

ORIGINAL

GENERAL ADMINISTRATIVE ORDER
OF THE INDIANA UTILITY REGULATORY COMMISSION
2019-5

WHEREAS, Indiana Code § 8-1-2.6-13(c)(5) authorizes the Indiana Utility Regulatory Commission ("IURC" or "Commission") to fulfill its obligations under federal law, including the designation of eligible telecommunications carriers ("ETCs") under 47 U.S.C. 214; and

WHEREAS, on February 27, 2013, the Commission issued an Order in Cause No. 44274 directing the General Counsel for the Commission to prepare a draft GAO setting forth the application requirements for requesting ETC designation; and

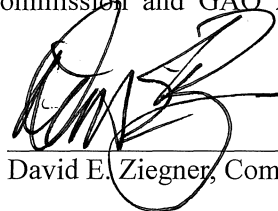
WHEREAS, on June 26, 2013, the Commission adopted GAO 2013-2, setting forth the application requirements for requesting ETC designation; and

WHEREAS, since the adoption of GAO 2013-2, substantial changes in the industry and the law have occurred affecting ETC designations including the *2014 Connect America Fund Order for Price Cap Carriers*¹ and the *2016 Lifeline Reform Order*² and,

WHEREAS, 47 U.S.C. 214(e)(4) requires a state commission to permit an ETC to relinquish its designation upon advance notice, to require remaining ETCs to ensure that all customers served by the relinquishing carrier will continue to be served, to require sufficient notice to permit the purchase or construction of adequate facilities by any remaining ETCs, and to establish a time, not to exceed one year after approving an ETC relinquishment, within which such purchases or construction shall be completed; and

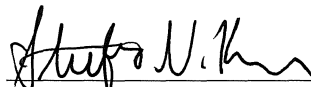
NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the ETC Filing and Relinquishment Guidelines which are attached to this General Administrative Order as Appendices A, B & C are hereby adopted by the Commission and GAO 2013-2 is hereby superseded.

ABSENT
James F Huston, Chairman


David E. Ziegner, Commissioner

ABSENT
Sarah E. Freeman, Commissioner


David L. Ober, Commissioner


Stefanie Krevda, Commissioner

Date: DEC 27 2019

I hereby certify that the above is a true and correct copy of the order as approved.


Mary Becerra, Secretary to the Commission

¹ *In The Matter of the Connect America Fund*, et al, WC Docket No. 10-90, FCC 14-190, Released December 18, 2014.

² *In the Matter of Lifeline and LinkUp Reform*, FCC 16-38, Released April 27, 2016.

General Administrative Order 2019-5 – Appendix A

ETC Filing Guidelines

ETC Petitioners must provide or demonstrate the following in their petitions:

1. **Purpose of Petition** - Petitioner must clearly state the purposes for which eligible telecommunications carrier (ETC) designation is sought, listing all federal funding programs in which Petitioner intends to participate. (Lifeline-only; High-Cost; Mobility Fund; CAF or other FCC reverse auctions; other). If Petitioner offers more than one type of communications service, (for example, a company offering both mobile wireless¹ and competitive local exchange (CLEC) service) it should clearly state which specific communications service(s) it intends to offer to fulfill its ETC commitments and any applicable federal USF/CAF rules and requirements.
2. **Partners or Affiliates** - Petitioner must clearly identify any other companies or entities (either affiliated or unaffiliated) with which it is partnering, or intends to partner, in offering or providing supported services in Indiana. If applicable, please explain whether each partner entity is: (1) an affiliate or subsidiary of Petitioner, or (2) an unaffiliated entity. Also, if applicable, please note whether Petitioner was the original bidder in an FCC auction, or whether the original bidder transferred or “divided”² some or all of its winning bid(s) to Petitioner and provide legal citations to the applicable FCC order, Public Notice or other FCC document or rule explaining this transfer or division of the winning bid(s).
3. **Required Certifications** - Prior to applying for the requested ETC designation, Petitioner must hold a Certificate of Territorial Authority (CTA) pursuant to Ind. Code 8-1-32.5 indicating it is authorized to provide each of the communications services for which federal universal service support is sought. If Petitioner is already authorized to provide communications or utility services in Indiana, but not for the correct service area or type of communications services, Petitioner may modify an existing CTA or Certificate of Public Convenience & Necessity (CPCN)³ to include the proposed service area and/or authorization to offer each of the supported services required for ETC designation, (currently voice telephony service and broadband Internet access service (BIAS), as they are described in 5, below). Petitioner is further instructed that in order to be designated as an ETC, at least one supported

