Mayer, Norwood, Osseo, Plato, Rogers,
St. Michael, Silver Lake, Stewart, Victoria, Waconia

Frontier Communications

620 LATA

All Exchanges (including Adrian, Avoca, Balaton, Canby, Ceylon, Chandler, Currie, Edgerton, Ellsworth, Elysian, Fairmont, Iona, Ivanhoe, Janesville, Kilkenny, Lake Wilson, Lakefield, Leota, Lewisville, Northrop, Okabena, Porter, St. Leo, Sherburn, Slayton, Trimont, Truman, Waterville, Welcome, Worthington)

628 LATA

Apple Valley, Arlington, Belle Plaine, Burnsville, Farmington, Jordan, Lakeville, Le Center, Montgomery, Rosemount

Mankato Citizens Telephone

620 LATA

Mankato

Mid-Communications, Inc.

620 LATA

Amboy, Cambria, Eagle Lake, Garden City, Good Thunder, Lake Crystal, Madison Lake, Mapleton, Pemberton, St. Clair, Vernon Center

Scott Rice Telephone Co.

628 LATA

New Market, Prior Lake, Webster

Qwest Corporation

620 LATA

All Exchanges (including Austin, Caledonia, Chatfield, Glenville, Jackson, Lake Park-Iowa, Luverne, Marshall, New Sweden, Nicollet, Northfield, Pipestone, Redwood Falls, St. Charles, St. Peter, Tracy, Windom, Winona)

626 LATA

Litchfield

628 LATA

Anoka, Braham, Buffalo, Cambridge, Elk River, Excelsior, Forest Lake, Gaylord, Hamel, Hanover, Isanti, Le Sueur, Minneapolis, Navarre, North Branch, Princeton, Red Wing, Rockford, Rush City, St. Paul, Stillwater, Wabasha, Wayzata, White Bear Lake

Yellow Exchanges:

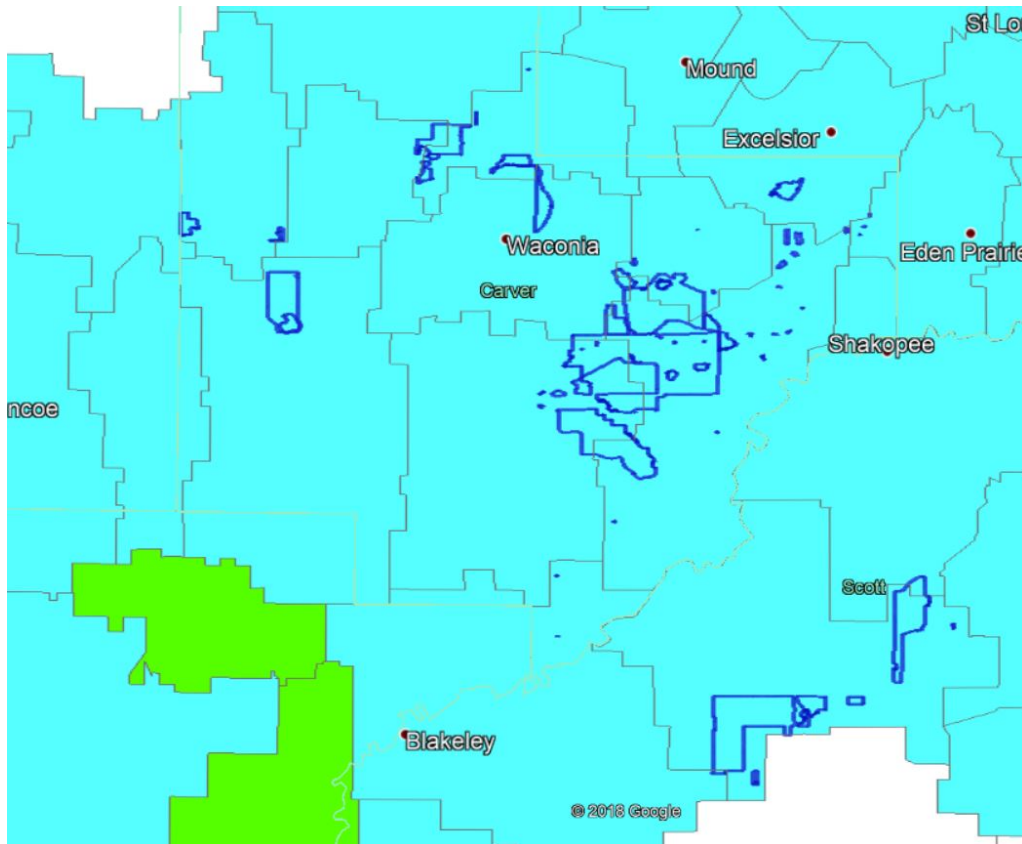
CenturyTel

620 LATA

Beaver Creek, Brewster, Dundee, Fairfax, Fulda, Heron Lake, Gibbon, Jeffers, Kellogg, La Fayette, Lamberton, Minneota, North Chester, Preston, Round Lake, Rushmore, Spring Valley, Westbrook-Storden, Wilmont

Home Telephone Co.
620 LATA
Grand Meadow, Racine, Wykoff

Map of CAF II Funded Area Census Blocks:



CAF II Funded Areas are shown are outlined in dark blue. The relevant census blocks are identified below:

- | | |
|--------------|--------------|
| 270190901001 | 270190907011 |
| 270190902002 | 270190908005 |
| 270190903011 | 270190909001 |
| 270190903012 | 270190909002 |
| 270190904011 | 270190909004 |
| 270190904012 | 270190910004 |
| 270190904022 | 271090911002 |
| 270190905011 | 271390810003 |
| 270190906011 | 271390812001 |