

DIVIDER

STATE OF NORTH DAKOTA
INFORMATION TECHNOLOGY DEPARTMENT
SFN 2053 (4-2002)

--

DESCRIPTION

PU-05-28	
VCI Company	
Designated Eligible Carrier	
Application	05
Filed 1/18/2005	Closed 7/29/2005



Public Service Commission
Receipt of Payment

Receipt# 6409

Received 11/7/2005 Check# 5623 for \$575 20
Subject Utility Valuation

Docket # PU-05-28

VCI Company
3875 Steilacoom Blvd. SW #A
Lakewood WA 98499

37 PU-05-28

Pages 1

Receipt# 6,409 \$575 20

by VCI Company

11/07/2005

Admiral

AI.

APPROVED

MOTION

DATE: 10-18-05
KMF

October 18, 2005

VCI Company
Designated Eligible Carrier
Application

Case No. PU-05-28

I move the Commission bill VCI Company for costs incurred to date in
Case No PU-05-28, VCI Company, Designated Eligible Carrier, Application.



Public Service Commission

State of North Dakota

COMMISSIONERS

Tony Clark, President
Susan E Wefald
Kevin Cramer

Executive Secretary
Illona A. Jeffcoat-Sacco

600 E Boulevard Ave Dept 408
Bismarck, North Dakota 58505-0480
web www.psc.state.nd.us
e-mail ndpsc@state.nd.us
TDD 800-366-6888
Fax 701-328-2410
Phone 701-328-2400

October 18, 2005

Stan Efferding
VCI Company
3875 Steilacoom Blvd SW #A
Lakewood WA 98499

RE: Case No. PU-05-28
VCI Company
Designated Eligible Carrier
Application

Enclosed is a copy of the statement approved at the October 18, 2005 Public Service Commission meeting for the expenses incurred to date in Case No. PU-05-28.

Under N.D.C.C 49-21-01.7, these expenses are billed through the Valuation Fund and must be paid for by the telecommunications company involved.

Please make your check payable to the *Public Service Commission*.

Sincerely,


Gloria Geiger
Admin Staff Officer
701-328-2401

Enc.

Billing Statement

October 18, 2005

VCI Company
Designated Eligible Carrier
Application

Case No. PU-05-28

Bill To:

VCI Company \$575.20

Expenses Incurred to Date:

Advertising Costs	\$320 57
Office of Administrative Hearings	254.63

Send Payment and a Copy of this Statement To:

Public Service Commission
600 E Boulevard Ave Dept 408
Bismarck ND 58505-0480

Federal Tax ID 45-0309764

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

VCI Company
Designated Eligible Carrier
Application

Case No. PU-05-28

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Sharon Helbling deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **29th day of July, 2005**, she deposited in the United States Mail, Bismarck, North Dakota, **two** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and each containing a photocopy of.

Order

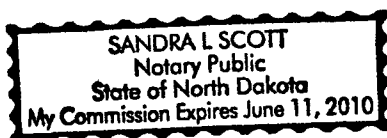
The envelopes were addressed as follows

Stan Efferding
VCI Company
3875 Steilacoom Blvd SW #A
Lakewood WA 98499
Cert. No. 7004 2510 0004 8815 5262

Stacey A Klinzman Attorney
VCI Company
P O Box 89807
Lakewood WA 98499
Cert. No. 7004 2510 0004 8815 5293

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this **29th day of July, 2005**



SEAL

Sharon Helbling

Sandra L Scott

Notary Public

MOTION

July 28, 2005

APPROVED
DATE: 7-28-05
AW

**VCI Company
Designated Eligible Carrier
Application**

Case No. PU-05-28

I move the Commission adopt the Findings of Fact, Conclusions of Law and Order granting the application of VCI Company for designation as an Eligible Telecommunications Carrier for receiving federal universal service support, Case No. PU-05-28.

JRL/sdh

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**VCI Company
Designated Eligible Carrier
Application**

Case No. PU-05-28

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

July 28, 2005

Appearances

Commissioners Tony Clark, Susan E. Wefald and Kevin Cramer

Stacey A. Klinzman, Regulatory Attorney and Stanley Efferding, Secretary/Treasurer, P.O. Box 98907, Lakewood WA, 98499, appearing on behalf of VCI Company.

William W. Binek, Chief Counsel, North Dakota Public Service Commission, State Capitol, Bismarck, North Dakota 58505, appearing on behalf of the Public Service Commission.

Allen C. Hoberg, Office of Administrative Hearings, 1707 North 9th Street, Bismarck, North Dakota 58501-1882, appearing as Hearing Examiner.

Preliminary Statement

On January 18, 2005, VCI Company d/b/a Vlaire of Lakewood, WA filed a Petition for Designation as an Eligible Telecommunications Carrier (ETC) for receiving federal universal service support in the following North Dakota local exchanges currently served by Qwest Corporation: Belfield, Bismarck, Casselton, Dickinson, Fargo, Grand Forks, Emerado, Grafton Gardner, Hillsboro, Hatton, Jamestown, Kindred, Leonard, Larimore, Marvel, Minto, Mandan, Mayville, Northwood, Reynolds, Thompson, Valley City and Wahpeton.

On January 26, 2005, the Commission issued a Notice of Opportunity for Hearing, which provided until March 7, 2005 for receiving written comments or hearing requests. No response was received.

On April 6, 2005 the Commission discussed the application with the applicant and Commission staff during an informal hearing.

On May 24, 2005 the Commission issued a Notice of Hearing, scheduling a public hearing for June 28, 2005. The Notice identified the following issues to be considered:

1. Qualification of the applicant under the Telecommunications Act of 1996, Section 214(e) for designation as an ETC eligible to receive federal universal service funding.

2. Whether the Commission should order additional requirements for ETC designation recommended in the FCC's Report and Order released March 17, 2005 in CC Docket No. 96-45.
3. What ETC universal service support area should be designated.

On June 28, 2005 a public hearing was held as scheduled. As agreed during the hearing, VCI filed an amendment to its application on July 6, 2005 addressing the additional requirements for ETC designation recommended in the Federal Communication Commission's Report and Order released March 17, 2005.

Having heard and considered this matter, the Commission makes its:

Findings of Fact

1. VCI Company (VCI) is a competitive local exchange telecommunications carrier with headquarters in Lakewood, Washington.
2. VCI was incorporated as a privately held Washington corporation on November 23, 2003. Prior to incorporation the company operated as a sole-proprietorship under the name of its current secretary/treasurer, Stanley Efferding d/b/a Vilaire or Vilaire Communications.
3. VCI was registered in North Dakota to resell interexchange and local services on September 22, 2004 in Case No. PU-04-464 and was issued certificates of public convenience and necessity to provide facilities based local and interexchange service on November 18, 2004 in Case No. PU-04-465.
4. VCI requests ETC designation in order to receive federal universal service support for providing local exchange services to Lifeline and Link Up customers in North Dakota.
5. VCI reports that it has been designated as an ETC in other jurisdictions, including Iowa, Oregon, Washington and Wyoming.
6. To be designated as an eligible telecommunications carrier under Section 214(e) of the Telecommunications Act of 1996, a carrier must: (1) offer the services that are supported by federal universal service support mechanisms, and offer the services designated by the FCC for such federal support mechanisms for schools, libraries, and health care providers; and (2) advertise the availability of such services and the charges therefore using media of general distribution.
7. For telecommunications customers, the services designated by the FCC for support by universal service support mechanisms include voice grade access to the public switched network, local usage, dual tone multi-frequency signaling or its functional equivalent, single-party service or its functional equivalent, access to emergency services, access to operator services, access to interexchange service, access to directory assistance and toll limitation for qualifying low-income consumers including Link Up under 54 CFR part 411 and Lifeline under 54 CFR part 405.
8. For schools and libraries, the services designated by the FCC for support by universal service support mechanisms include all items listed on the most recent annual

Eligible Services List of the Schools and Libraries Support Mechanism of the Universal Service Administrative Company dated October 5, 2004.

