

ZiPLY Fiber
135 Lake Street S, Suite 155
Kirkland, WA 98033
Jessica Epley
M. (503) 431-0458
jessica.epley@ziPLY.com



March 26, 2024

Sent via electronic mail to puc.filingcenter@puc.oregon.gov

Attn: Filing Center
Oregon Public Utilities Commission
201 High Street S.E., Suite 100
Salem, Oregon 97301

Re: ZiPLY Fiber Pacific, LLC dba ZiPLY Fiber Petition for Designation as an Eligible Telecommunications Carrier and as an Eligible Telecommunications Provider

Dear Filing Center:

ZiPLY Fiber Pacific, LLC dba ZiPLY Fiber hereby submits the attached petition for designation as an Eligible Telecommunications Carrier in order to receive Lifeline support in the state of Oregon and Eligible Telecommunications Provider designation to receive Oregon Telecommunications Assistance Program (OTAP) support.

If you have any questions regarding this filing, you may contact me at (503) 431-0458.

Sincerely,

A handwritten signature in black ink, appearing to read "JEpley", written over a light gray rectangular background.

Jessica Epley
VP - Regulatory & External Affairs

BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON

In the Matter of

ZiPLY Fiber Pacific, LLC for Designation
as an Eligible Telecommunications
Carrier and as an Eligible
Telecommunications Provider

Docket No.

PETITION FOR DESIGNATION
AS AN ELIGIBLE
TELECOMMUNICATIONS
CARRIER AND AS AN ELIGIBLE
TELECOMMUNICATIONS
PROVIDER

INTRODUCTION

ZiPLY Fiber Pacific, LLC, dba ZiPLY Fiber ("ZFP" or the "Company"), pursuant to the Federal Communications Act of 1934, as amended (the "1996 Act"), 47 U.S.C. § 214(e), Federal Communications Commission ("FCC") rules related to Universal Service, 47 C.F.R. §§ 54.101 through 54.207 (the "FCC Rules"), and this Commission's requirements,¹ respectfully submits this petition for designation as an Eligible Telecommunications Carrier ("ETC") in order to receive Lifeline support in the state of Oregon and ETP designation to receive Oregon Telecommunications Assistance Program (OTAP) support.

Section 214(e)(2) of the Communications Act of 1934, as amended, places the authority for ETC designation with state commissions. Under sections 214(e)(1)

¹ See *In the Matter of Public Utility Commission of Oregon Staff Investigation to Establish Requirements for Initial Designation and Recertification of Telecommunications Carriers Eligible to Receive Federal Universal Service Support*, Docket UM 1217, Order No. 06-292 (entered June 13, 2006) ("*ETC Order*"); *In the Matter of Public Utility Commission of Oregon Staff Investigation into Eligible Communication Carriers' Requirements*, Docket UM 1648, Order No. 15-382 (entered Dec. 1, 2015) ("*Revised ETC Order*"); and OAR Chapter 860, Division 033; Residential Service Protection Fund (the "*RSPF Rules*").

and 254, the Commission has the authority to designate ZFP as an ETC for Lifeline support. In addition, this Commission's rules set forth the requirements for ETC designation petitions.² In addition, ZFP seeks designation as an Eligible Telecommunications Provider ("ETP") in the same Requested ETC Area. Specifically, ZFP seeks to be designated as an ETC throughout the area defined by its physical network footprint in Oregon, as that footprint expands from time to time (e.g., as a result of buildout or acquisition of physical plant). The public-facing FCC broadband map at <https://broadbandmap.fcc.gov/home> depicts ZFP's network in Oregon. This representation is validated twice a year by the FCC and is subject to a challenge process, allowing both the Commission and Oregon consumers to assess the geographic availability of ZFP's service offerings and corresponding ETC Area..

ZFP meets all the requirements for federal ETC designation in the Requested ETC Area. As detailed below, ZFP satisfies all federal and state requirements for designation. The requested designations will enable ZFP to begin providing Lifeline service, as well as OTAP benefits, to eligible customers, at the earliest practical time.

BACKGROUND

1. The FCC has adopted a number of cost recovery policies and mechanisms designed to promote and maintain universal service. One aspect of universal service is the availability of subsidies from the federal Universal Service Fund ("USF"), created by the Act. The USF was created, in part, to provide support to qualifying low-income communications end-users. Mechanisms were also established to moderate the amount of costs to be recovered through basic, recurring charges to low-income users, thereby assisting efforts to maintain reasonable basic rate levels for those users. Under 47 U.S.C § 214(e), only common carriers designated as an ETC may receive

² See *ETC Order*, *Revised ETC Order* and *RSPF Rules*.

subsidies from the federal USF. Section 214(e)(2) of the Act provides that:

A State commission shall upon its own motion or upon request designate a common carrier that meets the requirements of paragraph (1) as an eligible telecommunications carrier for a service area designated by the State commission. Upon request and consistent with the public interest, convenience, and necessity, the State commission may, in the case of an area served by a rural telephone company, and shall, in the case of all other areas, designate more than one common carrier and an eligible telecommunications carrier for a service area designated by the State commission, so long as each additional requesting carrier meets the requirements of paragraph (1). Before designating an additional eligible telecommunications carrier for an area served by a rural telephone company, the State commission shall find that the designation is in the public interest.

Section 214(e)(1) of the Act provides:

A common carrier designated as an eligible telecommunications carrier under paragraph (2), (3), or (6) shall be eligible to receive universal service support in accordance with Section 254 of this title and shall, throughout the service area for which the designation is received -

(A) offer the services that are supported by Federal universal service support mechanisms under Section 254(c) of this title, either using its own facilities or a combination of its own facilities and resale of another carrier's services (including the services offered by another eligible telecommunications carrier); and

(B) advertise the availability of such services and the charges therefor using media of general distribution.

2. The FCC has promulgated rules governing ETC designations to establish various requirements for carriers to obtain ETC status. Applications seeking ETC status in Oregon must address and satisfy each of the ETC designation criteria under the FCC Rules and comply with the requirements set forth in Appendix A of the *Revised ETC Order* ("ETC Checklist") for a petition for designation as an ETC.