¹ The Commission is using the term “mobile wireless” in this document (rather than “wireless”, as was used in GAO 2013-2), in light of the FCC’s practice of distinguishing between “mobile” and “fixed” technologies, providers, and/or services in many different contexts.

² See, e.g., *FCC Auction 903 Closing Public Notice*, at paras. 7 – 13 & 16, AU Docket No. 17-182, WC Docket No. 10-90 (DA 18-887, rel. Aug. 28, 2018). <https://docs.fcc.gov/public/attachments/DA-18-887A1.pdf> See, also, FCC Form 683 Instructions – Section 5 (“Divide Winning Bids Portion of FCC Form 683”), at pp. 11 – 14. <https://docs.fcc.gov/public/attachments/DA-18-887A4.pdf>

³ Ind. Code § 8-1-32.5-6(c).

service for which it is authorized must be classified as a telecommunications service.⁴ Finally, Petitioner should demonstrate that all entity names, including trade names or branding names proposed to be used for the supported services, are registered with the Indiana Secretary of State and that the Commission has been notified of any changes to its Certificate of Territorial Authority pursuant to Ind. Code § 8-1-32.5-12.

4. **Common Carrier with Ability to Serve Entire DSA** - Petitioner must demonstrate that it is a common carrier as defined in the Communications Act of 1934, as amended, and that it will serve its entire designated ETC service area pursuant to 47 U.S.C. § 214(e)(1).

5. **Supported Services** - Pursuant to 47 CFR § 54.101 and/or 54.400 et seq., Petitioner must offer the supported services shown below in order to be designated as an ETC by this Commission. Furthermore, designation as an ETC by this Commission is a prerequisite to receiving federal high cost/CAF or Lifeline support.⁵

- a. **Voice Telephony** - is a supported service for rural, insular, and high cost areas, and for the Lifeline program. Eligible voice telephony services must provide:
 - i. voice grade access to the public switched network or its functional equivalent;
 - ii. minutes of use for local service provided at no additional charge to end users;
 - iii. access to the emergency services provided by local government 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
 - iv. toll limitation services⁶ to qualifying low-income consumers as required by the FCC's Lifeline program if applicable under FCC rules. (47 C.F.R. § 54.400(a).
- b. **Broadband Internet Access Services** - are required pursuant to the FCC's rules in the applicable universal service program for rural, insular, and high cost areas, and for the Lifeline program from which the ETC will seek support.⁷ 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,

⁴ See Lifeline & Link Up Reform & Modernization Order, 31 FCC Rcd 3962, 4059 n.709 (2016) (“We recognize that we have not generally classified VoIP as a telecommunications service or information service, but we nonetheless have recognized that providers might elect to offer interconnected VoIP as a telecommunications service.”)

⁵ 47 C.F.R. § 201(d)(1)

⁶ 47 C.F.R. §§ 400(b) – (d).

⁷ 47 C.F.R. §§ 54.101(a) & (a)(2); 47 C.F.R. § 54.101(c). See, also, 47 U.S.C. § 254(b)(3).

including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up service. (47 C.F.R. 54.101(a)(2)). In addition, all high cost ETC Petitioners must offer BIAS consistent with all applicable broadband requirements associated with a particular FCC high cost or CAF program. For example, the FCC may impose additional requirements for broadband speeds, latency levels, broadband deployment timelines, etc..

