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 **OLSEN THIELEN**  
Certified Public Accountants & Consultants

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February 18, 2014

Dr. Burl W. Haar  
Executive Secretary  
Minnesota Public Utilities Commission  
121 Seventh Place E, Suite 350  
St. Paul, MN 55101-2147

Re: In the Matter of the Petition of Winnebago Cooperative Telecom  
Association for Designation as an Eligible Telecommunications Carrier

Dear Dr. Haar:

Enclosed via eFiling please find the Original Filing, Summary of Filing, Petition for Designation as an Eligible Telecommunications Carrier (“Petition”), and Affidavit of Service in the above entitled Docket on behalf of Winnebago Cooperative Telecom Association (“WCTA”).

Sincerely,

*/s/ Thomas G. Burns*

Thomas G .Burns  
Consultant on behalf of Winnebago Cooperative Telecom Association

**STATE OF MINNESOTA  
BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION**

Beverly Jones Heydinger	Chair
Dr. David C. Boyd	Commissioner
Nancy Lange	Commissioner
Dan Lipschultz	Commissioner
Betsy Wergin	Commissioner

In the Matter of the Petition of Winnebago Cooperative Telecom Association for Designation as an Eligible Telecommunications Carrier      MPUC Docket No.: \_\_\_\_\_

**ORIGINAL FILING**

Winnebago Cooperative Telecom Association ("WCTA") requests the Minnesota Public Utilities Commission (the "Commission") for an order designating it as an "eligible telecommunications carrier" ("ETC") for the receipt of support from the federal universal service program with Commission dated October 31, 2005, in Docket No. P-999/M-05-1169, and pursuant to 47 USC § 214(e) and 47 CFR §54.101, and pursuant to the Report and Order released by the Federal Communications Commission (the "FCC") on March 17, 2005, FCC 05-46.

The filing includes the following attachments:

- |              |  |
|--------------|--|
| Attachment 1 | One paragraph summary of the filing in accordance with Minn. Rules pt. 7829.1300.  |
| Attachment 2 | Petition for Designation as an Eligible Telecommunications Carrier, which contains a description of the filing, the impact on Petitioners and affected ratepayers, and the reasons for the filings, provided in accordance with Minn. Rules pt. 7829.1300, subp. 4(F). |
| Attachment 3 | Affidavit of Service.  |

In addition, the following information is provided, in accordance with Minn. Rules pt. 7829.1300, subp. 4:

Utility:	Winnebago Cooperative Telecom Association
	704 East Main Street Lake Mills, IA 50450
Date of Filing	February 7, 2014
Controlling Statute for Time in Processing the Filing	Minn. Rules pt. 7811.1400, subp. 12

If additional information is required, please contact me at 651.621.8322.

/s/ *Thomas G. Burns*

Thomas Burns  
Consultant on behalf of Winnebago Cooperative Telecom Association

**STATE OF MINNESOTA  
BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION**

Beverly Jones Heydinger	Chair
Dr. David C. Boyd	Commissioner
Nancy Lange	Commissioner
Dan Lipschultz	Commissioner
Betsy Wergin	Commissioner

**SUMMARY OF FILING**

Winnebago Cooperative Telecom Association ("WCTA") requests the Minnesota Public Utilities Commission (the "Commission") for an order designating it as an "eligible telecommunications carrier" ("ETC") for the receipt of support from the federal universal service program with Commission dated October 31, 2005, in Docket No. P-999/M-05-1169, and pursuant to 47 USC § 214(e) and 47 CFR §54.101, and pursuant to the Report and Order released by the Federal Communications Commission (the "FCC") on March 17, 2005, FCC 05-46.

