

September 18, 2015

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

RE: In the Matter of the Petition of Lake County Minnesota d/b/a Lake Connections for ETC Designation in Minnesota
Docket No: P6944/M-15-65

Dear Mr. Wolf:

On July 27, 2015, the Minnesota Public Utilities Commission (Commission) granted Lake County dba Lake Connections' (Lake County) petition for ETC designation subject to certain conditions,¹ and required that Lake County submit a compliance filing within 30 days of the Commission's Order.

Lake County submitted its compliance filing on August 27, 2015.

On August 28, 2015, the Commission issued a notice soliciting comments on the filing. Specifically, the Commission sought comment on whether Lake County's compliance filing satisfies the Commission's Order, and whether the Commission should grant final approval. Initial comments are due on September 18 and reply comments on September 28.

The Commission's July 27, 2015 Order outlined conditions in three broad categories – 1) Lake County's submission of its contract with Lake Communications or another voice-telephony and related services vendor; 2) Lake County's submission of a detailed map and description of its service area; and 3) Other ETC conditions.

The Department has reviewed all aspects of the compliance filing submitted by Lake County, and believes that it satisfies most of the conditions of the Commission's Order, as reflected in the attached table. The Department, however, believes that Lake County has posted the standalone voice rates on its website in such a way that consumers may be misled, and should be required to do correct its website.(see Table, conditions 4(c) and 4(d)).

¹ In the Matter of the Petition of Lake County Minnesota dba Lake Connections for ETC Designation in Minnesota; Docket No.P6944/M-15-65, Order Granting Petition Subject to Conditions and Requiring Compliance Filing, July 17, 2015.

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The Department believes Lake County should be able to make corrections to its website and notify the Commission and Department of the corrections prior to the Commission hearing on this matter. If the website is corrected, the Department recommends that the Commission grant final approval of Lake County's ETC designation. If the website is not corrected, the Department recommends that the Commission find that Lake County's compliance filing does not meet Conditions 4(c) and 4(d) of the Commission's Order, and thus, that the filing does not fully comply with the Commission's Order. In the latter case the Commission should decline to grant final approval until Lake County demonstrates that these conditions have been met.

The Department is available for any questions the Commission may have.

Sincerely,

/s/ KATHERINE DOHERTY
Rates Analyst

KD/lt

Department Review of Lake County's Compliance Filing

Conditions Related To the Contract between Lake County and Lake Communications, Inc.

Ordering Paragraph	Requirement	Contract Section
1	<i>Contract must include the following provision(s) or commitment(s):</i>	
1(a)	Lake County is the entity legally and financially responsible for providing the section 254(c)(1) supported telecommunications service;	Section 3.1.1
1(b)	Lake County serves as the point of contact for this Commission, the FCC, the Universal Service Administrator, and Tribal governments, as appropriate;	Section 3.1.1
1(c)	Lake County is responsible for submitting required forms and certifications to this Commission, the FCC, the Universal Service Administrator, Tribal governments, as appropriate;	Section 3.1.1
1(d)	Lake County will receive funding disbursements and be responsible for recordkeeping and coordinating any audits for members of the group.	Section 3.1.1
2	<i>The contract must show the responsibilities of Lake County and the voice telephony and related services vendor in terms of:</i>	
2(a)	Actual provision of services	Section 3.2
2(b)	Setting of rates	Section 3.2.5
2(c)	Advertising the products	Section 3.3
2(d)	Billing and name of company on bill	Section 3.4
2(e)	Resolution of customer complaints	Section 3.5
2(f)	Operations and Repair of telephony-related equipment	Section 3.6
2(g)	Compliance with telephony-related service quality, legal, technical, reporting and related standards and commitments	Section 3.7
2(h)	Resolutions in the event of Lake Communications cannot fulfill its role as the provider of telephony and related services	Section 3.8

Conditions Related to Lake County's Submission of a Detailed Map

Ordering Paragraph	Requirement	Clearly Shown on Map?
3	Lake County shall submit a more detailed map of its service area showing the following:	
3(a)	The boundaries of the county	Yes
3(b)	Lake County's broadband footprint	Yes
3(c)	Each affected CenturyLink and Citizens exchange where Lake County seeks ETC designation within the entire exchange, if applicable	Lake County has supplemented its map with a detailed list to illustrate these exchanges
3(d)	The boundaries of included census tracts for each affected CenturyLink and Citizens exchange not included as service area on an exchange-wide basis	Yes
3(e)	The County's unassigned area included in the proposed service area	Yes
3(f)	The County's unassigned area excluded in the proposed service area, if applicable	Yes

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Conditions Related to Other ETC Requirements

