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April 15, 2009

**Sent Via Electronic Mail and Federal Express Mail**

Filing Center  
Public Utility Commission of Oregon  
550 Capital Street NE #215  
Salem OR 97308-2148

Re: In the Matter of RCC Minnesota, Inc.  
Docket Nos. UM 1083 and 1166  
Motion for Acknowledgement of Relinquishment of Eligible Telecommunications  
Carrier Designation and Eligible Telecommunications Provider Designation in the State  
of Oregon

Dear Sir/Madam:


Enclosed please find an original and one copy of the following documents being filed on behalf  
of RCC Minnesota, Inc.:

- 1) Motion for Acknowledgement of Relinquishment of Eligible Telecommunications  
Carrier Designation and Eligible Telecommunications Provider Designation in the  
State of Oregon; and
- 2) Certificate of Service.

Should you have any questions, please feel free to contact the undersigned at any time.

Very truly yours,

**GRAHAM & DUNN PC**



Judith A. Endejan

JAE/dtd  
Enclosures  
M40460-1189325

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**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

In the matter of	)	
	)	
RCC MINNESOTA, INC.	)	
	)	Docket Nos. UM 1083 and 1166
Application for Designation as an Eligible	)	Motion for Acknowledgement of
Telecommunications Carrier Designation,	)	Relinquishment of Eligible
and Eligible Telecommunications Provider	)	Telecommunications Carrier Designation and
Designation in the State of Oregon	)	Eligible Telecommunications Provider
	)	Designation in the State of Oregon
	)	

**MOTION FOR ACKNOWLEDGEMENT OF RELINQUISHMENT OF ELIGIBLE  
TELECOMMUNICATIONS CARRIER DESIGNATION AND ELIGIBLE  
TELECOMMUNICATIONS PROVIDER DESIGNATION**

RCC Minnesota, Inc. (RCC or Company), by and through its undersigned counsel, and pursuant to 47 U.S.C. § 214(e)(4) and 47 C.F.R. § 54.205, respectfully moves for acknowledgment by the Oregon Public Utility Commission (Commission) of the relinquishment of its eligible telecommunications carrier (ETC) designation in the State of Oregon.

RCC seeks relinquishment of both its federal ETC status in Oregon and its Oregon state designation as an Eligible Telecommunications Provider (ETP) authorized to participate in the Oregon Telephone Assistance Program (OTAP).

In support of its relinquishment, RCC states as follows:

1. RCC is licensed by the Federal Communications Commission (FCC) to provide commercial mobile radio service (CMRS) in Oregon.
2. By Order No. 04-355 dated June 24, 2004, in Docket No. UM 1083, the Commission granted RCC's request for designation as an ETC in certain service areas within Oregon.

3. By Order No. 04-559 dated September 27, 2004, in Docket No. UM 1166, the Commission granted RCC's request for designation as an ETP.

4. On or about July 29, 2007, Rural Cellular Corporation, parent company of RCC, and Cellco Partnership d/b/a Verizon Wireless (Verizon Wireless) entered into an Agreement and Plan of Merger under which Verizon Wireless would acquire ownership and control of Rural Cellular Corporation and each of its subsidiaries, including RCC. The transaction closed August 7, 2008.

5. RCC has determined to relinquish both its ETC designation and its ETP designation in Oregon. 47 U.S.C. § 214(e)(4) states, in pertinent part:

A State commission (or the Commission in the case of a common carrier designated under paragraph (6)) shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. An eligible telecommunications carrier that seeks to relinquish its eligible telecommunications carrier designation for an area served by more than one eligible telecommunications carrier shall give advance notice to the State commission (or the Commission in the case of a common carrier designated under paragraph (6)) of such relinquishment. Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State commission (or the Commission in the case of a common carrier designated under paragraph (6)) shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunication carrier.

*Id.* (emphases added); *see also* 47 C.F.R. § 54.205(a) and (b).

#### **MOTION AND ACKNOWLEDGEMNT OF RELINQUISHMENT**

6. RCC seeks to relinquish its ETC designation and its ETP designation throughout its entire Oregon designated ETC service area as of June 30, 2009 and therefore asks the Commission to grant this motion by April 30, 2009. RCC's designated service area includes

each of the incumbent local exchange carrier (ILEC) wire centers and/or study areas set forth on **Exhibit A**.

7. As set forth in 47 U.S.C. § 214(e)(4) and 47 C.F.R. § 54.205(a) and (b), the approval of a competitive ETC's notice of relinquishment is mandatory. In any area served by at least one (1) other ETC, federal law requires the Commission to permit the relinquishment of an ETC designation. RCC has satisfied the criteria for relinquishment. By this pleading it provides the Commission with advance notice. Furthermore, in this case, because of the existence of the other ETCs the Commission has satisfied the federal standard to "ensure that all customers served by the relinquishing carrier will continue to be served" by requiring "sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunication carrier." *Id.*; This regulatory objective is met in this case.