- c. Low Income (Lifeline) - All ETCs are required to offer Lifeline service subject to the requirements in 47 C.F.R. § Part 54, Subpart E. This includes not only ETC applicants who specifically request ETC designation solely to offer Lifeline (known as “Lifeline-only” ETCs), but also ETC Petitioners seeking designation to receive universal service support for rural, insular, and high-cost areas, without a specific request for Lifeline ETC authority.⁸ Lifeline-only ETCs must offer Lifeline service directly to the qualifying Lifeline subscribers.⁹
- d. Exceptions - If Petitioner believes it is not, or should not, be required to offer Lifeline or a particular federally supported service listed above, it should include a discussion and explanation to that effect in its petition and testimony.

6. **Proposed Designated Service Area** – All ETC Petitioners must clearly indicate their proposed designated service area (DSA) by providing a legible map which delineates their respective proposed DSA within the state.¹⁰ An ETC’s DSA is “a geographic area within which an ETC has federal universal service obligations and may receive federal universal service support...”¹¹ Additionally, the petition should describe the DSA by listing applicable geographic units Petitioner proposes to serve, as explained further below:

- a. All ETC Petitioners –
 - i. Shall submit a legible map of the proposed DSA in PDF (or other view capable format) as part of the case filing, as long the file does not exceed the data limit of 30 megabytes. The map should be printable on 8.5 by 11” paper in a format that is useful and understandable by indicating roads, county lines, state lines, and/or other relevant geographic features necessary to identify service area boundaries.
 - ii. By the submission deadline for direct testimony, Petitioner shall upload into the Commission’s Electronic Filing System in the docketed ETC proceeding, a detailed service area map in a zipped shapefile or geodatabase format (which also cannot exceed the data limit above). If submitting a shapefile poses a hardship, ETC Petitioners may file a motion explaining the hardship and proposing an

⁸ 47 C.F.R. § 54.101(d) and 47 C.F.R. § 54.405(a)

⁹ 47 C.F.R. § 54.201(a)(1); see, also, §§ 54.400(k); 54.401(a); & 54.407(a).

¹⁰ See 47 C.F.R. § 54.201(b)

¹¹ *Telecommunications Carriers Eligible for Support; Lifeline and Link Up Reform*; WC Docket Nos. 09-197 & 11-42; Memorandum Opinion and Order, at para. 4 (FCC 13-44, rel. April 15, 2013).

alternative, such as delivery of a Compact Disk - Recordable (CD-R) along with applicable Notice of Filing. No flash drives will be accepted.

- b. All ETC Petitioners - shall provide a list of ILEC rate centers (also known as exchanges) it proposes to serve and indicate if the exchange is served in its entirety or partially.
- c. CAF or Reverse Auction ETC Petitioners - If Petitioner intends to participate in an FCC Connect America Fund (CAF) program which uses census blocks to determine universal service obligations, Petitioner should list the applicable census blocks (CBs) in a single column in an Excel spreadsheet in the docketed ETC proceeding.
- d. Lifeline-only ETC Petitioners- Mobile Wireless Petitioners that seek ETC designation solely for the purpose of offering Lifeline services should file a list of ILEC exchanges that fall within their proposed designated service area. Lifeline-only mobile wireless ETC Petitioners must also submit a mobile wireless coverage area map or maps that demonstrate the Petitioner's (or if Petitioner is a reseller of mobile wireless services, its underlying facilities-based mobile wireless carrier(s)') coverage area has the ability to serve its (Petitioner's) entire proposed DSA. The coverage area should match the proposed designated service area in (a) and (b) above.
- e. Competitive ETCs Petitioners seeking High-Cost or CAF Support – If the Petitioner proposes to serve a rural telephone company's¹² service territory and is seeking federal High-Cost support, such as the Mobility Fund, CAF, or other High-Cost support mechanisms as defined in 47 C.F.R. § 54.5, it must serve the entire study area¹³ of the rural telephone company pursuant to 47 C.F.R. §§ 54.207(b) & (c). If the FCC has granted forbearance from this requirement or if Petitioner is otherwise exempt from this requirement, documentation of such should be presented in the petition.