Ordering Paragraph	Requirement	Met/Not met
4	The Commission finds that Lake County meets the other ETC requirements, provided that Lake County, as part of a compliance filing, demonstrate compliance with the following:	
4(a)	Submit a formal advertising plan, listing the specific media and means of advertising the availability of voice telephony and Lifeline, and a proposed schedule and frequency of such advertising, listing the specific media and means of advertising the availability of voice telephony and Lifeline, and a proposed schedule and frequency of such advertising	Met
4(b)	Post voice telephony and Lifeline terms and conditions on its website and the website of any telephony vendor	Met
4(c)	File a certification, signed by a County official, that it will comply with the service requirements applicable to the support that it receives as required by 47 CFR § 54.202 (a)(2)	Met
4(c)	Document that it has revised its website to reflect the rates actually charged and update the vendor's website or any related link that relates to its rates	<p>Not met.</p> <p>While Lake County has properly posted links to the correct tariffed rates on its website, the face page for "voice services" states in large bold letters "Service Starting at \$29.00", which is incorrect as well as misleading. In addition, beneath the above phrase the page invites users to "click here for more information." The user is directed to a Lake Communications website which also states "Service starting at \$29.00." The Department understands that Lake County may offer local service bundled with unlimited long distance at a rate of \$29.00, but the web page is at best confusing to customers, and it should be clear to consumers that Lake County 1) offers standalone voice service and 2) standalone voice service is offered at rates as low as \$13.60/month, as the tariffed rates provide. Lake County has not met this requirement.</p>
4(d)	File tariffs or other documentation that reflect its service offerings or the service offerings of Lake Communications and demonstrate that the services offered conform to the assurances or representations made in the petition as identified in footnote 84 of the Department's comments	<p>Not met.</p> <p>See above. Lake Communications' tariff and website include links to pages that illustrate its service offerings and the applicable terms and conditions.</p> <p>Lake Connections has also placed links on its website to documents illustrating pricing for unbundled local service, terms and conditions for Telecommunications Access Minnesota and terms and conditions for telephone discounts including Telephone Assistance Plan (TAP) and Lifeline.</p>

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		<p>However, the Department does not believe that the rates at which standalone service is offered are clear to consumers as discussed above.</p> <p>http://www.lakeconnections.com/home/voice</p>
4(e)	Commit to notify the Department and the Commission if it is unable to serve a Lifeline-qualified customer within its service area within 10 days of making the determination;	Met
4(f)	Show that it has met all the conditions required for ETC designation, including a contract between Lake County and Lake Communications that demonstrates compliance with the FCC test for ETC designation	No, as reflected above.

CERTIFICATE OF SERVICE

I, Linda Chavez, hereby certify that I have this day served copies of the following document on the attached list of persons by electronic filing, e-mail, or by depositing a true and correct copy thereof properly enveloped with postage paid in the United States Mail at St. Paul, Minnesota.

MINNESOTA DEPARTMENT OF COMMERCE – COMMENTS

Docket Nos. **P6944/M-15-65**

Dated this **18th** day of **September, 2015**.

/s/Linda Chavez

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Julia	Anderson	Julia.Anderson@ag.state.mn.us	Office of the Attorney General-DOC	1800 BRM Tower 445 Minnesota St St. Paul, MN 551012134	Electronic Service	No	OFF_SL_15-65_Official
Scott	Bohler	scott.bohler@ftr.com	Frontier Communications Corporation	2378 Wilshire Blvd Mound, MN 55364-1652	Electronic Service	No	OFF_SL_15-65_Official
Thomas	Burns	tgburns@otcpas.com	OLSEN THIELEN & CO. LTD	2675 Long Lake Rd St. Paul, MN 55113	Electronic Service	No	OFF_SL_15-65_Official
Linda	Chavez	linda.chavez@state.mn.us	Department of Commerce	85 7th Place E Ste 500 Saint Paul, MN 55101-2198	Electronic Service	No	OFF_SL_15-65_Official
Pete	Eggimann	PEGGIMANN@MN-MESB.ORG	Metropolitan Emergency Services Board	2099 University Ave W Ste 201 St. Paul, MN 551043431	Electronic Service	No	OFF_SL_15-65_Official
Matthew	Huddleston	matthew.huddleston@co.lake.mn.us	Lake County Minnesota	601 3rd Ave Two Harbors, MN 55616	Electronic Service	No	OFF_SL_15-65_Official
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Gregory R.	Merz	gregory.merz@gpmlaw.com	Gray, Plant, Mooty	80 S 8th St Ste 500 Minneapolis, MN 55402-5383	Electronic Service	No	OFF_SL_15-65_Official
Jeffrey	Roiland	jeff.s.roiland@gmail.com	Lake Communications	409 17th Ave Two Harbors, Mn 55616	Electronic Service	No	OFF_SL_15-65_Official

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Jason	Topp	jason.topp@centurylink.com	CenturyLink	200 S 5th St Ste 2200 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_15-65_Official
Dana	Wahlberg	dana.wahlberg@state.mn.us	Department of Public Safety	Town Square Ste 137 444 Cedar St St. Paul, MN 551015126	Electronic Service	No	OFF_SL_15-65_Official
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