3. Pursuant to 47 U.S.C. § 214(e)(2), the Commission has the statutory authority to designate a common carrier as an ETC that offers the services supported by the federal Universal Service Fund support mechanisms and advertises "the availability of such services and the charges therefore using

media of general distribution."³

4. ZFP is a common carrier with a fully constructed fiber-optic network over which it currently offers a full suite of communications services to customers in Oregon. Upon designation as an ETC, ZFP is well positioned to seamlessly offer the voice and broadband services and functionalities detailed in Section 54.101(a) of the FCC Rules throughout its proposed service area discussed below. Additionally, ZFP will advertise the availability of such services and the charges for these services using media of general distribution and commits to continue to advertise the availability of its Lifeline program.

5. As shown herein, ZFP meets the additional requirements set forth in the FCC Rules for obtaining ETC designation for purposes Lifeline funding support because it can:⁴

- a) Certify ZFP's compliance with the service requirements applicable to the support that it receives;
- b) Demonstrate ZFP's ability to remain functional in emergency situations, including a demonstration of possession of reasonable amount of back-up power to ensure functionality without an external power source, and ability to reroute traffic around damaged facilities, and capability of managing traffic spikes resulting from emergency situations;
- c) Demonstrate that ZFP satisfies the applicable consumer protection and service quality standards;
- d) Demonstrate ZFP's financial and technical capability of providing Lifeline service in compliance with the FCC's rules and regulations.
- e) Submit information describing the terms and conditions of any service plans offered to Lifeline subscribers, and
- f) Demonstrate that ETC designation is in the public interest.

³ 47 C.F.R. § 54.201(d)(2).

⁴ 47 C.F.R. § 54.202.

6. Designation of ZFP as an ETC and an ETP is in the public interest of the State of Oregon and its low-income telecommunications end-users. Upon designation as an ETC, ZFP will make Lifeline service available to qualifying customers in the Service Area pursuant to the guidelines and requirements of the universal service program and 47 C.F.R. § 54.202.

ZFP MEETS ALL THE REQUIREMENTS FOR ETC DESIGNATION IN OREGON

7. As demonstrated below, ZFP meets the requirements for ETC designation by the Commission pursuant to Section 214(e)(2) of the Act,⁵ consistent with the requirements set in the *Revised ETC Order*. In addition, ZFP complies with the standards established by the FCC for determining whether applicants for ETC status serve the public interest.⁶ The requested designation of ZFP as an ETC and ETP in the Requested ETC Area will provide better service and increased consumer choice in the state of Oregon. ZFP also meets the three requirements for ETP designation set forth in OAR 860-033-0021. Accordingly, the Commission should grant ZFP's application for ETC and ETP status expeditiously.

ZFP MEETS ALL THE FEDERAL REQUIREMENTS FOR ETC DESIGNATION IN OREGON

8. The Commission has jurisdiction to designate ZFP as an ETC. Pursuant to the provisions of Section 214(e)(2) of the Act, state commissions, such as this Commission, have primary responsibility for the designation of eligible telecommunications carriers under Section 214(e)(2). As shown in this Application, ZFP meets the requirements for designation as an ETC in Oregon. The Commission should expeditiously grant ZFP's application for ETC status.

9. ZFP has the financial and technical capability to provide the supported services in compliance with FCC and Commission rules. ZFP's affiliate

⁵ 47 U.S.C. § 214(e)(2).

⁶ See Federal-State Joint Board on Universal Service, Report and Order, 20 FCC Red 6371, 6389-90, paras. 40-43 (2005).

companies, Ziplly Fiber Northwest and Ziplly Fiber of Oregon, generate substantial revenues from non-Lifeline and wholesale services derived from its network subscribers. ZFP, Ziplly Fiber Northwest and Ziplly Fiber of Oregon are all operating companies of Northwest Fiber, LLC and have access to capital and resources required to comply with duties as an ETC. Consequently, ZFP will not rely exclusively on Lifeline reimbursement for operating revenues.

10. The same individuals who operate Ziplly Fiber Northwest and Ziplly Fiber of Oregon will operate ZFP. Thus, ZFP has the same level of technical expertise and experience in running Lifeline programs as does Ziplly Fiber Northwest and Ziplly Fiber of Oregon, existing ETCs in Oregon.

11. ZFP will offer all required services and functionalities. Section 214(e)(l)(A) of the Act⁷ requires an ETC to offer the services that are supported by federal universal service support mechanisms under Section 254(c). Effective December 29, 2011, pursuant to the USF/ICC Transformation Order⁸ as further clarified by the USF/ICC Order on Reconsideration, the FCC eliminated its former list of nine supported services and amended Section 54.101(a) of its rules to specify that "voice telephony service" is supported by the federal universal service mechanisms. The amended Section 54.101(a) and its list of supported services reads as follows:

§54.101 Supported services for rural, insular and high cost areas.

(a) *Services designated for support.* Voice telephony services and broadband service shall be supported by federal universal service support mechanisms.

(1) Eligible voice telephony services must provide 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

⁷ 47 U.S.C. § 214(e)(l).

⁸ Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing an Unified Intercarrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up; Universal Service Reform—Mobility Fund, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663 (2011) ("USF/ICC Transformation Order").

or other public safety organizations, such as 911 and enhanced 911, to the extent the local government in an eligible carrier's service area has implemented 911 or enhanced 911 systems; and toll limitation services to qualifying low-income consumers as provided in subpart E of this part.

(2) Eligible broadband Internet access services must provide the capability to transmit data to and receive data by wire or radio from all or substantially all Internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up service.

(b) An eligible telecommunications carrier eligible to receive high-cost support must offer voice telephony service as set forth in paragraph (a)(1) of this section in order to receive federal universal service support.

(c) An eligible telecommunications carrier (ETC) subject to a high-cost public interest obligation to offer broadband Internet access services and not receiving Phase I frozen high-cost support must offer broadband services as set forth in paragraph (a)(2) of this section within the areas where it receives high-cost support consistent with the obligations set forth in this part and subparts D, K, L and M of this part.

(d) Any ETC must comply with subpart E of this part.

12. Upon designation as an ETC in Oregon, and consistent with state and federal policies favoring universal service, ZFP will offer voice telephony services as described in the amended Section 54.101 of the FCC Rules.⁹ The service will provide voice grade access to the public switch network or its functional equivalent and minutes of use for local service at no additional charge to end users. ZFP will also provide broadband services.