9. For health care providers, the services supported by universal service support mechanisms include any telecommunications service that is used primarily for the provision of health care.

10. VCI Witness Stanley Efferding testified and affirmed that VCI will offer all services supported by the federal universal service support mechanisms and will advertise the availability of and charges for those services using media of general distribution throughout its service area.

11. Mr Efferding testified and affirmed that VCI Lifeline and Link Up offerings will meet the requirements established by the FCC.

12. The Commission finds VCI is qualified under Section 214(e) of the Communications Act of 1934 as amended by the Telecommunications Act of 1996 for designation as an ETC to receive federal universal service support.

13. The Commission finds the amendment filed to VCI's application on July 6, 2005 sufficiently addresses the additional requirements for ETC designation recommended in the FCC's Report and Order released March 17, 2005 in CC Docket No. 96-45 and no further requirements need be ordered at this time.

Based on the foregoing Findings of Fact, the Commission makes its:

Conclusions of Law

1. The Commission has jurisdiction over this matter under Title 49 of the North Dakota Century Code.

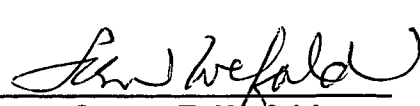
2. VCI is qualified under Section 214(e) of the Communications Act of 1934 as amended by the Telecommunications Act of 1996 for designation as an Eligible Telecommunications Carrier to receive federal universal service support.

Based on the foregoing Findings of Fact and Conclusions of Law, the Commission issues its:

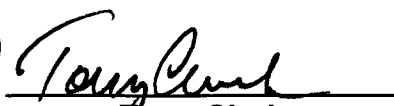
Order

The Commission Orders VCI's application for designated eligible carrier status is granted and VCI is designated as an eligible telecommunications carrier in the requested Qwest exchange areas.

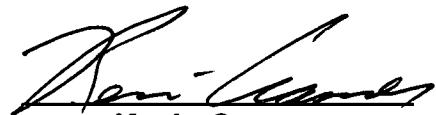
PUBLIC SERVICE COMMISSION



Susan E. Wefald
Commissioner



Tony Clark
President



Kevin Cramer
Commissioner

Public Service Commission
Receipt of Payment

Receipt# 6319

Received 7/18/2005 Check# 4894 for \$27 28
Subject Utility Valuation

Docket # PU-05-28

VCI Company
3875 Steilacoom Blvd. SW #A
Lakewood WA 98499

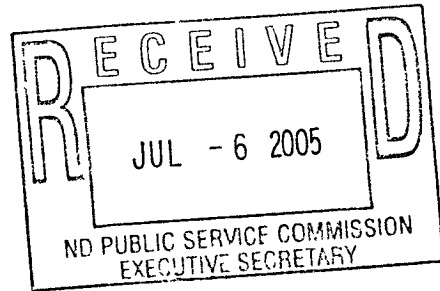
VCI Company

PO Box 98907 Lakewood WA, 98499
Phone (800) 923-8375 Fax (253) 475-6328

Via Overnight Delivery

July 5, 2005

Illona Jeffcoat-Sacco, Executive Secretary
Public Service Commission of North Dakota
600 E. Boulevard Ave., Dept. 408
Bismarck, North Dakota 58505-0480



Re: VCI Company – Case No. PU-05-28

Dear Ms. Jeffcoat-Sacco:

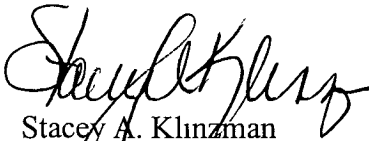
Enclosed for filing in the above referenced case please find an original and seven (7) copies of the Amendment to VCI's Application for Designation as an Eligible Telecommunications Carrier. This filing is made pursuant to the Commission's request during its June 28, 2005 hearing.

Please acknowledge receipt of this filing by date-stamping and returning the additional copy of this transmittal letter in the self-addressed, postage-paid envelope provided for this purpose.

Questions and requests for additional information or clarification may be directed to me.

Sincerely,

VCI Company


Stacey A. Klinzman
Regulatory Attorney

31 PU-05-28

Pages 1

Cover letter re Amendment to Application

by VCI Company by Stacey A Klinzman Attorney

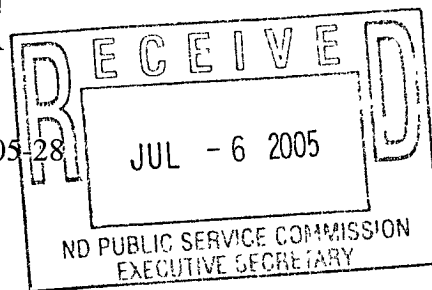
07/06/2005

CC Comm Legal Illona Jerry

BEFORE THE PUBLIC SERVICE COMMISSION
IN AND FOR THE STATE OF NORTH DAKOTA

In the Matter of the Petition of VCI Company)
for Designation as an Eligible)
Telecommunications Carrier)

Case No. PU-05-28



**AMENDMENT TO APPLICATION FOR
DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER**

Pursuant to the request of the North Dakota Public Service Commission during its hearing conducted in the matter of VCI Company's Application for Designation as an Eligible Telecommunications Carrier ("Application"), held on June 28, 2005, VCI files this Amendment to its Application for purposes of providing the information required in Federal Communications Commission rules 47 C.F.R §54 202 and 47 C.F.R. §54.209 In addition, VCI provides a map of Tribal lands in North Dakota.

As VCI is providing wireline service utilizing a combination of facilities leased from Qwest, and resale, its response to certain questions and its ability to certify certain items, are dependent upon Qwest's compliance with these rules. In addition, requirements pertaining to wireless companies or carriers that request reimbursement from the federal high-cost fund are not applicable to VCI.

A Information Required Pursuant to 47 CFR §54.202

VCI submits the following information for the Commission's consideration in this proceeding:

1. 47 C.F.R 54.202(a)(1) – Commitment to Provide Service Throughout its Proposed Designated Service Area to All Customers Making a Reasonable Request for Service

(1)(A)(1)(2): VCI Company certifies that it will provide service on a timely basis to requesting customers within its service area.

(1)(B): VCI is not requesting reimbursement from the high-cost fund, thus VCI is exempt from the requirement that a five-year plan be submitted demonstrating how signal quality, coverage or capacity will improve due to the receipt of high-cost support.

2. 47 CFR §54.202(a)(2) - Ability to Remain Functional in Emergency Situations

VCI's ability to remain functional in emergency situations is dependent upon Qwest's ability to do so. To the extent that Qwest can demonstrate 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, VCI is able to do so as well

3. 47 CFR §54.202(a)(3) – Demonstration of Satisfaction of Applicable Consumer Protection and Service Quality Standards

VCI certifies that it will comply with all applicable North Dakota rules and laws regarding standards of telephone service, such as the rules promulgated in N.D.A.C Chapter 69-09-05, and all applicable state laws, such as those include at Chapters 49-04, 49-05 and 49-21 N.D.C.C. including those laws regarding consumer protection

4. 47 CFR §54.202(a)(4) – Offering of Local Usage Plan Comparable to ILEC's

VCI's local usage service is comparable to that offered by Qwest Corporation. VCI, like Qwest, offers residential, unlimited local calling service at a flat monthly rate

5. 47 CFR §54.202(a)(5) – Certification re: Possible Future Equal Access Provision Requirement

VCI certifies that it acknowledges that the North Dakota Public Service Commission may require it to provide equal access to long distance carriers in the event that no other eligible telecommunications carrier is providing equal access within the service area.

