

Revised Decision Options 9/16/21
Docket No. 21-8
Annual Certification Related to Eligible Telecommunications Carriers' (ETCs) Use of the
Federal Universal Service Support Required Pursuant to C.F.R. 54.313
Agenda Meeting Date: September 16, 2021
Analyst Marc Fournier

Decision Options

1. Does the Commission have sufficient documentation through the filed FCC Form 481 to be assured that the high-cost funds received by each ETCs have been, and will be, used for their intended purpose, pursuant to 47 C.F.R. § 54.314?
 - a. Recertify all companies as indicated in Table 1 of Attachment A of this revised decision options document (*Department, OAG, Minnesota Independent Companies*).
 - b. Do not recertify some or all the ETCs listed.
- ~~2. In the event a high cost ETC has not filed an executed affidavit, should the Commission require an executed affidavit be filed as a replacement?~~
 - ~~a. Require that all high cost ETCs to file executed affidavits with their Minnesota FCC Form 481 filings in future years (OAG).~~
 - ~~b. Require the ETC to file a replacement affidavit within thirty (30) days of the Commission's 2021 ETC recertification order (OAG).~~
3. What action shall the Commission take with respect to tribal outreach?
 - a. Provide a detailed plan on how, in 2021, it will meaningfully and appropriately engage with all the Tribes it serves during the remainder of 2021 and the first half of 2022, within 30 days of the Commission's Order in this matter. The plan should include (*Department*):
 - i. the company's plan to address the individual reporting requirements in Form 481;
 - ii. the name, position, and contact information of the person primarily responsible for Tribal engagement, and

- iii. the ongoing duties that person will have with respect to Tribal engagement.
- b. Provide quarterly reports to memorialize the ongoing efforts of each of the companies that serve Tribal lands. The quarterly reports are on the following dates each year (*Department*):
 - i. January 1;
 - ii. April 1;
 - iii. July 1 (as part of an ETCs annual 481 filing); and
 - iv. October 1.

(Minnesota Independent Companies Alternative Decision Option)

c. Require additional interaction (meetings) between the Department of Commerce and Commission Staff regarding tribal engagement (*Minnesota Independent Companies*).

~~e.~~ d. Take no action regarding Tribal engagement.

4. What action should the Commission take with respect to Federal Lifeline requirements and the Commission's July 20, 2021 Order and August 2, 2021 Notice in Docket 20-747 and 21-8?

- a. Direct all high cost ETCs to file their Lifeline Outreach Plans, in compliance with the requirements of the Commission's August 2, 2021 Notice of Lifeline Outreach Filing Requirements, if they have not yet done so (*Department*).
- b. Take no action regarding Lifeline.
- c. Other action the Commission deems appropriate.

5. Should the Commission certify the Companies whose SACs are registered in a state other than Minnesota, but who have customers within Minnesota?

- a. Do not certify the Companies whose SACs are registered in a state other than Minnesota, but who have customers within Minnesota (*Department*).

- b. Certify the Companies whose SACs are registered in a state other than Minnesota, but who have customers within Minnesota as listed in Attachment A Table 2 of the OAG's August 31, 2021 comments. (OAG and Minnesota Independent Companies).
- c. Take no action on this issue.

VI. Staff Recommendations

Staff recommends that the Commission adopt: 1a, ~~2a or 2b, 3a, 3b,~~ 4a, and ~~5a~~ 5b.

OAG Attachment A

2021 Eligible Telecommunications Carriers for Recertification by the Minnesota Public Utilities Commission

I. HIGH COST ETCs THAT THE MINNESOTA PUBLIC UTILITIES COMMISSION SHOULD RECERTIFY

The eligible telecommunications carriers (“ETC”) listed below are included on Minnesota’s federal Universal Service High Cost Program (“High Cost Program”) recertification list and should be recertified by the Minnesota Public Utilities Commission (“Commission”). The Minnesota Office of the Attorney General—Residential Utilities Division (“OAG”) reviewed the filings of each listed ETC and found no violations of the federal Universal Service rules, Federal Communications Commission (“FCC”) orders, or the Commission’s Lifeline Best Practices Order that would warrant a denial of ETC recertification. Accordingly, the OAG recommends recertification for all of the Minnesota High Cost Program ETCs listed in Table 1.