7. Disclosure of Charges for Services and Commitment to Advertise Supported

Services - Petitioner should show how the services that are to be supported by the universal service support mechanisms and charges for such services will be promoted and how the terms of the supported services will be disclosed to customers. (Provide sample advertising, a link to company Website, etc.) (47 C.F.R. § 54.201 (d)(2)).

8. Facilities- Petitioner must state whether it will offer the services that are supported by federal universal service support mechanisms using its own facilities or a combination of its own facilities and resale of another carrier's services. (47 C.F.R. 54.201(d)(1)).

¹² Rural Telephone Company as defined in 47 CFR 51.5

¹³ The FCC has stated that an ILEC "study area" is usually that ILEC's service area in a given state. *In the Matter of Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, at n. 434 (FCC 97-157 rel. May 8, 1997, Corrected Version): FCC 97-157, footnote 434 states that a "study area" is usually an ILEC's existing service area in a given state.

- a. Mobile wireless resellers that seek ETC designation only for the purposes of offering Lifeline services must demonstrate they have obtained forbearance by the FCC from the statutory “own facilities” requirement in 47 U.S.C. 214(e)(1)(A). If a Lifeline-only ETC Petitioner has received blanket forbearance from this requirement pursuant to the FCC’s *2012 Lifeline Reform and Modernization Order*,¹⁴ the FCC approved compliance plan must be filed with the ETC petition.
- b. Mobile wireless resellers should provide the name of the facilities based mobile wireless carrier(s) whose services they are reselling and demonstrate they have an agreement with the carrier(s) in Indiana that will cover the proposed designated service area.

9. **Financial and Technical Capability** - Pursuant to 47 C.F.R. 54.201(h), a Petitioner that seeks ETC designation only for the purposes of seeking federal reimbursement from the federal low income Lifeline program must demonstrate that it is financially and technically capable of providing the supported Lifeline service in compliance with 47 C.F.R. 54.400 through 54.422. To make such a showing, prospective ETCs should provide:

- a. Articles of Incorporation.
- b. A balance sheet or audited financial statement (or unaudited sworn statement if an audited statement is not available) for the most recent fiscal year ending.
- c. Business and financial documentation that shows Petitioner is a going concern and has access to sufficient capital such as:
 - i. The company’s detailed business plan for Indiana for the current and next two (2) fiscal years;
 - ii. Address(es) of the company’s Indiana business facilities and customer service centers;
 - iii. The location and number of employees the company will station in Indiana to provide customer service;
 - iv. Documentation of a loan application and evaluation by a federally insured depository institution; and/or
 - v. Documentation of an equity offering overseen and evaluated by a federally regulated broker or investment banker.
- d. An explanation of how long Petitioner has been in business and how many customers it currently has (both at the state level and national level). If the company

¹⁴ See, e.g., *In the Matter of Lifeline and Link Up Reform and Modernization, et al.*, WC Docket No. 11-42, et al., Report and Order and Further Notice of Proposed Rulemaking, at paras. 368 & 381 (FCC 12-11, rel. Feb. 6, 2012).

provides fixed¹⁵ (wireline, fixed wireless, and/or satellite) and mobile wireless services, the company should provide information for both the mobile wireless and fixed operation.

e. An explanation as to whether the Petitioner previously offered services to non-Lifeline customers.

f. Sufficient background, education and career history to demonstrate that management has sufficient administrative and technical expertise to effectively manage the company's operations.