6. 47 CFR §54 202(c) – Public Interest Determination

In determining whether the approval of VCI's Application is in the public interest, the Commission may want to consider the following facts

- VCI provides service to customers that often do not have basic local exchange service due to poor credit and/or outstanding past due bills.
- VCI provides service to an underserved or, in some cases, unserved population at affordable rates
- VCI provides a basic local exchange service plan comparable to that offered by Qwest, the incumbent LEC in North Dakota
- VCI provides customers with access to selected custom calling services at affordable rates
- Approval of VCI's application will provide low-income customers in North Dakota with a choice of carriers and service rather than limiting such customers to service provided by Qwest.
- Approval of VCI's application will prevent low-income customers without telephone service from having recourse only to expensive, prepaid local exchange service.
- Approval of VCI's application will facilitate publicity of and education about the availability of Universal Service to low-income consumers, thereby increasing access to basic local service and furthering the Federal Communications Commission's goals for Universal Service

B. Information Required Pursuant to 47 CFR §54.209

VCI will submit to the Commission all applicable information set forth in 47 CFR §502.209(b), detailed below, annually on or before a date specified by the Commission.

1. 47 CFR §54.209(a)(1) – Progress Report on Five-Year Plan

As this requirement applies to carriers requesting reimbursement from the federal high-cost fund, VCI is exempt from compliance with this requirement.

2. 47 CFR §54.209(a)(2) – Detailed Information On Outages

VCI will provide detailed information on any outage, as that term is defined in 47 C.F.R. § 4.5, of at least 30 minutes in duration for each service area in which it is designated for any facilities it owns, operates, leases, or otherwise utilizes that potentially affect (a) at least ten percent of the end users served in a designated service area; or (b) a 911 special facility, as defined in 47 C.F.R. § 4.5(e). The outage report will include information detailing: (a) the date and time of onset of the outage, (b) a brief description of the outage and its resolution, (c) the particular services affected, (d) the geographic areas affected by the outage; (e) steps taken to prevent a similar situation in the future; and (f) the number of customers affected. The detailed information required in this section may be provided jointly with or as an addendum to information provided by Qwest, from whom VCI leases facilities.

3. 47 CFR §54.209(a)(3) – Unfulfilled Requests for Service

VCI annually will provide information on the number of requests for service from potential customers within the eligible telecommunications carrier's service areas that were unfulfilled during the past year, including detail regarding how it attempted to provide service to those potential customers, as set forth in 47 CFR §54.202(a)(1)(A).

4. 47 CFR §54.209(a)(4) – Complaints

VCI annually will provide information on the number of complaints per 1,000 handsets or lines served in North Dakota.

5. 47 CFR §54.209(a)(5) – Certification of Compliance with Applicable Service Quality Standards and Consumer Protection Rules

VCI annually will certify that it is complying with applicable service quality standards and consumer protection rules in the state of North Dakota.

6. 47 CFR §54.209(a)(6) – Certification Re: Emergency Situations

VCI annually will certify that it is able to function in emergency situations, subject to its response to 47 CFR §54.201(a)(2) above.

7. 47 CFR §54.209(a)(7) – Certification Re: Local Usage Plan

VCI annually will certify that it is offering a local usage plan comparable to that offered by Qwest Corporation in its service areas in North Dakota.

8. 47 CFR §54 209(a)(8) – Certification re: Future Requirement to Provide Equal Access

VCI annually will certify that it acknowledges that the Commission may require it to provide equal access to long distance carriers in the event that no other eligible telecommunications carrier is providing equal access within its service area.

C. Map of in Tribal Areas in North Dakota

Attached as Exhibit A please find a map of Tribal areas in North Dakota.

EXHIBIT A

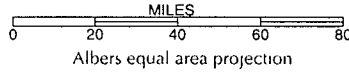
MAP OF TRIBAL AREAS IN NORTH DAKOTA
(Attached)



FEDERAL LANDS AND INDIAN RESERVATIONS

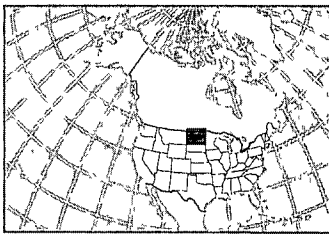
- Bureau of Indian Affairs
- Bureau of Land Management / Wilderness
- Bureau of Reclamation
- Department of Defense (includes Army Corps of Engineers lakes)
- Fish and Wildlife Service / Wilderness
- Forest Service / Wilderness
- National Park Service / Wilderness

Some small sites are not shown, especially in urban areas



Abbreviations

- IR Indian Reservation
- NG National Grassland
- NHS National Historic Site
- NWR National Wildlife Refuge



BEFORE THE PUBLIC SERVICE COMMISSION
IN AND FOR THE STATE OF NORTH DAKOTA

In the Matter of the Petition of VCI Company)
for Designation as an Eligible) Case No. PU-05-28
Telecommunications Carrier)

State of Washington)
) ss:
County of Pierce)

AFFIDAVIT OF STAN EFFERDING

STAN EFFERDING, duly sworn upon oath, deposes and declares:

1. I am Secretary/Treasurer of VCI Company, am over the age of eighteen (18) years, have personal knowledge of the matters contained herein, and am competent to testify thereto; and
2. I have reviewed the Amendment to Application for Designation as an Eligible Telecommunications Carrier, and believe that the statements and exhibits attached thereto are true and correct to the best of my knowledge, information and belief

FURTHER AFFIANT SAYETH NAUGHT.

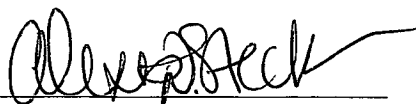
Dated this 5th day of July 2005


Stan Efferding, Secretary/Treasurer

On this day personally appeared before me, Stan Efferding, to me known to be the individual, or individuals described in and who executed the within and foregoing instrument, and acknowledged the he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 5th day of July, 2005




Signature
Alexis N. Steckler
Print Name
Notary public in and for the
State of Washington
Residing
at Pierce County
My commission
Expires: 3.31.09

APPROVED

DATE 6-29-05
KME

MOTION

June 29, 2005

VCI Company
Designated Eligible Carrier
Application

Case No. PU-05-28

I move the Commission bill VCI Company for costs incurred to date in
Case No. PU-05-28, VCI Company, Designated Eligible Carrier, Application.



Public Service Commission

State of North Dakota

COMMISSIONERS

Tony Clark, President
Susan E Wefald
Kevin Cramer

Executive Secretary
Illona A Jeffcoat-Sacco

600 E Boulevard Ave Dept 408
Bismarck, North Dakota 58505-0480
web www.psc.state.nd.us
e-mail ndpsc@state.nd.us
TDD 800-366-6888
Fax 701-328-2410
Phone 701-328-2400

June 29, 2005

Stan Efferding
VCI Company
3875 Steilacoom Blvd SW #A
Lakewood WA 98499

RE: Case No PU-05-28
VCI Company
Designated Eligible Carrier
Application

Enclosed is a copy of the statement approved at the June 29, 2005 Public Service Commission meeting for the expenses incurred to date in Case No. PU-05-28.

Under N.D.C.C. 49-21-01.7, these expenses are billed through the Valuation Fund and must be paid for by the telecommunications company involved.

Please make your check payable to the *Public Service Commission*.

Sincerely,

Gloria Geiger
Admin Staff Officer
701-328-2401

Enc.