**STATE OF MINNESOTA  
BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION**

Beverly Jones Heydinger	Chair
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In the Matter of the Petition of Winnebago Cooperative  
Telecom Association for Designation as an Eligible  
Telecommunications Carrier MPUC Docket No.: \_\_\_\_\_

**PETITION FOR DESIGNATION AS AN  
ELIGIBLE TELECOMMUNICATIONS CARRIER**

Pursuant to Minn. Rule 7811.1400 and the Order of the Minnesota Public Utilities Commission dated October 31, 2005, in Docket No. P-999/M-05-1169, and pursuant to 47 USC. §214(e), 47 CFR §54.101, and pursuant to the Report and Order released by the Federal Communications Commission (the "FCC") on March 17, 2005, FCC 05-46, Winnebago Cooperative Telecom Association ("WCTA") hereby requests the Commission for an order designating it as an "eligible telecommunications carrier" ("ETC") for the receipt of support from the federal universal service program with respect to the areas designated in this Petition.

In support of its Petition, WCTA states as follows:

- A. The legal name, address and telephone number of the Petitioner and its designated contact person are as follows:

Winnebago Cooperative Telecom Association  
704 East Main Street  
Lake Mills, IA 50450  
800.592.6105

Contact Person: Mark Thoma 641-592-6105

- B. The proposed effective date of designation of eligibility to receive Universal Service Support is immediately upon the Commission's issuance of an Order approving this Petition.
- C. The name and title of the officer or representative of WCTA authorizing this petition is Mark Thoma 641-592-6105, whose signature appears at the end of this petition.
- D. The service area for which designation is sought, the local exchange carrier and whether the local exchange carrier is a rural telephone company is set forth following:

1. The service area for which WCTA requests designation as an ETC is the following area:

The Minnesota exchanges of Albert Lea and Glenville (“Service Area”). Further support for the proposed Service Area is provided in E14-E15 following.

2. The incumbent local exchange carrier serving the Service Area is CenturyLink fna Qwest Corporation (“CenturyLink QC”).
3. WCTA believes CenturyLink QC is not a rural carrier as defined under 47 USC § 153(45).

- E. WCTA’s Petition for designation as an ETC for the Service Area is consistent with the public interest, convenience and necessity, and satisfies the requirements for receiving universal service support under state and federal law, for the following reasons:

***WCTA POSSESSES THE INTENT AND CAPABILITY OF PROVIDING SERVICE UPON REASONABLE CUSTOMER REQUEST THROUGHOUT THE SERVICE AREA***

1. WCTA's Regulatory Authority in Minnesota – Winnebago Cooperative Telecom Association offers service in four Minnesota exchanges as an incumbent local exchange carrier and in two Minnesota exchanges as a CLEC. The Commission approved a CLEC authority for the Albert Lea exchange in Docket No: P-571/AM-07-387, and for the Glenville exchange in Docket No: P-571/AM-10-1217. WCTA’s current interconnection agreement with CenturyLink was approved by the Commission in its Order issued April 20, 2007 in Docket No.: P-421,571/IC-07-444.
2. WCTA's Facilities and Commitment to Serve - WCTA will provide the services throughout the Service Area using its existing copper facilities and newly-installed fiber-optic cable facilities, and its digital switch located in Lake Mills, IA. WCTA will place fiber to the home going forward, in the Service Area.

WCTA is committed to provide service throughout the Service Area to all customers making a reasonable request for service. WCTA certifies that it will: (a) provide service on a timely basis to requesting customers within the Service Area where WCTA’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 WCTA’s current network facilities, if service can be provided at reasonable cost by constructing network facilities.