13. E911 is deployed and fully functional. The Company also will provide access to emergency services provided by local government or public safety officials, including 911 and enhanced 911 ("E911") to the extent local governments in an eligible carrier's service area have implemented 911 or E911 systems.

14. ZFP will provide service through facilities owned and operated by itself or its affiliates. Under Section 214(e)(1)(A) of the Act, an ETC must offer the services supported by federal universal service support mechanisms throughout its

⁹ 47 C.F.R. § 54.101(a).

designated service area "either using its own facilities or a combination of its own facilities and resale of another carrier's services."¹⁰

15. ZFP will publicize the availability of Lifeline service in a manner reasonably designed to reach those likely to qualify for the service (47 C.F.R. § 54.405(b)). ZFP will advertise the availability of its universal service offerings and charges for such offerings using media of general distribution (47 U.S.C. § 214(e)(1)(B); 47 C.F.R. § 54.201(d)(2)), namely through a combination of media, such as advertising via television, radio, newspapers, magazines or other print advertisements, outdoor advertising, direct marketing, the Company website, and/or the Internet.

16. ZFP will provide the supported services throughout the designated service area (47 U.S.C. § 214(e)(1); 47 C.F.R. § 54.201(d)).

17. ZFP also certifies that, in accordance with 47 U.S.C. § 254(e), it will use federal universal service support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

18. Additional Eligibility Criteria. 47 C.F.R. § 54.202 imposes a number of requirements in order to be designated an ETC under Section 214(e)(6). ZFP will comply with the requirements of 47 C.F.R. § 54.202.

19. To satisfy the applicable consumer protection and service quality rules set by the FCC, ZFP certifies, as required by 47 C.F.R. § 202(a)(1)(i), that it will comply with the service requirements applicable due to its designation as an ETC for purposes of receiving Lifeline support. ZFP not only commits to provide service throughout its Service Area, but also commits to provide universal service in a timely manner to all customers in the Service Area who make a reasonable request for service pursuant to the FCC Rules.¹¹ If designated as an ETC, ZFP will provide

¹⁰ 47 U.S.C. § 214(e)(1)(a).

¹¹ 47 C.F.R. § 54.202(a)(1) also requires the submission of a five-year plan demonstrating how high-cost universal service support will be used to improve the ETC's coverage, service quality and capacity. This requirement, however, is inapplicable to this application, since ZFP is not seeking

service throughout its Service Area through facilities owned and operated by itself or its affiliates.

20. ZFP also commits to comply with the consumer protection standards set by the FCC, including:

21. Customer Proprietary Network Information- ZFP will satisfy all consumer privacy protection standards as provided in 47 C.F.R. § 64, Subpart U as applicable and will protect Customer Proprietary Network Information ("CPNI") as required by state and federal law and will certify compliance with the same on an annual basis.

22. Under the FCC Rules, an ETC applicant must demonstrate its ability to remain functional in emergency situations.¹² ZFP certifies that it maintains adequate backup power to meet state and federal standards.

23. FCC Factors. ETC designation would be also consistent with the factors identified by the FCC that are to be considered in determining whether designation of additional ETCs will serve the public interest and whether the benefits of an additional ETC would outweigh potential harms. These factors include: 1) the benefits of increased competitive choice; and 2) the unique advantages of the applicant company's service offerings. ZFP affirms that its requested ETC designation meets these criteria as described below.

24. The FCC has long acknowledged the benefits to consumers of being able to choose from a variety of telecommunications providers and the resulting variety of telecommunications services they provide.

25. Designation of ZFP as an ETC creates competitive pressure for other wireline and wireless providers within the proposed service area. In order to remain competitive in low-income markets, therefore, all carriers will have greater incentives to improve networks, increase service offerings and lower prices. This results in

high-cost assistance.

¹² 47 C.F.R. § 54.202(a)(2).

improved customer services and, consistent with federal law, benefits consumers by allowing ZFP to offer the services designated for support at rates that are "just, reasonable, and affordable."

26. ZFP will offer local voice telephony service and broadband service. Details of ZFP's offerings can be found at <https://get.ziplyfiber.com/internet>.

27. ZFP will announce and advertise telecommunications services as an ETC in its Service Area and will publicize the availability of Lifeline services in a manner reasonably designed to reach those likely to qualify for those services. Accordingly, more low-income Oregon residents will be made aware of the opportunities afforded to them under the Lifeline program and will be able to take advantage of those opportunities by subscribing to ZFP's service.

28. ZFP will provide universal service as an ETC in all of its Requested ETC Area.

29. In addition, all providers are required to contribute a portion of the interstate revenues received from their customers to the Universal Service Fund. In accordance with current federal regulations, ZFP will make contributions based on that portion of its revenue that is determined to be interstate. As such, approving ZFP as an ETC will actually create contributions to the USF that were previously non-existent.

30. Designation of ZFP as an ETC benefits the public interest by supporting low-income consumers throughout ZFP's Service Area. Approval of ZFP's ETC Application will serve the public interest by increasing participation of qualified consumers in the Lifeline program in Oregon. It will also increase the number of carriers eligible for federal USF support, thereby proportionately increasing the amount of federal USF dollars available to Oregon consumers. Granting ETC status to ZFP will contribute to more Oregon residents receiving Lifeline, thereby increasing the amount of federal USF dollars flowing into the state and thereby benefiting

Oregon residents. In short, Oregon residents will have an expanded opportunity to get more of their money back.

31. Reporting Requirements. Consistent with the requirements of 47 C.F.R § 54.422, ZFP will comply with the FCC's annual reporting requirements:

(a) As required by 47 C.F.R. § 54.422(b)(3), ZFP will certify its continuing compliance with all applicable service quality standards and consumer protection rules.

(b) Consistent with the requirement of 47 C.F.R. § 54.422(b)(4), ZFP will certify, on an annual basis, its continued ability to remain functional in emergency situations.

ZFP MEETS ALL THE STATE REQUIREMENTS FOR ETC DESIGNATION IN OREGON

32. ZFP also meets the state requirements set forth in the ETC Checklist, many of which overlap with federal requirements.

33. Item 1.1.¹³ The entity requesting designation is Ziplly Fiber Pacific, LLC.

34. Item 1.2.¹⁴ ZFP is a common carrier in the business of providing a comprehensive suite of voice and broadband services to customers in Oregon. A common carrier is defined as “any person engaged as a common carrier for hire in interstate or foreign communication by wire or radio or in interstate or foreign radio transmission of energy¹⁵ Specifically, ZFP is certified as a Competitive Provider pursuant to ORS§ 759.020(5) and is authorized by the Commission in Order No. 22-194 in Docket CP 1664 to provide services in Oregon.