Billing Statement

June 29, 2005

VCI Company
Designated Eligible Carrier
Application

Case No. PU-05-28

Bill To:

VCI Company..... \$27.28

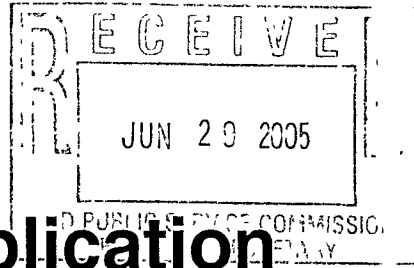
Expenses Incurred to Date:

Office of Administrative Hearings \$27.28

Send Payment and a Copy of this Statement To:

Public Service Commission
600 E Boulevard Ave Dept 408
Bismarck ND 58505-0480

Federal Tax ID 45-0309764



Affidavit of Publication

Colleen Park, being duly sworn, state as follows:

1. I am the designated agent, under the provisions and for the purposes of, Section 31-04-06, NDCC, for the newspapers listed on the attached exhibits.
2. The newspapers listed on the exhibits published the advertisement of:
PSC, VCI Company, 1 time(s)
as required by law or ordinance.
3. All of the listed newspapers are legal newspapers in the State of North Dakota and, under the provisions of Section 46-05-01, NDCC, are qualified to publish any public notice or any matter required by law or ordinance to be printed or published in a newspaper in North Dakota.

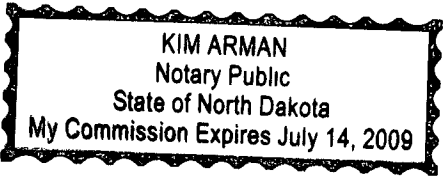
Signed: Colleen Park

State of ND

County of Burleigh

Subscribed and sworn to before me this 27 day of June, 2005.

Kim Arman - now known as
Kim Arman - formerly





North Dakota Newspaper Association

1435 Interstate Loop
Bismarck, ND 58503-0567
Ph (701) 223-6397 • Fax (701) 223-8185

INVOICE

RECEIVED
JUN 29 2005

Order **20604-05061PP1** Invoice # **56953**

June 28, 2005

Attn: **ILLONAA. JEFFCOAT-SACCO**
PUBLIC SERVICE COMMISSION
600 E. BOULEVARD AVE.
STATE CAPITOL
BISMARCK, ND 58505

Advertiser: **Public Utilities Division**

P O # **PU-05-28**

Voice 701-328-4076

Amount Due **\$320.57**

Amount Paid

Please detach and return this portion with your payment

Public Utilities Division Invoice # 20604-05061PP1-56953 PO# PU-05-28

Ad Size	Rate Type	Rate	Total	Discount (%)	Caption	Page	Run Date
DAILY							
Bismarck Tribune (Bismarck ND)							
51 00	SPR2	0 63	32 13	0 00	VCI Company		06/01/05
Devils Lake Daily Journal (Devils Lake ND)							
51 00	SPR2	0 63	32 13	0 00	VCI Company		06/01/05
Dickinson Press (Dickinson ND)							
54 00	SPR2	0 57	30 78	0 00	VCI Company		06/01/05
Fargo, The Forum (Fargo ND)							
47 00	SPR2	0 71	33 37	0 00	VCI Company		06/06/05
Grand Forks Herald (Grand Forks ND)							
48 00	SPR2	0 69	33 12	0 00	VCI Company		06/02/05
Jamestown Sun (Jamestown ND)							
55 00	SPR2	0 54	29 70	0 00	VCI Company		06/01/05
Minot Daily News (Minot ND)							
58 00	SPR2	0 54	31 32	0 00	VCI Company		06/01/05
Valley City Times-Record (Valley City ND)							
52 00	SPR2	0 61	31 72	0 00	VCI Company		06/01/05
Wahpeton Daily News (Wahpeton ND)							
69 00	SPR2	0 51	35 19	0 00	VCI Company		06/01/05
Williston Herald (Williston ND)							
51 00	SPR2	0 61	31 11	0 00	VCI Company		06/01/05

Gross Advertising	320.57	Total Misc	0 00	Amount Paid	0 00
Agency Discount		Tax	0 00	Adjustments	0 00
Other Discount	0.00	Total Billed	320 57	Payment Date	
Service Charge	0 00	Unbilled	0.00	Balance Due	320 57

28 PU-05-28

Pages 1

Affidavit of Publication

by North Dakota Advertising Service, Inc
06/29/2005

CC Comm Legal Illona Jerry

State Of North Dakota
Public Service Commission
Notice Of Hearing
May 24, 2005
Case No. PK-05-28

Bismarck	6-1
Devils Lake	6-1
Dickinson	6-1
Fargo	6-6
Grand Forks	6-2
Minot	6-1
Jamestown	6-1
Valley City	6-1
Walperton	6-1
Williston	6-1



OFFICE OF ADMINISTRATIVE HEARINGS

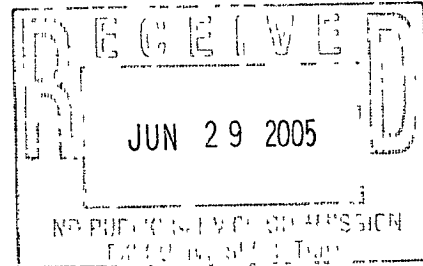
STATE OF NORTH DAKOTA
1707 North 9th Street
Bismarck, North Dakota 58501-1882

Allen C Hoberg
DIRECTOR

701-328-3260
Fax 701-328-3254
oah@state nd us
www state nd us/oah

June 28, 2005

Mr. William Binek
Public Service Commission
600 East Boulevard Avenue
State Capitol
Bismarck, ND 58505-0408



Dear Mr. Binek:

On June 28, 2005, I presided as a procedural administrative law judge in the matter of VCI Company (PU-05-28). The hearing is closed. Accordingly, I am closing our file on this matter and returning that portion of the record I have in my possession to you for filing with the official agency record of this matter.

Thank you for your attention to this matter.

Sincerely,

Allen C. Hoberg
Administrative Law Judge

fz
Encl.

HARD COPY OF Tape

DOCKET SEQUENCE NO. _____

EXHIBIT _____

CASE NO. PU-05-28

ON FILE IN

STATE ARCHIVES

CONTROL NUMBER: 80051

PAYMENT METHODS:

- 1. **Check/Money Order in the mail to:**
VCI Company Inc
PO Box 98907
Lakewood, Wa 98498
- 2. **Credit Card over the phone (Speedpay \$1 50)**
Call Customer Service at 1-800-923-8375
(Mon-Fri 9am to 5pm PST) TTY, 711
- 3. **MoneyGram (\$5 - \$5 95 fee applied at store)**
 - a Go to WalMart, Albertsons, Long's Drugs
 - b Go to Customer service and ask for a BLUE Express payment form
 - c Receive Code = 3278
 - A ount Number = Your 10 digit phone number including area code
- 4. **ACE cash Express (Washington Only)**
(\$1 00 Fee applied at store)
Account number = 10 digit phone number
M-Sat 9am-7pm
- 5. **Cash payment location (No charge) 1731 S Boone St #502 (office), Aberdeen, Wa 98520 M-F 9-5**

RETURNED CHECKS – A returned check charge of up to \$25 will apply for each check returned for any reason. In addition, late fees may be added

LATE FEE – Accounts that are not paid by the due date will be assessed a \$10 late fee. Payments received after the due date must include this fee

TOLL BLOCKING:

A Toll block has been placed on your line in lieu of a deposit to prevent unwanted charges from appearing on your bill such as collect calls, operator assistance and long distance. VCI Company Inc will lift toll blocking, at no charge, if you establish a direct relationship with an interexchange carrier. The interexchange carrier may require a service deposit, depending upon your credit history.