3. WCTA's Basic Universal Service Offering - WCTA is currently providing telecommunications services to customers in the Service Area, and meets the

Basic Local Service requirements under Minn. Rule 7812.0600. WCTA has the ability and the intention to provide the voice telephony services required by 47 CFR § 54.101(a)<sup>1</sup>:

- Voice grade access to the public switched network or its functional equivalent;
- Minutes of use for local service provided at no additional charge to end users;
- Access to the emergency services provided by local government or other public safety organizations, such as 911 and enhanced 911
- Toll limitation for qualifying low-income consumers

WCTA universal service offering, to be made available throughout the Service Area upon its designation as an ETC, is described in its tariff. WCTA's tariff for its universal service offering, and including provisions regarding customer's eligibility for and the availability of Lifeline, Linkup, and the Minnesota Telephone Assistance Plan, is attached as a part of [Exhibit A](#). WCTA is committed to providing the supported services throughout the Service Area to all customers who make a request for such services. WCTA offers local usage plans which are comparable to those offered by CenturyLink QC, the incumbent local exchange carrier. WCTA's local calling scope will mirror that of CenturyLink QC and any mandatory Extended Area Service calling as part of the basic local service offering.

4. WCTA's Advertising Plan - WCTA currently advertises its services through several different channels of general distribution, including newspaper, and direct mail.

WCTA will advertise the availability of its universal service offering throughout the Service Area through these same advertising channels it currently employs. In addition, the availability of the offering throughout the Service Area will be listed continuously on WCTA's web site (currently anticipated to be located or linked at: <http://www.wctatel.net> The service offering will also be published at least annually in the local newspaper, and will be posted at the WCTA offices in Lake Mills, IA.

5. WCTA's 5-Year Plan for Use of Universal Service Support - Under the FCC's updated portability rules, WCTA will receive no federal high cost support, WCTA receiving none in 2013. WCTA would receive Lifeline support to the extent it serves customers eligible for that program. WCTA would also be eligible to participate in FCC reverse auctions going forward.

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<sup>1</sup> FCC Connect America Order 11-161 rel. November 18, 2011 at ¶ 76-81 discusses the changes to 47 CFR § 51.101 and required voice service offerings

6. WCTA's Ability to Remain Functional in Emergency Situations. WCTA's network will remain functional in emergency situations:

Commercial power outage: The WCTA central office is equipped with electrical generators and battery power supply to provide service in the event of a power outage.

Network failure: The WCTA network will automatically be rerouted (survivability) in the event an interoffice fiber is cut, through the use of fiber optic rings in its interconnection to the neighboring telecommunications providers. This includes its interconnection with the CenturyLink QC and Onvoy networks.

As a certified CLEC, WCTA is subject to, and complies with, the Commission's Rules in Chapter 7810 establishing minimum standards on various operational matters, such as 7810.3900 (Emergency Operations); 7810.4900 (Adequacy of Service); and 7810.5300 (Dial Service Requirements).

7. WCTA's Satisfaction of Consumer Protection and Service Quality Standards - As a certified CLEC, WCTA is subject to, and complies with, the Commission's Rules pertaining to service quality and consumer protection. WCTA's tariff also has specific provisions outlining the following terms addressing consumer protection issues:

- Deposit and guarantee requirements (General Rules and Regulations)
- Customer Billing (General Rules and Regulations)
- Appropriate handling of customer complaints and billing disputes (General Rules and Regulations)
- Disconnection and notice requirements (General Rules and Regulations)

The specific provisions in WCTA's tariff, as well as the Commission's service quality rules by which WCTA is bound, will apply throughout the Service Area and assure a high level of service quality and consumer protection.

8. WCTA's Acknowledgement Regarding Equal Access - As a certified CLEC is obligated to, and does, provide equal access to long distance carriers within the Service Area.

***DESIGNATING WCTA AS AN ETC IN THE SERVICE AREA WILL SERVE THE PUBLIC INTEREST***

9. Public Interest - Designation of WCTA as an additional ETC in the Service Area is in the public interest, as determined under the standards of 47 CFR § 54.202(c) and the Commission's Order issued October 31, 2005, in Docket No. P999/M-05-1169. Consumers will benefit from an increased choice in service providers, and there are unique advantages to WCTA's service offering.