10. **Five-Year Plan** - Petitioner must submit a five-year plan that describes with specificity proposed improvements or upgrades to the Petitioner's network throughout its proposed service area. Each applicant shall estimate the area and population that will be served as a result of the improvements. A common carrier seeking ETC designation solely for the purpose of seeking reimbursement from the federal Lifeline program does not need to submit a five-year plan. (47 C.F.R. 54.202(a)(1)(ii)).

11. **Functional in Emergencies** - Petitioner must demonstrate its ability to remain functional in emergency situations, including a demonstration that it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations. (47 C.F.R. 54.202(a)(2)).

12. **Consumer Protection and Service Quality** - Petitioner must demonstrate that it will satisfy applicable consumer protection and service quality standards. A commitment by mobile wireless applicants to comply with the Cellular Telecommunications and Internet Association's Consumer Code for Wireless Service¹⁶ will satisfy this requirement. Other commitments to consumer protection and service quality may also be considered on a case-by-case basis. (47 C.F.R. 54.202(a)(3)).

13. **Description of Lifeline Plan** - Petitioners seeking reimbursement only from the Low Income Fund must specify the number of minutes that will be provided free of charge or at no additional per minute charge to end users and describe the terms and conditions of any voice telephony service plan(s) offered to Lifeline subscribers, including details on the number of minutes provided as part of the plan; additional charges, if any, for toll calls; and rates, fees and charges for each such plan.¹⁷ To the extent the eligible telecommunications carrier offers a

¹⁵ The Commission is using the term "fixed" in this document (rather than "wireline", as was used in GAO 2013-2), to be consistent with the FCC's practice of distinguishing between "fixed" and "mobile" technologies, providers, and/or services in many different contexts.

¹⁶ <https://www.ctia.org/the-wireless-industry/industry-commitments/consumer-code-for-wireless-service> (Last visited March 29, 2019)

¹⁷ See, e.g., 47 C.F.R. 54.401(b)(3).

plan(s) to Lifeline subscribers that is generally available to the public, it should provide summary information regarding such plan(s), such as a link to a public website outlining the terms and conditions of such plan(s). (47 C.F.R. §§ 54.202(a)(5)).

14. **Public Interest** - Petitioner must explain how its proposed communications service offerings will (1) benefit consumers, and (2) impact the universal service fund. Petitioner must also identify any unique advantages or disadvantages of its service offerings to customers.

15. **Notify the Commission of Changes** - Petitioner must agree to notify the Commission in the future if any factors change affecting eligibility for ETC designation. (1997 ETC Preliminary Order in Cause 41052, issued Nov. 6, 1997).

16. **Payment of Applicable Public Interest Fees** - Petitioner shall agree to pay all applicable Indiana public interest fees, including the Indiana Telecommunications Relay Access Corporation (“INTRAC”) fee, pursuant to Ind. Code 8-1-2.8; the Indiana Universal Service Fund (“IUSF”) surcharges established in Cause No. 42144 or related subdockets; the statewide 911 fee required under Ind. Code 36-8-16.6 and/or 16.7; and the Public Utility Fee pursuant to Ind. Code 8-1-6. It is incumbent upon prepaid mobile wireless providers to inform the retailers that sell their products that it is their responsibility to collect and submit the 911 surcharge pursuant to Indiana law.

17. **Verification** - The Petition must be verified pursuant to 170 IAC 1-1.1-8.

18. **Response to Future ETC Relinquishment Petitions** - If Petitioner is designated as an ETC, Petitioner must certify that it will respond to any future information requests from the Commission regarding its ability to assume responsibility to serve existing customers of another ETC that operates in Petitioner’s designated service area, in the event such other ETC serving all or part of the same service area relinquishes all or part its ETC designation. Petitioner is advised that the Commission retains the right to require one or more ETCs to serve as respondents in future ETC relinquishment proceedings. (See 47 U.S.C. § 214(e)(4)). Appendix C to GAO 2019-5 contains additional information regarding possible future ETC relinquishment proceedings before this Commission.