¹³ ETC Checklist, Item 1.1. (“Information regarding applicant and its common carrier status ... Name of entity requesting designation and corporate affiliation.”).

¹⁴ ETC Checklist, Item 1.2. (“Information regarding applicant and its common carrier status ... Demonstration of the applicant's common carrier status.”).

¹⁵ 47 U.S.C. § 153(11).

35. Item 1.3.¹⁶ Currently, ZFP provides a wide suite of communications products and services, including voice and broadband, over its network exclusively constructed using fiber-optic facilities to customers in Oregon. ZFP's authorized service area as a competitive provider encompasses the entire state.¹⁷ Details of ZFP's offerings can be found at <https://get.ziplyfiber.com/internet>. ZFP's business plan is intentionally calibrated to allow it to continually analyze growth opportunities throughout the state.

36. Item 1.4.¹⁸ As discussed in paragraph [9] above, ZFP is financially and technically capable of providing the supported services in compliance with FCC and Commission rules. Currently, ZFP operates as a common carrier and provides communications services to non-Lifeline customers in Oregon as discussed above in paragraph [4]. It has not been subject to enforcement action or ETC revocation at any time in any other jurisdiction. Because it generates and will continue to receive revenue from non-USF sources consistent with its representations in paragraphs [4 and 9], ZFP does not intend to rely exclusively on high-cost or Lifeline reimbursement for operating revenues.

37. Item 2.1.¹⁹ ZFP seeks ETC and ETP designation in order to become eligible for Lifeline support. Because the current funding for the Affordable Connectivity Program has been exhausted, ZFP is particularly motivated to obtain federal funding through Lifeline programs in order to ensure it can continue providing

¹⁶ ETC Checklist, Item 1.3. ("Information regarding applicant and its common carrier status ... Description of the general types of services and geographic area for which the applicant is authorized in the state of Oregon.").

¹⁷ Order No. 22-194 at 5 and Appendices A and B (Docket CP 1664, June 1, 2022).

¹⁸ ETC Checklist, Item 1.4. ("Information regarding applicant and its common carrier status ... Demonstration that applicant is financially and technically capable of providing the supported services in compliance with FCC and Commission rules. Relevant considerations include whether applicant previously offered services to non-Lifeline customers, how long the applicant has been in business, whether the applicant intends to rely exclusively on universal service fund (USF) disbursements to operate, whether the applicant receives or will receive revenue from non-USF sources, and whether the applicant has been subject to enforcement action or ETC revocation proceedings in any other jurisdiction.").

¹⁹ ETC Checklist, Item 2.1. ("Type of federal universal service support for which designation is requested ... For applicants awarded federal USF support conditional upon grant of ETC status: copies of relevant FCC documentation.").

support to low-income customers. However, Lifeline funding ultimately requires that ZFP obtain an ETC designation. Grant of the instant petition ensures that ZFP will be best positioned to offer supportive services to Oregon residents.

38. Item 3.1.²⁰ requires a statement of commitment to offer supported voice telephony services, which has been provided in the above discussion at paragraphs [11 through 12].

39. Item 3.2.²¹ Not applicable, as Ziplly Fiber currently offers the required voice telephony services.

40. Item 3.3.²² requires an ETC applicant to identify and describe its local voice telephony service offerings within the designated service area. ZFP will offer a supported service that will provide voice grade access to the public switch network or its functional equivalent and minutes of use for local service at no additional charge to end users. This standalone voice offering will meet the definition of "basic telephone service" set forth in OAR 860-032-0190, including local exchange calling and access to EAS, long-distance, relay service for the hearing and speech impaired, operator services, directory assistance, and 911. Additional details regarding ZFP's offerings can be found at <https://get.ziPLYfiber.com/internet>. Details of ZFP's offerings can be found at <https://ziPLYfiber.com>.

41. Item 3.4.²³ requires a description of broadband services to be offered,

²⁰ ETC Checklist, Item 3.1. ("Commitment and ability to provide all supported services ... Statement of commitment to offer supported Voice Telephony services and description of each element required in 47 CFR §54.101(a) (voice grade access to the public switched network or its functional equivalent, local usage, access to emergency services, and toll limitation services to qualifying low-income consumers if the applicant's proposed Lifeline service distinguishes between toll and non-toll calls in the pricing of the service).")

²¹ ETC Checklist, Item 3.2. ("Commitment and ability to provide all supported services ... Identification of any required supported Voice Telephony services that are not currently offered, and an explanation of when and how such services will be made available.")

²² ETC Checklist, Item 3.3. ("Commitment and ability to provide all supported services ... Identification and description of each of applicant's voice telephony local service offerings (the name the plan is marketed under, the number of minutes and included calling area, and the price) within the proposed designated service area.")

²³ ETC Checklist, Item 3.4. ("Commitment and ability to provide all supported services ... Description of broadband services to be offered, if such services must be provided as a

if such services must be provided as a condition for receiving USF support. Details of ZFP's broadband offerings can also be found at <https://ziplyfiber.com>

42. Item 4.1.1.²⁴ ZFP's Requested ETC Area is coextensive with the coverage area of ZFP as represented on the FCC's broadband map, available at <https://broadbandmap.fcc.gov/home> ("National Broadband Map").²⁵ In effect, while this is a statewide authorization to provide ETC services, ZFP will offer supported services to any potential customer in this Requested ETC Area. This area excludes Tribal Lands until such time, if any, that ZFP begins discussions with the relevant Tribal authorities.

43. Item 4.1.2.²⁶ ZFP's actual network footprint shown on the National Broadband Map is the best geographic unit representing its service area. ZFP's coverage area as depicted in the National Broadband Map specifically and accurately reflects the current footprint in which ZFP delivers service to customers. These coverage areas shown in the National Broadband Map depict service areas in which a provider must be able to install service within ten business days of a customer request.²⁷ The FCC's data collection processes are designed "to provide more granular and accurate information on where broadband service, at a reported maximum speed, is available,"²⁸ which dovetails with the reasoning used by the

condition for receiving USF support.").