With a \$75 deposit, VCI Company Inc will lift toll blocking and not charge you the \$20 change order fee to perform this service, even if you do not identify a presubscribed interexchange carrier. Under this option you will not be able to place 1+ dialed toll calls.

With a \$75 deposit, VCI Company Inc will lift toll blocking to operator services and not charge you the \$20 change order fee to perform this service.

NEW CUSTOMER INFORMATION:

Please carefully review the services and charges on your bill to be sure your order is accurate. The services you ordered are detailed on the front of the bill. Additional information pertaining to local exchange service may be found in the consumer information guide of the local telephone directory. You may request a preferred carrier freeze to be added to your account to prevent your telephone service from being switched to another carrier without your written or oral permission. Call VCI to remove the freeze at any time.

**PREFERRED PAYMENT DATE:
(Washington Customers only)**

Having trouble paying your bill on time? You may qualify for a preferred payment date option that better matches your source of income to the due date. You will need to pay the current bill in full and show proof of all monthly income received. If you think you qualify, call customer service at 800-923-8375.

DISCONNECTION / NON-PAYMENT:

Basic Service, Connection fees, Taxes and surcharges that are unpaid by the bill due date can result in disconnection of service. Payment for these services in addition to a late fee and reconnection charge must be received in our office prior to reconnection of service.

TAXES:

City Occupation/Sales Tax/Special District Sales– The State Legislature allows the state to impose a sales tax on monthly charges for telecommunications services and related items.

Federal Access Charge– This is a charged proposed and authorized by the Federal Communications Commission, for providing access to and maintenance of the local network.

Federal Excise– This tax is imposed directly on the customer by the Federal Government to tax services that allow the customer the ability to communicate with virtually all subscribers of the telecommunications network.

State 911/Local 911- This surcharge, funds the cost of providing emergency services communications systems in your community.

Res Service Protection Fund– This tax consists of s Telephone Assistance Fund and a Telecommunications Relay Services Fund. Each surcharge is based on exchange access lines, and is flat rated, and billed as a combined charge on the bill.

Telephone Assistance Program– The surcharges fund programs used to provide telecommunication services to low-income, elderly or disabled customers at reduced monthly rate.

TRS Excise Funds Federal ADA– This surcharge funds a statewide program to provide telecommunication services to residents who have communications disabilities, i.e., hearing or speech.

FEATURES:

VCI Company offers free features as a courtesy to those customers paying for monthly connection fees and using their phones for normal residential usage (not intended for prolonged connection to the internet or usage in excess of 5,000 minutes per month). These features are subject to removal without notice at the discretion of VCI Company. All features are determined by VCI Company Inc and can include some or all of the following:

Caller ID– Let's you know who is calling before you answer the phone. Caller ID requires a display unit which VCI does not provide. "Private" or "Anonymous" are from callers who have chosen to block their name and number.

Call Waiting– A tone signals that another person is trying to call you when you are on the phone. You are then able to answer the second call. How to use: When you hear the tone press and release the receiver button on your phone. This will take you to your second call, press receiver button to get back to your original call.

Call Waiting ID– Has all the benefits of Caller ID and it also lets you identify your Call Waiting calls before you answer. (Requires a Special Display Unit)

3-Way Calling– Allows you to add a third person to your call. How to use: Put your first call on hold by pushing and releasing the receiver button on your phone. Wait for three brief tones and a dial tone. Make your second call. When that person answers press and release the receiver button to connect all three of you.

Call Forwarding– Lets you temporarily forward calls to another number you select. How to use: Lift up receiver, press *63 and follow recorded instructions. To cancel call forwarding, lift receiver, press *83 and follow instructions.

Last Call Return- This allows you to get the number of the last person who called unless the number is blocked. How to use: Lift up receiver and press *69, listen to recording for the number.

Anonymous Call Rejection– You are able to block unwanted calls. How to use: To block unwanted calls press *60 and follow recorded instructions. To cancel Call Rejection press *80.

Priority Calling– You can tell by a distinctive ring when designated people are calling. How to use: Press *61 and follow recording. To cancel Priority Calling press *81.

Continuous Redial– This allows your phone to redial a busy number while you make and receive other calls. How to use: If you get a busy tone hang up then lift receiver, press *66. Your phone will call for up to 30 minutes and will notify you by a distinctive ring when the call is connected, to cancel press *86.

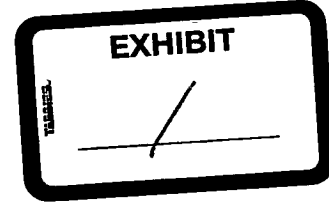
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Payment Methods

by VCI Company by

06/28/2005

Exhibit #1
EJC Coimh Legal Ilona Jerry ALJ



DONALD A NEGAARD
JAMES E NOSTDAHL
CAROL K LARSON
DAVID J HOGUE
REED A SODERSTROM
BRENT M OLSON
DEBRA L HOFFARTH
SCOTT M KNUDSVIG
ERIKA L SLEGER
RYAN D SANDBERG

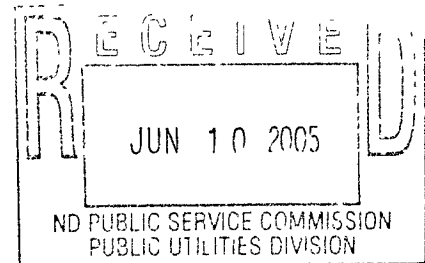
PH
LAW OFFICES OF
PRINGLE & HERIGSTAD, P.C.
2525 ELK DRIVE
POST OFFICE BOX 1000
MINOT, NORTH DAKOTA 58702
(701) 852-0381
FAX (701) 857-1361
E-mail pringle@srt.com

OF COUNSEL
HERBERT L MESCHKE

RETIRED
THOMAS A WENTZ
MARK F PURDY
JAN M SEBBY

KENNETH G PRINGLE
(1914-1983)
ROGER O HERIGSTAD
(1919-2003)

June 9, 2005



Illona A Jeffcoat-Sacco, Executive Secretary
Public Service Commission
600 East Boulevard Avenue
Bismarck, ND 58505-0480

**VCI COMPANY
DESIGNATED ELIGIBLE CARRIER APPLICATION
CASE NO. PU-05-28**

Our office wishes to appear in the above matters on behalf of the following companies

BEK Communications Cooperative
Consolidated Telcom
Dakota Central Telecommunications Cooperative and Dakota Central Telecom I
Dickey Rural Telephone Cooperative, Dickey Rural Communications, Inc , and
Dickey Rural Access, Inc
Griggs County Telephone Company and Moore & Liberty Telephone Company
Inter-Community Telephone Company, LLC
Midstate Telephone Company and Midstate Communications, Inc
Missouri Valley Communications, Inc , and Nemont Telephone Cooperative, Inc
North Dakota Telephone Company
Northwest Communications Cooperative
Polar Communications Mutual Aid Corporation and Polar Telecommunications, Inc
Red River Rural Telephone Association and Red River Telecom, Inc
Reservation Telephone Cooperative
SRT Communications, Inc
Turtle Mountain Communications and United Telephone Mutual Aid Corporation
West River Telecommunications Cooperative

Pursuant to Commission Rule 69-02-02-04(1), the name of each company and its telephone number and contact person are attached hereto

Illona A Jeffcoat-Sacco, Executive Secretary

Page 2

June 9, 2005

On behalf of these companies, we wish to respond to the Commission's Notice of Opportunity for Hearing dated May 24, 2005. We wish to advise the Commission as follows

- 1 ISSUE Qualification of the applicant under the Telecommunications Act of 1996, Section 214(e) for designation as an ETC eligible to receive federal universal service funding

RESPONSE. These companies make no comment about designation in Qwest service areas