Table 1 Minnesota High Cost ETCs that the Commission Should Recertify					
No.	Study Area Code (“SAC”)	Carrier Name	State	Carrier Type	2021 Certification (Y/N)
1	361346	ACE TEL ASSN-MN	MN	ILEC	Y
2	361347	ALBANY MUTUAL ASSN	MN	ILEC	Y
3	361374	ARROWHEAD COM CORP	MN	ILEC	Y
4	361350	ARVIG TEL CO	MN	ILEC	Y
5	361356	BENTON COOP TEL CO	MN	ILEC	Y
6	361358	BLUE EARTH VALLEY	MN	ILEC	Y
7	361362	BRIDGEWATER TEL CO	MN	ILEC	Y
8	369043	Broadband Corp	MN	CETC	Y
9	361365	CALLAWAY TEL CO	MN	ILEC	Y
10	361440	CANNON VLY TELECOM	MN	ILEC	Y
11	361445	CENTURYTEL-MINNESOTA	MN	ILEC	Y
12	361425	CHRISTENSEN COMM CO	MN	ILEC	Y
13	361123	CITIZENS-FRONTIER-MN	MN	ILEC	Y
14	367123	CITIZENS-FRONTIER-MN	MN	ILEC	Y
15	361353	CITY OF BARNESVILLE	MN	ILEC	Y
16	361370	CLARA CITY TEL EXCH	MN	ILEC	Y
17	361372	CLEMENTS TEL CO	MN	ILEC	Y
18	361373	CONSOLIDATED TEL CO	MN	ILEC	Y
19	369044	Consolidated Telephone Company	MN	CETC	Y
20	361499	CROSSLAKE TEL CO	MN	ILEC	Y
21	361381	DUNNELL TEL CO	MN	ILEC	Y
22	361383	EAGLE VALLEY TEL CO	MN	ILEC	Y
23	361385	EAST OTTER TAIL TEL	MN	ILEC	Y
24	361384	EASTON TEL CO	MN	ILEC	Y
25	361386	ECKLES TEL CO	MN	ILEC	Y
26	361456	EMBARQ MINNESOTA	MN	ILEC	Y

OAG Attachment A

**2021 Eligible Telecommunications Carriers for Recertification
by the Minnesota Public Utilities Commission**

<u>Table 1</u> Minnesota High Cost ETCs that the Commission Should Recertify					
No.	Study Area Code ("SAC")	Carrier Name	State	Carrier Type	2021 Certification (Y/N)
27	361387	EMILY COOP TEL CO	MN	ILEC	Y
28	361389	FARMERS MUTUAL TEL	MN	ILEC	Y
29	361390	FEDERATED TEL COOP	MN	ILEC	Y
30	366130	Federated Telephone Cooperative	MN	CETC	Y
31	361403	FEDERATED UTILITIES	MN	ILEC	Y
32	361393	FELTON TEL CO. INC.	MN	ILEC	Y
33	361367	FRONTIER-MINNESOTA	MN	ILEC	Y
34	361395	GARDEN VALLEY TEL CO	MN	ILEC	Y
35	369039	Garden Valley Telephone Company	MN	CETC	Y
36	361396	GARDONVILLE COOP TEL	MN	ILEC	Y
37	361399	GRANADA TEL CO	MN	ILEC	Y
38	361401	HALSTAD TEL CO	MN	ILEC	Y
39	369007	TEKSTAR COMMUNICATIONS, INC.	MN	CETC	Y
40	369020	Farmers Mutual Telephone Company	MN	CETC	Y
41	369040	Halstad Telephone Company	MN	CETC	Y
42	361404	HARMONY TEL. CO.	MN	ILEC	Y
43	361405	HILLS TEL CO, INC	MN	ILEC	Y
44	361408	HOME TEL CO – MN	MN	ILEC	Y
45	361409	HUTCHINSON TEL CO	MN	ILEC	Y
46	361654	INTERSTATE TELECOMM.	MN	ILEC	Y
47	369041	Interstate Telecommunications Cooperative, Inc.	MN	CETC	Y
48	369038	Jaguar Communication, Inc	MN	CETC	Y
49	361410	JOHNSON TEL CO	MN	ILEC	Y
50	361412	KASSON & MANTORVILLE	MN	ILEC	Y
51	361419	LISMORE COOP TEL CO	MN	ILEC	Y
52	361422	LONSDALE TEL CO	MN	ILEC	Y
53	361443	LORETEL SYSTEMS, INC	MN	ILEC	Y
54	369047	LTD Broadband LLC	MN	CETC	Y
55	361424	MABEL COOP TEL - MN	MN	ILEC	Y
56	361426	MANCHESTER-HARTLAND	MN	ILEC	Y
57	361427	MANKATO-HICKORYTECH	MN	ILEC	Y
58	361430	MELROSE TEL CO	MN	ILEC	Y
59	361375	MID-COMM-HICKORYTECH	MN	ILEC	Y
60	369015	Midcontinent Communications	MN	CETC	Y
61	361413	MID STATE DBA KMP	MN	ILEC	Y