²⁴ ETC Checklist, Item 4.1.1. ("Explicit identification of the proposed designated service area through:... Map showing boundaries of applicant's federally-licensed or state-certificated area within Oregon, or an explanation why such boundaries do not exist, and the boundaries of the requested designated service area. The map must also show the boundaries of the area for each geographic unit, e.g., wire center, census block, zip code, that will comprise the designated service area;").

²⁵ ZFP's network footprint can be viewed by clicking on the "Providers" option in the center of the main page, ensuring the "Fixed Broadband" default option is active above the "Service Provider Details" heading to the right of the map, clicking the "Add Provider" option at the bottom of the Service Provider Details, entering the name of the provider in the popup menu that appears, and selecting "Fiber to the Premises" in the "Technology" drop down menu..

²⁶ ETC Checklist, Item 4.1.2. ("Explicit identification of the proposed designated service area through:... Rationale for selection of the type of geographic unit to define the proposed designated service area;").

²⁷ Establishing the Digital Opportunity Data Collection; Modernizing the FCC Form 477 Data Program, Third Report and Order, 36 FCC Rcd 1126, 1157-58, para.77-78 ("Data Collection Third R&O").

²⁸ Data Collection Third R&O, 36 FCC Rcd at 1138, para. 26.

Commission in updating the service area identification and definition requirements.²⁹

44. The FCC intentionally identifies and collects this highly accurate and reliable data in order to make sure the National Broadband Map can be used not only for the FCC's purposes, but for also for the purposes of public and federal, state, Tribal and local stakeholders such as the Commission and Oregon consumers.³⁰ As required by Congress, FCC updates the National Broadband Map twice a year,³¹ and the data submitted by ZFP is subject to a challenge process mandated by statute,³² further ensuring validity of the information. Moreover, this readily-available public-facing information is designed for customer interaction, and is less likely to confuse Oregon customers as to the availability of service and their provider options. This best allows ZFP to expeditiously provide services to low-income Oregon consumers and to customers in unserved and underserved areas].

45. Item 4.1.3.³³ [As explained above, the map itself shows highly granular location data that depicts ZFP's Requested ETC Area down to the level of each customer location, making a separate list of geographic units redundant.]

46. Item 4.1.4.³⁴ Not applicable, as no specific Tribal Lands will be served at this point. See above representations at paragraphs [42 and 44] and subsequent representations at paragraph [78].

47. Item 4.2.1.³⁵ ZFP offers, and commits that it will continue to offer, all

²⁹ *Revised ETC Order*, p. 4. Note also that the Commission has altered this requirement in recognition of "changes in technology" broadening the then-applicable standard of using ILEC wire center to define the Requested ETC service area to include other descriptive boundaries.

³⁰ *Data Collection Third R&O*, 36 FCC Rcd at 1130, para. 9.

³¹ 47 U.S.C. §§ 642(a)(1)(A), (a)(2).

³² 47 U.S.C. §§ 642(a)(1)(B)(iii), (b)(5).

³³ ETC Checklist, Item 4.1.3. ("Explicit identification of the proposed designated service area through:... Listing of each and every specific geographic unit, e.g., ILEC wire center (by ILEC name, wire center name and code), census block (by ID number), or zip code (by number), etc., that will be included in the designated service area, with identification of any units for which service will not be provided throughout;").

³⁴ ETC Checklist, Item 4.1.4. ("Explicit identification of the proposed designated service area through:... Identification of specific Tribal Lands (as defined in 47 C.F.R. § 54.5 or 47 C.F.R. § 54.400(e) as appropriate) included in proposed designated service area, if any.").

³⁵ ETC Checklist, Item 4.2.1. ("Commitment and ability to offer supported services throughout the proposed service area and to provide service to all requesting customers ... Statement indicating whether all requesting customers in the proposed service area will be provided

of the foregoing services included in the amended Section 54.101(a) and its list of supported services as discussed in paragraphs [11 through 13] to each requesting customer for which federal high-cost USF support is to be received.

48. Item 4.2.2.³⁶ Not applicable, as ZFP is able to serve all customers in the proposed service area upon initial designation.

49. Item 4.2.3.³⁷ Not applicable, as ZFP is not a wireless carrier.

50. Item 5.1.³⁸ Under Section 214(e)(l)(A) of the Act an ETC must offer the services supported by federal universal service support mechanisms throughout its designated service area "either using its own facilities or a combination of its own facilities and resale of another carrier's services."³⁹ ZFP will provide the above services through facilities owned by itself or its affiliates. For additional details, please see our discussion above at paragraph [14] service through its own facilities) and paragraph [17] (federal funding only as intended).

51. Specifically, ZFP will provide the supported services set forth above through ZFP owned and operated fiber-optic infrastructure XGS-PON equipment representing the latest in telecommunications technology. In addition, ZFP provides voice service through two carrier grade Class 5 integrated soft switches capable of delivering supported services in a single site deployment for up to 100,000 subscribers operated by its affiliate, Ziplly Fiber Northwest. These switches are rated

services for which USF support is to be received, e.g., voice and/or broadband, upon initial designation.”).

³⁶ ETC Checklist, Items 4.2.2.1. through 4.2.2.3. require applicants that are “unable to serve all customers in the proposed service area upon initial designation” to describe the extent of coverage and percent of the population for each geographic unit in the proposed service area that the applicant will have the current ability to serve and the public interest rational justifying partial coverage (Item 4.2.2.1.); to describe the process to be used to determine whether service can be provided in response to an individual request for service (Item 4.2.2.2.); and, for Lifeline-only ETCs, to commit to reporting the number of requests for service from potentially eligible customers that could not be fulfilled due to lack of adequate service availability.”).

³⁷ ETC Checklist, Item 4.2.3. (“Commitment and ability to offer supported services throughout the proposed service area and to provide service to all requesting customers ... For wireless carriers only, commitment to make available coverage maps in accordance with CTIA-The Wireless Association's Consumer Code for Wireless Service at the point of sale and on the applicant's website upon designation.”).

³⁸ ETC Checklist, Item 5.1. (“Types of facilities used to offer supported services... Description of types of network facilities currently used to provide service,”).

³⁹ 47 U.S.C. § 214(c)(l)(a).

to provide 99.999% uptime delivering reliability and redundancy which will ensure high quality service to the company's customers. These switches also allow for easy repairs and upgrades.