- 2 ISSUE Whether the Commission should order additional requirements for ETC designation recommended in the FCC's Report and Order released March 17, 2005, in FCC Docket No 96-45

RESPONSE The RTCG believes the Commission has this authority under North Dakota Century Code section 49-21-07(12)

- 3 ISSUE What ETC universal service support area should be designated

RESPONSE: These companies make no comment about designation in Qwest service areas



Don Negaard

jt

Enclosure

<p>BEK Communications Cooperative Jerome Tishmack, Manager P O Box 230, 200 East Broadway Steele, ND 58482-0230</p>	<p>701-475-2361 Fax 701-867-2320 E-mail jtmgr@bektel.com</p>
<p>Consolidated Telcom Paul Schuetzler, Manager P O Box 1408, 507 South Main Dickinson, ND 58602-1408</p>	<p>701-483-4000 Fax 701-483-0001 E-mail paul@consolidatedtelcom.com</p>
<p>Dakota Central Telecom I Dakota Central Telecomm. Coop. Keith Larson, Manager 630 5th Street North, P O Box 299 Carrington, ND 58421</p>	<p>701-652-3184 800-771-0974 Fax 701-674-8121 E-mail keithl@daktel.com</p>
<p>Dickey Rural Access, Inc., Dickey Rural Communications, Inc. Dickey Rural Telephone Cooperative James Byerley, Acting Manager P O Box 69, 9628 Highway 281 Ellendale, ND 58436-0069</p>	<p>701-344-5000 877-559-4692 Fax 701-344-4300 E-mail jbyerley@drtel.com</p>
<p>Griggs County Telephone Company Moore & Liberty Telephone Company Ray Brown, Manager P O Box 66 Enderlin, ND 58027</p>	<p>701-437-3300 Fax 701-437-3022 E-mail rgbrown@mlgc.com</p>
<p>Inter-Community Telephone Company Keith Andersen, Manager P O Box 8 Nome, ND 58062</p>	<p>701-924-8815 Fax 701-924-8808 E-mail kander@ictc.com</p>
<p>Midstate Telephone Company Midstate Communications, Inc. Mark Wilhelm, Manager P O Box 400 Stanley, ND 58784</p>	<p>701-628-2522 Fax 701-628-3737 E-mail markw@midstatetel.com</p>
<p>Missouri Valley Communications, Inc. Nemont Telephone Cooperative Shawn Hanson, Manager Highway 13 South, P.O. Box 600 Scobey, MT 59263</p>	<p>406-783-5654 Fax 406-783-5636 E-mail swhanson@nemontel.net 2kathyg@nemontel.net</p>

<p>North Dakota Telephone Company Dave Dircks, Manager P O Box 180 Devils Lake, ND 58301-0180</p>	<p>701-662-1100 800-880-4213 Fax 701-662-6444 E-mail daved@ndtel.com</p>
<p>Northwest Communications Coop. Dwight Schmitt, Manager P O Box 38, 111 Railroad Avenue Ray, ND 58849-0038</p>	<p>701-568-3331 Fax 701-568-7778 E-mail dwightS@nccray.com</p>
<p>Polar Comm. Mutual Aid Corp. Polar Telecommunications, Inc. David L Dunning, Manager 110 4th Street East, P O Box 270 Park River, ND 58270</p>	<p>701-284-7221 Fax 701-284-7277 E-mail ddunning@polarcomm.com</p>
<p>Red River Rural Telephone Assn. Red River Telecom, Inc. Jeffrey J Olson, Manager P O. Box 136, 506 Broadway Abercrombie, ND 58001</p>	<p>701-553-8309 Fax 701-553-8396 E-mail jeffolson@rrt.net</p>
<p>Reservation Telephone Cooperative Royce Aslakson, Manager P O Box 68 Parshall, ND 58770-0068</p>	<p>701-862-3115 Fax 701-862-3008 E-mail dwrestel@restel.net</p>
<p>SRT Communications, Inc. Steve Lysne, Manager P O Box 2027, 3615 North Broadway Minot, ND 58702-2027</p>	<p>701-858-1200 Fax 701-858-1400 E-mail stevedl@srttel.com</p>
<p>United Telephone Mutual Aid Corp. Turtle Mountain Communications Kenneth Carlson, Manager 411 7th Avenue, P O Box 729 Langdon, ND 58249</p>	<p>701-256-5156 Fax 701-256-5150 E-mail kcarlson@unitedutma.com</p>
<p>West River Telecomm. Coop. Mick Grosz, Manager P O Box 467 Hazen, ND 58545-0467</p>	<p>701-748-2211 Fax 701-748-6800 E-mail mickg@westriv.com</p>

VCI Company

PO Box 98907 Lakewood WA, 98499
Phone (800) 923-8375 Fax (253) 475-6328

Via Overnight Delivery

June 6, 2005

Illona Jeffcoat-Sacco, Executive Secretary
Public Service Commission of North Dakota
600 E. Boulevard Ave , Dept 408
Bismarck, North Dakota 58505-0480



Re: VCI Company – Case No. PU-05-28

Dear Ms Jeffcoat-Sacco

Enclosed for filing in the above referenced case please find an original and seven (7) copies of the Affidavit of Stanley Efferding (“Affidavit”) The Affidavit clarifies and provides additional information in response to Commissioner Wefald’s concerns, which responses were initially sent to the Commission via electronic mail on May 3, 2005

Please acknowledge receipt of this filing by date-stamping and returning the additional copy of this transmittal letter in the self-addressed, postage-paid envelope provided for this purpose.

Questions regarding this filing may be directed to me

Sincerely,

VCI Company

A handwritten signature in cursive script that reads "Stacey A. Klinzman".

Stacey A. Klinzman
Regulatory Attorney

BEFORE THE PUBLIC SERVICE COMMISSION
IN AND FOR THE STATE OF NORTH DAKOTA

In the Matter of the Petition of VCI Company)
for Designation as an Eligible)
Telecommunications Carrier) Case No. PU-05-28

AFFIDAVIT OF STANLEY EFFERDING

Stanley Efferding, duly sworn and upon oath deposes and declares:

- 1 I am Secretary/Treasurer of VCI Company (“VCI”), am over the age of eighteen (18) years, have personal knowledge of the matters contained herein, and am competent to testify thereon

- 2 VCI is aware that the Federal Communications Commission (“FCC”) approved new Eligible Telecommunications Carrier (“ETC”) requirements in its order issued March, 2005, and is already in compliance therewith. VCI will implement the new FCC requirements in North Dakota, including a) requiring proof of income together with the letter of authorization signed by the customer and b) auditing a statistically significant number of customers yearly for ongoing eligibility certification.

3. VCI currently serves over 5,000 lifeline customers in the state of Wyoming

- 4 VCI hereby responds to Commissioner Wefald’s concerns regarding the above referenced application, and the comments of personnel at the Universal Service Administrative Committee (“USAC”) and the Oregon Public Utilities Commission (“OPUC”) as follows

Comment. Non-qualified consumers in Oregon are not removed from VCI’s service in a timely manner

Response VCI’s ability to remove non-eligible customers from its service is dependent upon timely receipt of accurate Telephone Assistance Plan (“TAP”) records regarding customer eligibility from the OPUC

VCI recently met with OPUC staff, Demara Paris, and confirmed the facts that 1) the OPUC does not yet have an accurate method of determining “real time” whether a customer is eligible for the TAP; 2) the OPUC is at least thirty (30) days behind in determining customer eligibility for TAP; 3) the list of eligible customers provided on a monthly basis to VCI by the OPUC is inaccurate because customers who are determined ineligible often requalify prior to VCI’s receipt of the OPUC’s list.