10. Superior Service Offering - WCTA believes its service offering is superior to that of CenturyLink QC, for customers in the Service Area. WCTA presently has fiber to the home in Service Area and plans to place fiber to the home going forward, offering a technically superior network to that of CenturyLink QC, including high speed internet access service. WCTA will also offer voicemail service to customers in the Service Area.

WCTA 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.

11. Affordability – WCTA’s rates for its universal service offering are within the range of the tariffed rates of CenturyLink QC, and the tariffed rates of other incumbent carriers whose service areas are adjacent to the Service Area. WCTA’s basic service offerings charges are identified in its Local Exchange Services section Part IV, sheet 1 of the tariff, and its non-recurring charges are listed in the Service Charges section of the tariff :

Service	CenturyLink QC		Winnebago	
	Installation	Monthly	Installation	Monthly
Residence Service	\$18.35	\$35	\$16.00	\$15.00
Business Service	\$50	\$40	\$16.00	\$15.00

In addition, WCTA will provide the benefit of Lifeline and Link-Up discounts to qualifying subscribers.

12. Commitment to Service Quality - As noted in Paragraph E.7 above, WCTA as a certified CLEC in Minnesota is subject to, and complies with, the Commission's Rules pertaining to service quality and consumer protection.
13. No Negative Impact on Universal Service Fund - As noted in Paragraph E.5 above, WCTA would not receive federal high cost USF support in this Service area.

#### ***ETC CERTIFICATION***

14. Request for Certification - WCTA requests that the Commission certify its use of support effective as of the date of WCTA’s ETC designation for the Service Area.

15. WCTA's Certification - In support of its certification request, WCTA hereby certifies that it will use all federal high cost universal service support for the purposes intended pursuant to 47 USC § 254(e).

### *CONCLUSION*

16. WCTA meets the requirements of both state and federal laws and regulations for designation as an Eligible Telecommunications Carrier in the requested Service Area. Pursuant to 47 USC § 214(e), the Commission should designate WCTA as an Eligible Telecommunications Carrier for the Service Area. In so doing, the Commission will ensure that consumers in the Service Area have an opportunity to secure better and more reliable service at a rate equal to or less than that which they are currently paying. The consumers in the Service Area will benefit and the public interest will be served if WCTA's Petition is approved and it is designated as an ETC.

#### F. Intervention, Comments and Challenges to Petition.

1. Pursuant to Minnesota Rule 7811.1400, Subpar 5, WCTA has served a copy of this Petition on the Department of Commerce, the Office of Attorney General - Residential Utilities Division, the persons named on the general service list established pursuant to Minnesota Rule 7829.0600 and on the local service provider(s) authorized to provide services in the areas for which ETC designation is sought by this Petition.
2. A person wishing to challenge the form or completeness of this Petition must do so within 10 days of its filing pursuant to Minnesota Rule 7811.1400, Subpart 6.
3. A person wishing to comment on this Petition shall file initial comments within 20 days of filing of this Petition, which initial comments must include a recommendation on whether the filing requires a contested case proceeding, expedited proceeding or some other procedure, together with reasons for the recommendation pursuant to Minnesota Rule 7811.1400, Subpart 8.
4. If a person filing initial comments is not entitled to intervene in a Commission proceeding as a matter of right and desires full party status, that person shall file a Petition to Intervene pursuant to Minnesota Rule 7829.0800, or Rule 1400.6200 if the matter is before an Administrative Law Judge, before the reply comment period expires, pursuant to Minnesota Rule 7811.1400, Subpart 9. The Intervention Petition may be combined with the comments on the Petition.
5. Commenting parties have 10 days from the expiration of the original comment period to file reply comments which must be limited in scope to the issues raised in the initial comments pursuant to Minnesota Rule 7811.1400, Subpart 10.

Wherefore, WCTA respectfully requests that the Commission:

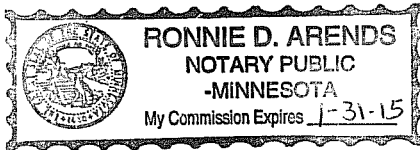
- A. Designate Winnebago Cooperative Telecom Association as an ETC for receipt of federal universal service support with respect to the Service Areas specified in this Petition;
- B. For such other and further relief as the Commission may deem just and reasonable.