General Administrative Order 2019-5 – Appendix B

Guidance to Streamline ETC Designations Necessary for Participation in an FCC Auction to Serve Unserved or Underserved Areas

The FCC has recently launched or plans to launch high-cost, universal service programs that target certain areas of the country which are unserved or underserved with regard to the supported communications services as defined in 47 CFR 54.101. Such FCC programs include the Connect America Fund (CAF) II Reverse auctions, Remote Areas auctions, and Mobility Fund auctions, and the FCC may implement other similar types of auctions in the future. Subsequent to the auctions, the FCC typically requires provisional winning bidders to obtain ETC designation from the relevant state commission within a certain time period. The areas targeted for federal support may be defined in census blocks or possibly other geographic units determined by the FCC.

The Commission recognizes that ETC petitions filed as a result of an FCC auction will often need expedited treatment due to strict FCC deadlines to obtain ETC designation and for other unique circumstances in these situations, such as:

- The winning bidders of the reverse auction likely have received some vetting from the FCC and submitted information relevant to ETC designation to the FCC in the bidding process, and;
- The Petitioner is seeking approval to provide supported broadband and voice telephony services in areas targeted by the FCC as unserved or underserved for supported services.

A Petitioner seeking ETC designation due to the circumstances described above may expedite the petition by addressing the following conditions in advance:

1. CTA Requirement

All ETCs must have a certificate of territorial authority (CTA) or CPCN, if the CPCN falls under the scope of Ind. Code § 8-1-32.5-6(c), for the entire proposed ETC service area and for the specific type of communications services proposed to be supported by the federal USF program. In addition, an ETC must be certified as a communications service provider (CSP), as that term is used in Ind. Code § 8-1-32.5-4, to provide telecommunications services, as described in Ind. Code § 8-1-32.5-3.¹ The Commission normally requires ETC Petitioners to have the appropriate CTA prior to petitioning for ETC designation. However, the Commission recognizes that CSPs with no prior history of serving the proposed service area and/or the state, are occasionally deemed as provisional winning bidders in an FCC auction. Under those circumstances, it is foreseeable the CSP may not already have a CTA. Therefore, a Petitioner without a CTA must complete and file a CTA application as soon as possible, or at the latest, on the filing date of the ETC designation petition.

¹ Lifeline & Link Up Reform & Modernization Order, 31 FCC Rcd 3962, 4059 n.709 (2016) (“We recognize that we have not generally classified VoIP as a telecommunications service or information service, but we nonetheless have recognized that providers might elect to offer interconnected VoIP as a telecommunications service.”)

If the Petitioner has a CTA or CPCN but not for the correct service area or the correct communications service type(s), the Petitioner should file a Notice of Change form amending their existing CTA to include the service area and/or communications services proposed in the ETC designation petition. Therefore, a Notice of Change form, if necessary, must be completed and submitted to the Commission as soon as possible or, at the latest, at the time of the ETC designation petition. <https://www.in.gov/iurc/2337.htm>

2. Indiana Legal Counsel

An ETC petition requires Indiana legal counsel pursuant to 170 IAC 1-1.1-7 (b) & (c). Delays can be caused when legal counsel is not secured prior to filing the petition.

3. Prehearing Conference and Procedural Schedule

ETC Petitioners may reduce the length of the proceedings by negotiating a procedural schedule with the Office of Utility Consumer Counsel (OUCC) and filing an agreed procedural schedule with the petition. If agreement cannot be reached prior to the filing of the petition, a motion for approval of an agreed procedural schedule should be filed as soon as agreement is reached with the OUCC.

4. File Complete Petition

To avoid unnecessary delay, a Petitioner should file a complete petition, together with any supporting testimony and exhibits constituting its case-in-chief, at the time that Petitioner files its petition. At a minimum, the petition and case-in-chief must contain the information required by Appendix A. If the Petitioner needs an Order by a date certain, that information should be included in its petition.