52. Item 5.2.⁴⁰ Not applicable. ZFP will provide service through facilities it or its affiliates own and operate. See paragraphs [14] and [51] for additional details.

53. Item 5.3.⁴¹ As discussed with regard to Items 4.1.1. through 4.1.3., the National Broadband Map provides a full depiction of the extent of ZFP's current network footprint and explanation for the basis for this depiction of coverage.

54. Item 5.4.⁴² requires identification of service providers with which applicant has current and relevant resale or interconnection agreements. At the present time, ZFP does not have any current interconnection agreements or resale agreements that are relevant to the area in which it now seeks ETC designation.

55. Item 6.1.⁴³ ZFP commits to use support funds in accordance with FCC and Commission rules, as reflected in the Declaration of Byron E. Springer, Jr., a corporate officer of ZFP, attached as **Exhibit A**.

56. Item 6.2.⁴⁴ ZFP also certifies that it will comply with the service requirements applicable to the support it receives, including without limitation, the Commission's rules and orders governing ETCs and ETPs, and the applicable

⁴⁰ ETC Checklist, Items 5.2.1. through 5.2.3. require applicants that resell network facilities of other carriers in the provision of its supported services to provide a general description of those facilities and the company that owns the facilities (Item 5.2.1.), commit to file a notice thirty days in advance of adding or eliminating an underlying carrier (Item 5.2.2.), and providing a statement regarding whether the applicant is qualified for FCC forbearance as a reseller for Lifeline-only designation (Item 5.2.3.).

⁴¹ ETC Checklist, Item 5.3. ("Types of facilities used to offer supported services... Map showing extent of current coverage and, explanation of the basis for depiction of coverage.").

⁴² ETC Checklist, Item 5.4. ("Types of facilities used to offer supported services... Identification of service providers with which applicant has current and relevant resale or interconnection agreements.").

⁴³ ETC Checklist, Item 6.1. ("Commitment to use support funds in accordance with FCC and Commission rules ... Affidavit, signed by responsible corporate officer, certifying that universal service support funds received will be used only for the intended purposes.").

⁴⁴ ETC Checklist, Item 6.2. ("Commitment to use support funds in accordance with FCC and Commission rules ... Certification that applicant will comply with the service requirements applicable to the support it receives, along with identification of such requirements by reference to specific FCC rules and relevant Orders.").

provisions of the FCC rules, 47 C.F.R. § 54.101, et seq., including all applicable limitations on use of funds and reporting requirements. ZFP specifically commits to comply with all rules offering Lifeline and OTAP services, including FCC-required disclosures to consumers concerning Lifeline service offering in Lifeline marketing materials, and further commits to adhere to the advertising, marketing, and disclosure rules set forth in OAR 860-033-0110.

57. Item 6.3⁴⁵. Not applicable. ZFP is seeking designation only for the purposes of offering Lifeline services to low-income consumers.

58. Item 7.1⁴⁶ ZFP affirms its commitment to advertise availability of high-cost supported services throughout the service area. ZFP's business depends on revenues from its voice and broadband plans to customers. It has no intention to cease advertising those services.

59. Item 7.2⁴⁷. ZFP will publicize the availability of its non-Lifeline service offerings in a manner designed to facilitate consumer awareness of its competitive offerings and attract new customers to ZFP. This effort will include advertising through media of general distribution and Internet advertising.

60. Item 8.1⁴⁸ ZFP affirms its commitment to advertise availability of Lifeline and OTAP services in a manner reasonably designed to reach those likely to qualify for the service (47 C.F.R. § 54.405(b)) throughout its designated service area. See also our previous discussion at paragraph [15] for additional information.

⁴⁵ ETC Checklist, Item 6.3. (“Commitment to use support funds in accordance with FCC and Commission rules ... A five-year plan that describes with specificity proposed improvements or upgrades to applicant's network throughout its proposed service area, including estimates of the area and population that will be served as a result of the improvements. An applicant seeking designation only for the purposes of offering Lifeline services to low-income consumers is not required to submit such a five-year plan.”).

⁴⁶ ETC Checklist, Item 7.1. (“Commitment to advertise high-cost (non-Lifeline) supported services throughout the service area... Statement of commitment to advertise supported services throughout the service area.”).

⁴⁷ ETC Checklist, Item 7.2. (“Commitment to advertise high-cost (non-Lifeline) supported services throughout the service area... Brief description of advertising plans for supported services (excluding low-income service offerings)..”).

⁴⁸ ETC Checklist, Item 8.1. (“Commitment to offer and advertise Lifeline and OTAP services ... Commitment to offer and advertise Lifeline and OTAP services throughout the designated service area.”).

61. Item 8.2.⁴⁹ ZFP will offer the Lifeline discounts on the voice or broadband found at <https://ziplyfiber.com> to qualifying Lifeline customers.

62. Item 8.2.1⁵⁰. Not applicable, because ZFP does not currently plan to offer any Lifeline services at no charge to the customer.

63. Item 8.2.2.⁵¹ Not applicable, because ZFP does not currently plan to offer any Lifeline services at no charge to the customer.

64. Item 8.3⁵². ZFP reaffirms its commitment to advertise the availability of its Lifeline and OTAP service offerings throughout its designated service area in a manner reasonably designed to reach those likely to qualify for the service. ZFP discussed this in some detail at paragraph [15]. ZFP will continue to utilize FCC outreach guidelines for advertising Lifeline service offering, including use of outreach materials and methods designed to reach households that currently do not have telephone service, development of advertising material for non-English speaking populations within its service area, and coordination of outreach efforts with relevant government agencies. ZFP also affirms its commitment to work with relevant state agencies, community outreach organizations, and non-profit organizations to make information available regarding ZFP's Lifeline and OTAP service offerings in resource guides and other printed material produced by those organizations, as well as in their offices or other locations visited by potential Lifeline-eligible subscribers.

⁴⁹ ETC Checklist, Item 8.2. ("Commitment to offer and advertise Lifeline and OTAP services ... Identification and description of specific service offerings that applicant will provide to qualifying Lifeline and OTAP customers (both on Tribal Lands and on non-Tribal Lands), including associated terms and conditions, applicable rates and charges, and the number of minutes provided in each plan..").