4., Continued

In light of the above facts, VCI's policy is to permit its customers to remain connected to service, at VCI's expense¹, pending recertification of the customers and receipt of updated TAP records from the OPUC, rather than disconnecting customers without justification.

Comment Oregon rates are too high.

Response VCI's rates are competitive with Qwest's. VCI provides one of the few alternatives for TAP eligible consumers because MCI and AT&T have abandoned the residential market for inability to provide affordable service. More customers transfer to VCI from the incumbent than transfer from VCI to the incumbent, making VCI the preferred carrier for lifeline customers in Oregon. VCI provides a service that is in the public interest. Ninety percent of VCI's new customers contact VCI from a pay telephone because they have *no home phone service* as a result of being unbanked, having bad credit or having a large past due bill with another provider. In many states, the alternative for these customers is a prepaid local service that costs \$50 00 per month.

Furthermore, in granting VCI ETC status, the OPUC recognized that competitive carriers are permitted to charge rates above those charged by the incumbent carriers for local exchange services and that consumers with poor credit and/or payment histories may be willing to pay higher prices for telephone service.²

In spite of VCI's ability to charge significantly higher rates than the incumbent, VCI charges, after passing through the SLC waiver, Tier II and Tier III discounts, \$14.00 per month for unlimited local service, compared with approximately \$13 05 charged (after SLC waiver, Tier II and Tier II discounts) by Qwest for the same service.

¹ VCI receives no reimbursement from the state or federal government while extending the benefits of customers during this time

² Docket No UM 1107, Order No 03-378, entered Dec 17 2003, pp 6-7

4., Continued

Comment. Disconnection notice time for Oregon customers is too short.

Response: Oregon rules require five (5) days notice for disconnection of residential service.³ In contrast, VCI has adopted a policy in all states it currently serves of providing fifteen (15) days written notice to pay the initial bill before becoming delinquent. If the initial bill is not paid within fifteen (15) days, VCI provides customers a separate written notice granting an additional eight (8) business day period for impending disconnection. During this eight (8) business day period, VCI's customer service personnel attempt to contact customers, via telephone, at least twice. Records are kept of the dates, times and results of these calls. VCI's disconnection procedures provide more notice than is required by any state in which it currently serves and ample opportunity for customers to make payment arrangements or bring their accounts current. VCI will adopt these same policies when serving customers in the State of North Dakota, which currently requires ten (10) calendar days' notice to customers of impending disconnection of service.⁴

Comment: VCI toll blocks all lifeline customers, and claims toll limitation support from USF for all these customers. Every VCI customer in the USAC system has toll blocking in place. VCI has sent a letter to the FCC spelling out how it intends to deal with toll blocking in the future. USAC is sending us a copy of this letter.

Response: In compliance with state and federal laws, VCI provides toll blocking at customers' request. Customers are advised that toll blocking is an option at the time service is ordered. All of VCI's customers have stated a preference for the toll blocking option because their services have been disconnected from their prior carriers for failure to pay toll charges. As indicated in the letter to USAC dated April 13, 2005, (Exhibit A), VCI provides its customers with access to interexchange and operator services under any one of the three conditions set forth therein. This information is transmitted, in its entirety, to customers on monthly customer bills. In response to Commissioner Wefald's questions, VCI does offer equal access to interexchange services within the FCC's rules and provides customers with the option of blocking toll calls.

³ O A R, 860-021-0206(5)

⁴ N D A C 69-09-05-02 (5)

4., Continued

Comment: VCI claimed third tier support in first report to USAC even though Iowa Utilities Board has not yet approved third tier support.

Response: VCI was unaware, until being informed by the USAC, that a ruling from the Iowa Utilities Board, separate from approval as an ETC, was required in order to obtain Tier III reimbursement from the USAC. VCI did extend the additional \$1.75 Tier III discount to its Iowa customers in compliance with 47 C.F.R. Section 54.403(3) (Exhibit B) On May 3, 2005, VCI filed a Petition for Approval to Offer Tier 3 Support to Customers Under the Iowa Low Income Telephone Assistance Program, which has been assigned Docket No. 199 IAC 39 2(4).

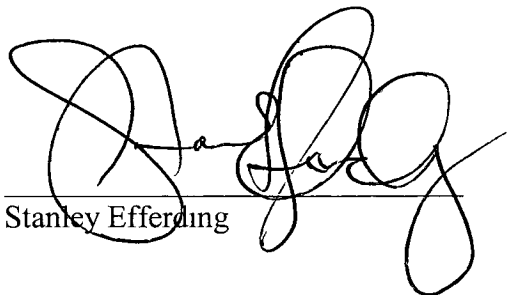
In response to Commissioner Wefald's question, VCI urges the Commission to permit the reimbursement of Tier III support. The customer benefits substantially from the additional discount as explained below:

To obtain the additional \$1.75 Tier II reimbursement from USAC, VCI must pass through to its customers a discount of twice that amount, or \$3.50 (See Exhibit B). VCI then passes through to the customer \$3.50 plus \$1.75 reimbursement from the USAC, \$5.25. The customer then receives discounts of \$5.25 Tier III support, the \$6.50 Subscriber Line Charge waiver and the \$1.75 Tier II support. The total discount received by the customer is then \$13.50.

VCI will ensure that its tariff includes appropriate language regarding the Tier III support.

FURTHER AFFIANT SAYETH NAUGHT.

Dated this 6th day of June 2005.


Stanley Efferding

Subscribed and sworn to before me,
a notary public in and for the state of
Washington, residing at Pierce County
June 6th, 2005
Alexis N. Steckler
Alexis N. Steckler

My commission expires: 3.31.09

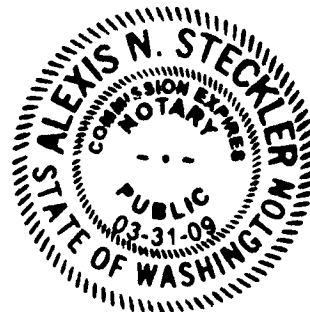


EXHIBIT A

April 13, 2005 Letter to USAC
(Attached)

VCI Company
3875 Steilacoom Blvd SW #A
Lakewood, Wa. 98499
206-419-5948
fax 253-475-6328

April 13, 2005

USAC
Universal Service Administrative Company
High Cost & Low Income Division
2120 L Street, N.W. Suite 600
Washington, DC 20037

Attn. Pamela Gallant, Director, Low Income

As directed, VCI Company will notify all current and future Iowa and Idaho customers, and all customers of all other states in which VCI conducts business, of the following 3 options

- 1 VCI will lift toll blocking, at no charge to the customer, if the customer establishes a direct relationship with an interexchange carrier. The interexchange carrier may require a service deposit, depending upon the customer's credit history, but VCI will not require a deposit for this option.
- 2 VCI will lift toll blocking, at no charge to the customer, even if the customer does not identify a presubscribed interexchange carrier, but VCI may require a service deposit, depending upon the customer's credit history. Customers must also be informed that, under this option they will not be able to place 1+ dialed toll calls
- 3 VCI will lift toll blocking to operator services, at no charge to the customer, but VCI may require a service deposit, depending upon the customer's credit history

The above language, in its entirety, will be included on every customer bill run to satisfy the requirement of notifying existing and future customers in all states in which VCI conducts business.

Please contact me with any questions or concerns

Thank you,

Stan Efferding

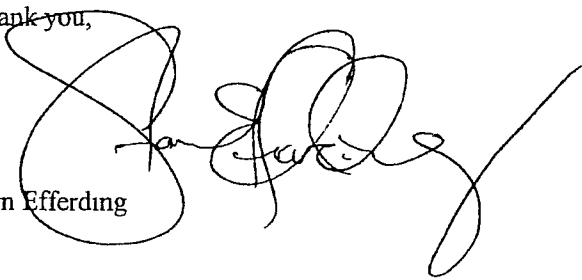


EXHIBIT B

47 C F R. §54.403
(Attached)

state assistance. Eligible telecommunications carriers not subject to state commission jurisdiction also shall make such a filing with the Administrator. Lifeline assistance shall be made available to qualifying low-income consumers as soon as the Administrator certifies that the carrier's Lifeline plan satisfies the criteria set out in this subpart.