Much of the information filed in the FCC auction may be applicable to the ETC petition and may be used as exhibits to support the petition. In addition, the Commission may request copies of relevant information filed in an FCC auction.

5. Proposed Order

File a proposed Order as soon as possible after the evidentiary hearing.

General Administrative Order 2019-5 – Appendix C

Filing Guidelines for ETC Relinquishment Process

Ind. Code § 8-1-2.6-13(d)(5) permits the IURC to “fulfill the commission's obligations under: (A) the federal Telecommunications Act of 1996 (47 U.S.C. 151 et seq.); and (B) Ind. Code 20-20-16; concerning universal service and access to telecommunications service and equipment, including the designation of eligible telecommunications carriers under 47 U.S.C. 214.” (See applicable sections of the Telecommunications Act on the following page.)

When an ETC seeks to relinquish its designation as such, it must provide advance notice to the IURC by filing a petition with the IURC filed as a subdocket to the original ETC designation petition's cause number. The petition should include:

1. The legal name for the ETC, its current contact information, the date of the original designation, and the cause number;
2. The types of supported services the company offers as an ETC and a list of all the types of federal universal service funds the ETC receives or received, such as Lifeline, High Cost (listing the specifics on the types of high cost support is encouraged, for example, CAF, Mobility);
3. The type and number of customers that will be affected by the relinquishment and what specific services or USF programs will be unavailable to those customers. Describe any services that will be curtailed completely or any facilities that will be abandoned;
4. A proposed notice or sample notice to affected customers and the proposed time frames from the customer notification date to the proposed end of service date or effective date of ETC relinquishment;
5. The service areas for which the ETC designation was authorized. If the ETC designation relinquishment is intended for only a portion of the ETC service area, it is important that Petitioner provide very clear, legible maps that can be compared to other ETCs' service area boundaries;
6. A list of other ETCs serving the service areas being relinquished and enumerate the number of ETCs that cover each portion of the service territory. Explain if there are any areas that will not be served by another ETC;
7. Whether the ETC relinquishment will cause the disconnection of any other local exchange carriers pursuant to 170 IAC 7-6;
8. Whether the ETC plans to relinquish its Certificate of Territorial Authority;
9. If the ETC is a Provider of Last Resort pursuant to Ind. Code 8-1-32.4, whether the ETC relinquishment will affect the Petitioner's Provider of Last Resort obligations;

Petitioner is required to send a copy of the petition to each ETC remaining in the service areas or portions of the service areas to be relinquished.

The applicable subsections under 214 of the Telecommunications Act state:

214(e)(4) RELINQUISHMENT OF UNIVERSAL SERVICE - A State commission (or the [FCC] in the case of a common carrier designated under paragraph [214(e)] (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 telecommunications carrier. The State commission (or the Commission in the case of a common carrier designated under paragraph (6)) shall establish a time, not to exceed one year after the State commission (or the Commission in the case of a common carrier designated under paragraph (6)) approves such relinquishment under this paragraph, within which such purchase or construction shall be completed.

In the event there are areas not served by an ETC, the Telecommunications Act gives the following guidance:

214(e)(3) DESIGNATION OF ELIGIBLE TELECOMMUNICATIONS CARRIERS FOR UNSERVED AREAS- If no common carrier will provide the services that are supported by Federal universal service support mechanisms under section 254(c) to an unserved community or any portion thereof that requests such service, the Commission, with respect to interstate services, or a State commission, with respect to intrastate services, shall determine which common carrier or carriers are best able to provide such service to the requesting unserved community or portion thereof and shall order such carrier or carriers to provide such service for that unserved community or portion thereof. Any carrier or carriers ordered to provide such service under this paragraph shall meet the requirements of paragraph (1) and shall be designated as an eligible telecommunications carrier for that community or portion thereof.