The undersigned, Mark Thoma, General Manager of Winnebago Cooperative Telecom Association certifies that he has reviewed this Petition and the facts stated therein, of which he has personal knowledge, and that the same are true and correct to the best of his present knowledge and belief.

Respectfully submitted,

WINNEBAGO COOPERATIVE TELECOM ASSOCIATION

By: Mark Thoma  
Mark Thoma  
General Manager



State of Minnesota )  
  )  
County of Freeborn )

Subscribed and sworn before me on this 18 day of February, 2014.

Ronnie D Arends  
Signature of Person Taking  
Acknowledgment

**STATE OF MINNESOTA  
BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION**

Beverly Jones Heydinger	Chair
Dr. David C. Boyd	Commissioner
Nancy Lange	Commissioner
Dan Lipschultz	Commissioner
Betsy Wergin	Commissioner

**AFFIDAVIT OF SERVICE**

I, Thomas Burns, state on February 18, 2014, submitted a true and correct copy of the attached letter using E-Filing and/or caused the notice letter to be served via U.S. mail at Olsen Thielen.

/s/ Thomas G. Burns

Thomas G. Burns

Dr. Burl W. Haar Executive Secretary MN Public Utilities Commission 12 1 Seventh Place E, Suite 350 St. Paul, MN 55101	Linda Chavez Minnesota Department of Commerce 85 Seventh Place East, Suite 500 St. Paul, MN 55101
Curt Nelson Assistant Attorney General 900 NCL Tower 445 Minnesota Street St. Paul, MN 55101	Jason Topp CenturyLink 200 S Fifth Street, Suite 390 Minneapolis, MN 55402

**EXHIBIT A**  
**WINNEBAGO COOPERTIVE TELECOM ASSOCIATION**  
**LOCAL EXCHANGE TARIFF**  
**SUPPORTING PAGES/SECTIONS**

• **DEPOSIT AND GUARANTEE REQUIREMENTS**

WINNEBAGO COOPERATIVE  
TELECOM ASSOCIATION  
COMPANY

TELEPHONE TARIFF

PART II  
Original Sheet 9

Filed with M.P.U.C.

GENERAL RULES AND REGULATIONS

F. ESTABLISHMENT AND MAINTENANCE OF CREDIT (Continued)

2. Amount of Deposits

- a. The amount of deposit required shall not be more than the maximum charge for two months local exchange service plus two months estimated toll service or as may reasonably be required by the Company in cases involving service for short periods or special occasions. The Company may require the customer to increase the amount of the deposit at any time, if the charges billed against the customer are found to warrant such an increase.
- b. If toll usage is abnormal, the Company may require a new deposit, or an increase in the deposit to guarantee payment of a bill.
  - 1) For customers with at least six consecutive months of service, abnormal usage of toll service is at least a twenty-five percent increase in monthly toll charges which amounts to at least twenty dollars. To determine the increase, comparison shall be to the customer's average monthly toll during not less than the prior three months.
  - 2) For customers with less than six consecutive months of service, abnormal usage of toll service is when one month's toll charges exceeds the deposit attributable to toll by at least twenty-five percent and this excess amounts to at least twenty dollars.
- c. A deposit may be made at any Company business office or authorized agent.
- d. The Company will maintain records which show the name and address of each depositor, the amount and date of the deposit and each transaction concerning the deposit. Unclaimed deposits shall be disposed of in accordance with law.
- e. A receipt of deposit will be furnished to each customer from whom a deposit is received. Upon customer request, duplicate receipts will be provided to customers who have lost their receipt if the deposit is substantiated by the Company records.
- f. Qualifying applicants for the Lifeline may initiate service without paying a deposit if they voluntarily elect to have Toll Blocking on their line. Toll Blocking will be provided at no charge to Lifeline customers.]