8. Following relinquishment of its ETC and ETP designations, RCC will continue to offer and provide wireless service throughout the State of Oregon. Verizon Wireless has already assumed ownership and operational control of RCC and is in the process of integrating the business operations and customers of the two companies. During this transition and thereafter, RCC customers will continue to maintain continuity of service and will be unaffected by RCC's relinquishment of its ETC and ETP designations.

9. Following relinquishment of RCC's ETC designation, each of the ILEC wire centers identified on **Exhibit A** will also continue to be served by the incumbent ETC. To the best of RCC's knowledge, each of the ILECs within the designated area has been designated an ETC. In addition to the incumbent ETCs, other carriers such as United States Cellular Corporation, Cingular Wireless, LLC, dba AT&T Wireless and Eagle Telephone System, Inc., dba Snake River PCS are designated as ETCs in portions of RCC's service area. As designated ETCs, the ILECs and these other carriers will be required to provide service either as a carrier-

of-last-resort or in response to a reasonable request, including compliance with applicable service extension requirements.

10. To the best of RCC's knowledge, none of the remaining ETCs will be required to purchase or construct additional facilities to continue providing service within the wire centers and/or study areas set forth on **Exhibit A**.

11. At least sixty (60) days prior to the effective date of its relinquishment, RCC will provide written notice by U.S. Mail to each of its then current Lifeline customers advising that RCC will no longer provide service discounts as an ETC/ETP. The notice will inform customers that the monthly Lifeline credit will be discontinued. RCC will offer each of these subscribers the option of continuing to receive service. The notice will further inform each customer that Lifeline discounted service may be obtained from one of the remaining ETCs in the area. Attached as **Exhibit B** is a sample copy of the notice RCC intends to send to the Lifeline customers. In addition, upon approval of the instant petition, RCC will not activate any new Lifeline subscribers.

**CONCLUSION**

For the foregoing reasons, RCC respectfully requests that the Commission acknowledge and approve the relinquishment of its ETC designation as of June 30, 2009.

Respectfully submitted,

Dated: April 15, 2009



Judith A. Endejan - OSB #072534

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Attorneys for RCC Minnesota, Inc.

**EXHIBIT A**

**WIRE CENTERS AND/OR STUDY AREAS  
SUBJECT TO RELINQUISHMENT**

<b>ILEC</b>	<b>Wire Center</b>	<b>CLLI</b>
Qwest Corporation	Athena	ATHNOR
Qwest Corporation	Baker	BAKROR
Qwest Corporation	Bend	BENDOR
Qwest Corporation	Black Butte	BLBTOR
Qwest Corporation	Hermiston	HMTNOR
Qwest Corporation	Klamath Falls	KLFLOR
Qwest Corporation	La Pine	LAPIOR
Qwest Corporation	Milton Freewater	MLTNOR
Qwest Corporation	Pendleton	PNTNOR
Qwest Corporation	Prineville	PRVLOR
Qwest Corporation	Redmond	RDMDOR
Qwest Corporation	Sisters	SSTROR
Qwest Corporation	Spring River	SPRVOR
Qwest Corporation	Stanfield	STFDOR
Qwest Corporation	Umatilla	UMTLOR
Qwest Corporation	Walla Walla – OR portion	WLWLWA
Verizon NW	Cove	COVEOR
Verizon NW	Elgin	ELGNOR
Verizon NW	Enterprise	ENTROR
Verizon NW	Imbler	IMBLOR
Verizon NW	Joseph	JSPHOR
Verizon NW	Imnaha	IMNHOR
Verizon NW	La Grande	LAGROR
Verizon NW	Lostine	LOSTOR
Verizon NW	Union	UNINOR
Verizon NW	Wallowa	WLLWOR
CenturyTel of Eastern Oregon	Bly	BLY OR
CenturyTel of Eastern Oregon	Bonanza	BNNZOR
CenturyTel of Eastern Oregon	Burns	BRNSOR
CenturyTel of Eastern Oregon	Chemult	CHMLOR
CenturyTel of Eastern Oregon	Chiloquin	CHLQOR
CenturyTel of Eastern Oregon	Durkee	DURKOR
CenturyTel of Eastern Oregon	Echo	ECHOR
CenturyTel of Eastern Oregon	Fort Klamath	FTKLOR
CenturyTel of Eastern Oregon	Gilchrist	GLCHOR
CenturyTel of Eastern Oregon	Harney	NHRCOR
CenturyTel of Eastern Oregon	Huntington	HNTNOR
CenturyTel of Eastern Oregon	John Day	JHDYOR
CenturyTel of Eastern Oregon	Lakeview	LKVWOR
CenturyTel of Eastern Oregon	Long Creek	LGCKOR
CenturyTel of Eastern Oregon	Malin	MALNOR
CenturyTel of Eastern Oregon	Merrill	MRRLOR
CenturyTel of Eastern Oregon	Monument	MNMTOR
CenturyTel of Eastern Oregon	North Powder	NPWROR
CenturyTel of Eastern Oregon	Paisley	PSLYOR
CenturyTel of Eastern Oregon	Paulina	PALNOR