OAG Attachment A

**2021 Eligible Telecommunications Carriers for Recertification
by the Minnesota Public Utilities Commission**

<u>Table 1</u> Minnesota High Cost ETCs that the Commission Should Recertify					
No.	Study Area Code ("SAC")	Carrier Name	State	Carrier Type	2021 Certification (Y/N)
62	361433	MID STATE TEL CO	MN	ILEC	Y
63	361431	MIDWEST TEL CO	MN	ILEC	Y
64	361439	MINNESOTA VALLEY TEL	MN	ILEC	Y
65	361442	NEW ULM TELECOM, INC	MN	ILEC	Y
66	361500	NORTHERN TEL CO – MN	MN	ILEC	Y
67	361448	OSAKIS TEL CO	MN	ILEC	Y
68	361450	PARK REGION MUTUAL	MN	ILEC	Y
69	361451	PAUL BUNYAN RURAL	MN	ILEC	Y
70	366132	Paul Bunyan Rural Telephone Cooperative	MN	CETC	Y
71	366133	Paul Bunyan Rural Telephone Cooperative	MN	CETC	Y
72	361453	PEOPLES TEL CO – MN	MN	ILEC	Y
73	361454	PINE ISLAND TEL CO	MN	ILEC	Y
74	365142	QWEST CORP-MN	MN	ILEC	Y
75	361472	REDWOOD COUNTY TEL	MN	ILEC	Y
76	369045	Roseau Electric Cooperative, Inc.	MN	CETC	Y
77	361474	ROTHSAY TEL CO, INC	MN	ILEC	Y
78	361475	RUNESTONE TEL ASSN	MN	ILEC	Y
79	361423	Runestone Telephone Association	MN	ILEC	Y
80	361476	SACRED HEART TEL CO	MN	ILEC	Y
81	361479	SCOTT RICE – INTEGRA	MN	ILEC	Y
82	361483	SLEEPY EYE TEL CO	MN	ILEC	Y
83	361485	SPRING GROVE COOP	MN	ILEC	Y
84	361487	STARBUCK TEL CO	MN	ILEC	Y
85	361491	TWIN VALLEY-ULEN TEL	MN	ILEC	Y
86	361494	UPSALA COOP TEL ASSN	MN	ILEC	Y
87	361495	VALLEY TEL CO – MN	MN	ILEC	Y
88	361501	WEST CENTRAL TEL	MN	ILEC	Y
89	369042	West Central Telephone Association	MN	CETC	Y
90	361502	WESTERN TEL CO	MN	ILEC	Y
91	361505	WIKSTROM TEL CO, INC	MN	ILEC	Y
92	369046	Wikstrom Telephone Company	MN	CETC	Y
93	361348	WILDERNESS VALLEY	MN	ILEC	Y
94	361414	Windstream Communications, Inc.	MN	ILEC	Y
95	361482	Windstream Communications, Inc.	MN	ILEC	Y
96	361337	WINNEBAGO COOP ASSN	MN	ILEC	Y

OAG Attachment A

2021 Eligible Telecommunications Carriers for Recertification by the Minnesota Public Utilities Commission

Table 1 Minnesota High Cost ETCs that the Commission Should Recertify					
No.	Study Area Code ("SAC")	Carrier Name	State	Carrier Type	2021 Certification (Y/N)
97	361507	WINSTED TEL CO	MN	ILEC	Y
98	361508	WINTHROP TEL CO	MN	ILEC	Y
99	361512	WOLVERTON TEL CO	MN	ILEC	Y
100	361510	WOODSTOCK TEL CO	MN	ILEC	Y
101	361515	ZUMBROTA TEL CO	MN	ILEC	Y

II. HIGH COST ETCs THAT WILL BE CERTIFIED BY OTHER STATES BUT COULD ALSO BE CERTIFIED BY THE COMMISSION

The High Cost ETCs listed below are included on Minnesota's recertification list but the Minnesota Department of Commerce ("Department") has confirmed that the ETCs will be recertified by other states. To ensure no reduction in these ETCs' High Cost Program support for Minnesota, the Commission could recertify them even though they will also be recertified by other states.