• **CUSTOMER BILLING**

WINNEBAGO COOPERATIVE  
TELECOM ASSOCIATION  
COMPANY

TELEPHONE TARIFF

PART II  
Original Sheet 16

Filed with M.P.U.C.

GENERAL RULES AND REGULATIONS

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K. PAYMENT FOR SERVICE AND FACILITIES

1. General

- a. Generally all customers shall pay for services and facilities monthly in advance and shall pay for Long Distance Messages, Teletypewriter Exchange Service Messages, and Nonrecurring charges in arrears. Municipal, State or Governmental Agencies may be exceptions to this rule.
- b. Billing to customers shall be scheduled monthly.
- c. All bills for local, long distance or miscellaneous services are due not less than 20 days after the bill is rendered. Residential customers shall be permitted to have the last date for timely payment changeable for good cause in writing.
- d. When a customer is connected or disconnected, or for other cause the service received deviates by more than twenty four consecutive hours from the normal billing period, the bill shall be prorated. If the prorating indicates a refund is due, the refund shall be accomplished by bill credit.
- e. When warranted, in the judgment of the Company, special toll bills may be rendered.
- f. Failure to receive a bill does not relieve the customer of the responsibility for payment.

• **APPROPRIATE HANDLING OF CUSTOMER COMPLAINTS AND BILLING DISPUTES**

WINNEBAGO COOPERATIVE  
TELECOM ASSOCIATION  
COMPANY

TELEPHONE TARIFF

PART II  
Original Sheet 15

Filed with M.P.U.C.

GENERAL RULES AND REGULATIONS

J. DISCONNECTION OR REFUSAL OF SERVICE (Continued)

3. Disputes

In the event of a dispute concerning a bill, the Telephone Company may require the customer to pay a sum of money equal to the amount of the undisputed portion of the bill. Following payment of the undisputed amount, efforts to resolve the complaint, using complaint procedures in the Telephone Company's Tariff, shall continue and for not less than forty-five days after the rendering of the disputed bill, the service shall not be disconnected for nonpayment for the disputed amount. The forty-five days may be extended by up to sixty days if requested of the Telephone Company by the Commission in the event the customer files a written complaint with the Commission.

**Also**

WINNEBAGO COOPERATIVE  
TELECOM ASSOCIATION  
COMPANY

TELEPHONE TARIFF

PART II  
Original Sheet 18

Filed with M.P.U.C.

GENERAL RULES AND REGULATIONS

N. CUSTOMER COMPLAINTS

1. General

- a. A customer or prospective customer may initiate a complaint with the Company on any relevant matter by telephone, in person or in writing directed to the Company at any of its offices. The Company's response to the complaint will generally be in the same form used by the customer. However, the Company may respond to written complaints by telephone or personal visits when it believes such communications will be effective in resolution of the issues.
- b. The customer may at any point during resolution of the complaint seek review by a Supervisor or Manager.
- c. Upon investigation and final resolution by the Company, if the customer wishes further review, the customer should direct all appropriate information to the Minnesota Public Service Commission, 7th Floor American Center Building, Kellogg and Robert Streets, St. Paul, Minnesota 55101.



• **DISCONNECTION AND NOTICE REQUIREMENTS**

WINNEBAGO COOPERATIVE  
TELECOM ASSOCIATION  
COMPANY

TELEPHONE TARIFF

PART II  
Original Sheet 17

Filed with M.P.U.C.

GENERAL RULES AND REGULATIONS

K. PAYMENT FOR SERVICE AND FACILITIES (Continued)

2. Disconnection of Service by the Company

- a. In the event of failure by the customer or those responsible to pay any bill on or before the due date, the Company may discontinue local, long distance or miscellaneous services upon written notice, allowing the customer five days to make payment or settlement.