CenturyTel of Eastern Oregon	Pilot Rock	PLRKOR
CenturyTel of Eastern Oregon	Rocky Point	RCPNOR
CenturyTel of Eastern Oregon	Seneca	SENCOR
CenturyTel of Eastern Oregon	Silver Lake	SLLKOR
CenturyTel of Eastern Oregon	Sprague River	SRRVOR
CenturyTel of Eastern Oregon	Ukiah	UKIHOR
United Telephone	Crater Lake	CRLKOR
Asotin Telephone	Flora-Troy	FLTYOR
Eagle Telephone	Richland	RCLDOR
Helix Telephone	Helix	HELXOR
Helix Telephone	Meacham	MCHMOR
Malheur Home Telephone	Nyssa	NYSSOR
Malheur Home Telephone	Ontario	ONTROR
Malheur Home Telephone	Vale	VALEOR
Malheur Home Telephone	Oregon Slope	ORSLOR
Midvale Telephone	Harper	HRPROR
Midvale Telephone	Juntura	JNTROR
Oregon Telephone	Bates	BATSOR
Oregon Telephone	Dayville	DYVLOR
Oregon Telephone	Hereford-Unity	HRFROR
Oregon Telephone	Mount Vernon	MTVROR
Oregon Telephone	Prairie City	PRCYOR
Pine Telephone	Granite	GRANOR
Pine Telephone	Halfway	HLWYOR
Pine Telephone	Oxbow	OXBWOR



## **EXHIBIT B**

### **NOTICE**

#### **Termination of Lifeline Service Discounts**

Dear Verizon Wireless Lifeline customer:

RCC Minnesota, Inc. d/b/a Verizon Wireless will be relinquishing its status as an eligible telecommunications carrier (ETC) in Oregon, and we will no longer participate in the Lifeline program.

Effective 60 days from letter, Verizon Wireless will no longer offer Lifeline assistance discounts in Oregon and you will no longer receive the \$13.50 credit on your monthly bill.

If you wish to continue receiving Lifeline assistance, you will need to contact another ETC service provider in your area. For more information on the ETC service providers in Oregon, you may contact the Oregon Telephone Assistance Program (OTAP) managed by the Oregon Public Utility Commission at 1-800-848-4442. If you choose to obtain Lifeline benefits from another service provider, you will not be subject to an early termination fee for cancelling your Verizon Wireless service.

If you would like to remain a valued Verizon Wireless customer under your current rate plan, there is nothing more for you to do. If you would like to review other Verizon Wireless rate plan options, please contact us directly at 1-800-922-0204 and our customer service team will be happy to assist you. You can also visit us online at [www.verizonwireless.com](http://www.verizonwireless.com).

Verizon Wireless values your business and hopes to continue to serve your wireless needs.

Sincerely,

Tina Hiller  
Consultant – Lifeline Compliance

**BEFORE THE  
PUBLIC UTILITY COMMISSION OF OREGON**

In the matter of	}	Docket Nos. UM 1083 and 1166
RCC MINNESOTA, INC.	}	CERTIFICATE OF SERVICE
Application for Designation as an Eligible Telecommunications Carrier Designation, and Eligible Telecommunications Provider Designation in the State of Oregon	}	

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I certify that I have this 15<sup>th</sup> day of April 2009 sent the attached Motion for Acknowledgement of Relinquishment of Eligible Telecommunications Carrier Designation and Eligible Telecommunications Provider Designation in the State of Oregon by RCC Minnesota, Inc., by electronic mail and Federal Express to the following:

Filing Center  
Public Utility Commission of Oregon  
550 Capital Street NE #215  
Salem OR 97408-2148  
puc.filingcenter@state.or.us

I further certify that I have this day sent the above-referenced documents by mailing a copy properly addressed with first-class postage prepaid and by electronic mail pursuant to OAR 860-013-0070 to the following parties or attorneys of parties:

Richard A. Finnigan  
Law Office of Richard A. Finnigan  
2112 Black Lake Boulevard SW  
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CERTIFICATE OF SERVICE Docket Nos. UM 1083 and 1166

- 1 -

M40460-1189326

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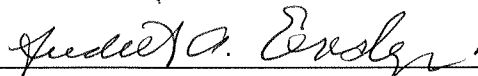
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Dated at Seattle, Washington this 15<sup>th</sup> day of April, 2009.

GRAHAM & DUNN PC

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