⁵⁰ ETC Checklist, Item 8.2.1. requires applicants that will provide Lifeline services at no charge to the customer to commit to submit any proposed reductions to the material terms of the service offerings to the Commission ninety days in advance of such changes becoming effective.

⁵¹ ETC Checklist, Item 8.2.2. requires applicants that will provide Lifeline services at no charge to the customer to commit to notify existing customers within ten days of an increase in the material terms of the service offerings and to permit existing customers to immediately subscribe to the increased service offering if the customer does not automatically receive the benefit.

⁵² ETC Checklist, Item 8.3. ("Commitment to offer and advertise Lifeline and OTAP services ... Description of advertising plans designed to reach the target low-income population that applicant will implement after designation..").

65. Item 8.4⁵³. ZFP requests designation as an Eligible Telecommunications Provider to allow it to participate in the OTAP program throughout the designated ETC service area proposed herein. ZFP meets the three requirements for ETP designation set forth in OAR 860-033-0021(1)(a)-(c). ZFP will: (a) offer services under 47 C.F.R. §54 Subpart E using either its own facilities or a combination of its own facilities and resale of another carrier's services; (b) advertise the availability of and the charges for such services using media of general distribution; and (c) comply with OAR 860-033-0005 through 860-033-0110.

66. Consistent with Item 8.4 and the foregoing request, ZFP commits to follow all applicable OTAP and RSPF requirements, including those noted above.

67. ETC Checklist Item 8.1 requires ETC applicants to commit to offer and advertise Lifeline and OTAP services throughout the designated service area, which in turn requires designation as an ETP. Prior to Commission Order 15-382, the Commission required carriers to complete a separate application for ETP designation. However, in Order No. 15-382, the Commission streamlined the ETP application process by incorporating it into item number 8 in the ETC "checklist." As the Commission explained: "New sub-requirements 8.4 and 8.5 improve application review efficiency by incorporating the OTAP ETP requirements into the ETC process." ZFP affirms its commitment to abide by ETC Checklist Items 8.4 and 8.5 as discussed above. Accordingly, ETP designation is appropriate here.

68. Item 8.5⁵⁴ requires documentation showing the applicant's policies and procedures related to the training of third-party representatives and employees on Lifeline and/or OTAP requirements, as well as documentation showing

⁵³ ETC Checklist, Item 8.4. ("Commitment to offer and advertise Lifeline and OTAP services . . . Request for designation as an Eligible Telecommunications Provider (ETP) to participate in the OTAP, and commitment to follow all OTAP and RSPF requirements.").

⁵⁴ ETC Checklist, Item 8.5. ("Commitment to offer and advertise Lifeline and OTAP services . . . Documentation showing the applicant's policies and procedures related to the training of third-party representatives and employees on Lifeline and/or OTAP requirements, as well as documentation showing internal quality control measures for actual applications received by the applicant.").

internal quality control measures for actual applications received by the applicant. With respect to this requirement, ZFP does not utilize third-party representatives to market Lifeline/OTAP plans. There is very low risk of any waste, fraud, or abuse with respect to ZFP's Lifeline plans. ZFP applies the Lifeline discount to existing service plans, to which customers contribute the remaining monthly fees, eliminating the need to train ZFP employees on distinct Lifeline plans. ZFP will utilize its existing employee training to ensure that its employees are trained on the availability of Lifeline discounts.

69. Item 8.6⁵⁵. After the ETC designation requested herein is granted by the Commission, ZFP will file all necessary information with the FCC's designated administrator, the Universal Service Administrative Corporation, to fulfill any and all requirements under 47 C.F.R. § 54.401(d).

70. Item 9.1.1⁵⁶ requires that an ETC demonstrate its ability to retain functionality in an emergency situation. See paragraph [22] above for certification and discussion. Per item 9.1.1, 9.1.2., and 9.1.3, respectively, that demonstration must specifically address the amount of back-up power available to the ETC, the ETC's ability to reroute traffic around damaged facilities, and the ETC's ability to manage traffic spikes resulting from emergency situations. ZFP has sufficient back-up power to ensure functionality in the event of an emergency.

71. Item 9.1.2.⁵⁷ In addition, ZFP has sufficient excess capacity and/or redundancy in its network that it can re-route traffic around damaged facilities. To guard against service interruptions, such as those caused by natural or man-made events, ZFP has designed its network so that its critical systems and service

⁵⁵ ETC Checklist, Item 8.6. ("Commitment to offer and advertise Lifeline and OTAP services . . . Applicants will file all necessary information with the FCC to fulfill any and all requirements of the Commission under 47 C.F.R. § 54.401(d) after ETC designation is granted by the Commission.").

⁵⁶ ETC Checklist, Item 9.1.1.. ("Demonstration of ability to remain functional in emergencies specifically addressing: . . . Amount of backup power available.").

⁵⁷ ETC Checklist, Item 9.1.2.. ("Demonstration of ability to remain functional in emergencies specifically addressing: . . . Ability to reroute traffic around damaged facilities.").

locations use diverse fiber routes which have failover capabilities, ensuring its network and services remain available to customers.

72. Item 9.1.3⁵⁸. Zply Fiber is also able to manage traffic spikes resulting from emergency situations. Like the other aspects of its network discussed above, ZFP is able to route traffic over its diverse facilities to ensure its network and services remain available even during times of high demand.

73. Item 9.2.⁵⁹ A full description of ZFP's E911 deployment and compliance status is contained in paragraph [13].

74. Item 9.3.⁶⁰ ZFP commits to comply with Oregon's 9-1-1 emergency reporting system tax requirements, currently at ORS 403.200 through 403.230.

75. Item 10.1⁶¹. ZFP is committed to specific, objective measures for service quality and consumer protection, including adherence to Commission rules for wireline carriers and the requirements imposed by 47 C.F.R. § 54.202, many of which overlap with [Oregon law]. Because ZFP is already operating as a CLEC, it is familiar with the Commission's consumer protection and service quality rules.

76. Moreover, as an Oregon business, ZFP understands that it must abide by Oregon's consumer protection law. ZFP is committed to strict adherence with applicable consumer privacy. ZFP also commits to comply with the consumer protection standards set by the FCC.

⁵⁸ ETC Checklist, Item 9.1.3. ("Demonstration of ability to remain functional in emergencies specifically addressing: . . . Ability to manage traffic spikes during emergency periods.").