CenturyTel NW WI (SAC 330950), CenturyTel-Chester (SAC 351126), Red River Rural Telephone (SAC 381631), and Hills Tel Co-SD (SAC 391405) filed FCC Forms 481 in Commission Docket No. 21-8. The OAG reviewed those filings and does not have any concerns about the recertification of these High Cost ETCs.

Polar Telecomm. (SAC 381614), Polar Comm Mut Aid (SAC 381630), and Splitrock Telecom Cooperative Inc. (SAC 391657) did not file information in Commission Docket No. 21-8 so the OAG was not able to assess their High Cost Program compliance. In past years, however, the Commission has recertified High Cost ETCs that primarily operate in other states without incident. Even though the Department confirmed that other states intend to recertify these ETCs, the Commission could also recertify them to reduce the potential for an inadvertent funding reduction due to late certification.

The Commission has the option of recertifying some or all of these High Cost ETCs.

Table 2 High Cost ETCs that Will be Certified by Other States but Could Also be Certified by the Commission					
No.	SAC	Carrier Name	Certifying State	Carrier Type	2021 Certification (Y/N)
1	330950	CenturyTel NW WI	WI	ILEC	Optional
2	351126	CENTURYTEL-CHESTER	IA	ILEC	Optional

OAG Attachment A

2021 Eligible Telecommunications Carriers for Recertification by the Minnesota Public Utilities Commission

Table 2 High Cost ETCs that Will be Certified by Other States but Could Also be Certified by the Commission					
No.	SAC	Carrier Name	Certifying State	Carrier Type	2021 Certification (Y/N)
3	381614	POLAR TELECOMM.	ND	ILEC	Optional
4	381630	POLAR COMM MUT AID	ND	ILEC	Optional
5	381631	Red River Rural Telephone	ND	ILEC	Optional
6	391405	HILLS TEL CO-SD	SD	ILEC	Optional
7	391657	SPLITROCK TELECOM COOPERATIVE INC.	SD	ILEC	Optional

III. ETCs THAT THE COMMISSION SHOULD NOT RECERTIFY.

The ETCs listed below are included on Minnesota's recertification list but did not file any information in Commission Docket No. 21-8 either because their SACs are no longer active or they are Lifeline-only providers. *The Commission should not recertify these ETCs.*

Table 3 ETCs that the Commission Should Not Recertify					
No.	SAC	Carrier Name	Certifying State	Carrier Type	2021 Certification (Y/N)
1	361357	BLACKDUCK TEL CO	MN	ILEC	N
2	361437	MINNESOTA LAKE TEL	MN	ILEC	N
3	366110	Lake County d/b/a Lake Connections ¹	MN	CETC	N
4	369001	WESTERN WIRELESS	MN	CETC	N
5	369002	MIDWEST WIRELESS COMMUNICATIONS	MN	CETC	N
6	369003	HOMETOWN SOLUTIONS	MN	CETC	N
7	369004	RCC MINNESOTA	MN	CETC	N
8	369005	WIRELESS ALLIANCE, LLC	MN	CETC	N
9	369008	NPCR, INC.	MN	CETC	N

¹ The Minnesota Public Utilities Commission granted Lake County's petition to relinquish its ETC status effective June 3, 2019. See *In the Matter of the Petition of Lake County for Relinquishment of ETC Designation*, Docket No. P-6944/RL-19-195, Order at 1 (July 21, 2020). The FCC rescinded Lake County's ETC status effective December 18, 2019. See *In the Matter of the Petition of Lake County Minnesota for Relinquishment of its Status as a Rural Broadband Experiments Support Recipient and for a Section 1.3 Waiver of the Deployment Schedule*, WC Docket Nos. 10-90 and 14-259, Order, DA 19-1295, para. 20 (Dec. 18, 2019). Although Lake County did not receive federal Universal Service High Cost Program funds in calendar year 2020, the company still appears on the Commission's 2021 High Cost Program ETC recertification list. The Universal Service Administrative Company has confirmed that it will remove Lake County from future Minnesota recertification lists but is unable to do so for the current recertification list.