⁵⁹ ETC Checklist, Item 9.2. ("Ability to remain functional in emergencies: . . . Description of current status of E911 deployment and compliance; if full deployment has not been attained, describe plans to achieve full deployment.").

⁶⁰ ETC Checklist, Item 9.3. ("Ability to remain functional in emergencies: . . . Commitment to comply with Oregon's 9-1-1 emergency reporting system tax requirements, currently ORS 403.200 to ORS 403.230.").

⁶¹ ETC Checklist, Item 10.1. ("Commitment to meet service quality and consumer protection standards: . . . Commitment to specific, objective measures for service quality and consumer protection, e.g., the CTIA Consumer Code for wireless carriers or the applicable Commission rules for wireline carriers.").

77. Item 10.2⁶² ZFP is committed to working constructively with the Commission to resolve customer complaints received by the Commission staff. Ziplly Fiber has designated Jessica Epley to work directly with the Commission's Consumer Services Complaint Division to resolve any complaints the Commission may receive.

78. Item 11⁶³ ZFP is not currently expanding on specific Tribal lands at this time. ZFP will reach out to the appropriate Tribal leadership as our network expands on Tribal Lands.

79. Item 12⁶⁴ of the ETC Checklist asks for a "demonstration that designation would be in the public interest," specifically addressing increase in consumer choice (12.1.1), advantages and disadvantages of the applicant's service offering (12.1.2), and any other specific criteria determined by the Commission (12.1.3). As demonstrated below, ZFP's requested designation as an ETC and ETP is in the public interest.

80. Item 12.1.1⁶⁵. The requested designation of ZFP as an ETC and ETP will provide better service for customers in the state of Oregon by creating competitive pressure for other wireline and wireless providers within the proposed service area. In order to remain competitive in low-income markets, therefore, all carriers will have greater incentives to improve networks, increase service offerings and lower prices. This results in improved customer services and, consistent with federal law, benefits consumers by allowing ZFP to offer the services designated for support at rates that are "just, reasonable, and affordable."

⁶² ETC Checklist, Item 10.2 ("Commitment to meet service quality and consumer protection standards: . . . Commitment to resolve complaints received by PUC, and designation of specific contact person to work with PUC's Consumer Services Division for complaint resolution.").

⁶³ ETC Checklist, Item 11 requires applicants requesting designation on Tribal lands to notify and engage with the appropriate Tribal authorities in the proposed service area in addition to meeting the requirements of Items 11.1. through 11.3.

⁶⁴ ETC Checklist, Item 12.1. ("Demonstration that designation would be in the public interest").

⁶⁵ ETC Checklist, Item 12.1.1. ("Demonstration that designation would be in the public interest; this must address . . . Specific ways in which consumer choices will be increased.").

81. Item 12.1.2⁶⁶. Besides being able to reach additional customers, ZFP anticipates being able to provide higher-quality services, including the ability to offer faster broadband speeds to a greater proportion of its customers in rural areas. ZFP's fiber-based voice service offerings provide a high-quality product for rural customers, and its broadband services provide speeds of up to approximately 1 Gbps. to customers. These factors alone merit a finding that designation here is in the public interest.

82. Item 12.1.3⁶⁷. In addition to meeting the state requirements for ETC designation, ZFP also meets the criteria established by the FCC for ETC designation, as discussed above in paragraphs [9 through 22], and satisfies the factors considered by the FCC when evaluating whether ETC designation is in the public interest, discussed above at paragraphs [23 through 30].

83. Item 13.2⁶⁸. ZFP commits to cooperate with the Commission staff in providing special weekly, monthly, or quarterly reports that Commission staff may reasonably find necessary based on program requirements and the circumstances of ZFP, and which ZFP, in good faith, commits to provide to the Commission.

CONCLUSION

For the reasons stated herein, Zply Fiber Pacific, LLC respectfully requests that the Commission expeditiously: (i) designate ZFP as an ETC area in the Requested ETC area, (ii) send the appropriate notice of the Order designating ZFP as an ETC in the Requested ETC Area to the FCC and the Universal Service Administrative Company; and (iii) order such other relief as may be appropriate.

RESPECTFULLY SUBMITTED this 26th day of March, 2024

⁶⁶ ETC Checklist, Item 12.1.2. ("Demonstration that designation would be in the public interest; this must address . . . Specific advantages and disadvantages of applicant's service offerings..").

⁶⁷ ETC Checklist, Item 12.1.3. ("Demonstration that designation would be in the public interest; this must address . . . Any other specific criteria determined by the Commission..").

⁶⁸ ETC Checklist, Item 13.2. ("Commitment to provide reports as required. . . Special weekly, monthly, or quarterly reports that Commission Staff finds necessary based on program requirements and the circumstances of each applicant and which the applicant, in good faith, commits to provide to the Commission..").

ZiPLY Fiber Pacific, LLC d/b/a ZiPLY
Fiber

Name of Party



Signature on Behalf of Party

Jessica Epley

Name of Signer

VP – Regulatory & External Affairs

Title of Signer

135 Lake Street South, Suite 155
Kirkland, Washington 98033

Address of Signer

503.431.0458

Telephone Number for Signer

jessica.epley@ziPLY.com

Designated Email for Party

BEFORE THE PUBLIC UTILITY COMMISSION OF OREGON

In the Matter of

Petition of Ziplly Fiber Pacific for Designation as an Eligible Telecommunications Carrier and as an Eligible Telecommunications Provider

DECLARATION OF BYRON E. SPRINGER, JR.

I, the undersigned, Byron E. Springer, Jr., do hereby declare under penalty of perjury as follows:

- 1. I am General Counsel of Ziplly Fiber Pacific, LLC dba Ziplly Fiber, a Delaware limited liability company with its headquarters at 135 Lake Street S., Suite 155, Kirkland, Washington 98033.
- 2. This Declaration is submitted in support of the Petition of Ziplly Fiber Pacific, LLC for Designation as an Eligible Telecommunications Carrier and as an Eligible Telecommunications Provider.
- 3. I have reviewed the Petition and that the facts stated therein are true and correct to the best of my knowledge.
- 4. The federal universal service fund support received by Ziplly Fiber Pacific, LLC will be used only for the purposes for which the support is intended.

I declare under penalty of perjury under the laws of the State of Oregon that the foregoing is true and correct:

March 20, 2014 Kirkland, WA
(Date and Place)


(Signature)