(e) Consistent with § 52.33(a)(1)(i)(C), eligible telecommunications carriers may not charge Lifeline customers a monthly number-portability charge.

[62 FR 32948, June 17, 1997, as amended at 63 FR 2128, Jan 13, 1998, 64 FR 60358, Nov 5, 1999, 65 FR 47905, Aug 4, 2000, 69 FR 34600, June 22, 2004]

§ 54.403 Lifeline support amount.

(a) The Federal Lifeline support amount for all eligible telecommunications carriers shall equal:

(1) *Tier One*. The tariffed rate in effect for the primary residential End User Common Line charge of the incumbent local exchange carrier serving the area in which the qualifying low-income consumer receives service, as determined in accordance with § 69.104 or §§ 69.152(d)(1) and 69.152(q) of this chapter, whichever is applicable.

(2) *Tier Two*. Additional federal Lifeline support in the amount of \$1.75 per month will be made available to the eligible telecommunications carrier providing Lifeline service to the qualifying low-income consumer, if that carrier certifies to the Administrator that it will pass through the full amount of Tier-Two support to its qualifying, low-income consumers and that it has received any non-federal regulatory approvals necessary to implement the required rate reduction.

(3) *Tier Three*. Additional federal Lifeline support in an amount equal to one-half the amount of any state-mandated Lifeline support or Lifeline support otherwise provided by the carrier, up to a maximum of \$1.75 per month in federal support, will be made available to the carrier providing Lifeline service to a qualifying low-income consumer if the carrier certifies to the Administrator that it will pass through the full amount of Tier-Three support to its qualifying low-income consumers and that it has received any non-federal

regulatory approvals necessary to implement the required rate reduction.

(4) *Tier Four*. Additional federal Lifeline support of up to \$25 per month will be made available to a eligible telecommunications carrier providing Lifeline service to an eligible resident of Tribal lands, as defined in § 54.400(e), to the extent that:

(i) This amount does not bring the basic local residential rate (including any mileage, zonal, or other non-discretionary charges associated with basic residential service) below \$1 per month per qualifying low-income subscribers, and

(ii) The eligible telecommunications carrier certifies to the Administrator that it will pass through the full Tier-Four amount to qualifying eligible residents of Tribal lands and that it has received any non-federal regulatory approvals necessary to implement the required rate reduction.

(b) For a qualifying low-income consumer who is not an eligible resident of Tribal lands, as defined in § 54.400(e), the federal Lifeline support amount shall not exceed \$3.50 plus the tariffed rate in effect for the primary residential End User Common Line charge of the incumbent local exchange carrier serving the area in which the qualifying low-income consumer receives service, as determined in accordance with § 69.104 or § 69.152(d) and (q) of this chapter, whichever is applicable. For an eligible resident of Tribal lands, the federal Lifeline support amount shall not exceed \$28.50 plus that same End User Common Line charge. Eligible telecommunications carriers that charge federal End User Common Line charges or equivalent federal charges shall apply Tier-One federal Lifeline support to waive the federal End-User Common Line charges for Lifeline consumers. Such carriers shall apply any additional federal support amount to a qualifying low-income consumer's intrastate rate, if the carrier has received the non-federal regulatory approvals necessary to implement the required rate reduction. Other eligible telecommunications carriers shall apply the Tier-One federal Lifeline support amount, plus any additional support amount, to reduce their lowest

Federal Communications Commission

§ 54.409

tariffed (or otherwise generally available) residential rate for the services enumerated in § 54.101(a)(1) through (a)(9), and charge Lifeline consumers the resulting amount

(c) Lifeline support for providing toll limitation shall equal the eligible telecommunications carrier's incremental cost of providing either toll blocking or toll control, whichever is selected by the particular consumer

[62 FR 32948, June 17, 1997, as amended at 63 FR 2128, Jan 13, 1998, 65 FR 38689, June 21, 2000, 65 FR 47905, Aug 4, 2000]

§ 54.405 Carrier obligation to offer Lifeline.

All eligible telecommunications carriers shall

(a) Make available Lifeline service, as defined in § 54.401, to qualifying low-income consumers, and

(b) Publicize the availability of Lifeline service in a manner reasonably designed to reach those likely to qualify for the service

(c) Notify Lifeline subscribers of impending termination of Lifeline service if the carrier has a reasonable basis to believe that the subscriber no longer meets the Lifeline-qualifying criteria, as described in § 54.409. Notification of impending termination shall be in the form of a letter separate from the subscriber's monthly bill. A carrier providing Lifeline service in a state that has dispute resolution procedures applicable to Lifeline termination, that requires, at a minimum, written notification of impending termination, must comply with the applicable state requirements

(d) Allow subscribers 60 days following the date of the impending termination letter required in paragraph (c) of this section in which to demonstrate continued eligibility. Subscribers making such a demonstration must present proof of continued eligibility to the carrier consistent with applicable state or federal verification requirements, as described in § 54.410(c). Carriers must terminate subscribers who fail to demonstrate continued eligibility within the 60-day time period. A carrier providing Lifeline service in a state that has dispute resolution procedures applicable to Lifeline termination

must comply with the applicable state requirements

[65 FR 47905, Aug 4, 2000, as amended at 69 FR 34600, June 22, 2004]

EFFECTIVE DATE NOTE: At 69 FR 34600, June 22, 2004, § 54.405, paragraphs (c) and (d) were added. These paragraphs contain information collection and recordkeeping requirements and will not become effective until approval has been given by the Office of Management and Budget

§ 54.407 Reimbursement for offering Lifeline.

(a) Universal service support for providing Lifeline shall be provided directly to the eligible telecommunications carrier, based on the number of qualifying low-income consumers it serves, under administrative procedures determined by the Administrator

(b) The eligible telecommunications carrier may receive universal service support reimbursement for each qualifying low-income consumer served. For each consumer receiving Lifeline service, the reimbursement amount shall equal the federal support amount, including the support amount described in § 54.403(c). The eligible telecommunications carrier's universal service support reimbursement shall not exceed the carrier's standard, non-Lifeline rate

(c) In order to receive universal service support reimbursement, the eligible telecommunications carrier must keep accurate records of the revenues it forgoes in providing Lifeline in conformity with § 54.401. Such records shall be kept in the form directed by the Administrator and provided to the Administrator at intervals as directed by the Administrator or as provided in this Subpart

§ 54.409 Consumer qualification for Lifeline.

(a) To qualify to receive Lifeline service in a state that mandates state Lifeline support, a consumer must meet the eligibility criteria established by the state commission for such support. The state commission shall establish narrowly targeted qualification criteria that are based solely on income or factors directly related to income. A state containing geographic



OFFICE OF ADMINISTRATIVE HEARINGS

STATE OF NORTH DAKOTA
1707 North 9th Street
Bismarck, North Dakota 58501-1882

Allen C. Hoberg
DIRECTOR

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www.state.nd.us/oah

May 27, 2005

Mr. William W. Binek
Public Service Commission
600 East Boulevard Avenue
Bismarck, ND 58505-0408

Dear Mr. Binek:

Thank you for your May 26, 2005, request of the designation of an administrative law judge from the Office of Administrative Hearings to conduct a hearing in the matter of VCI Company (PU-05-28). I hereby designate myself to be assigned as an administrative law judge to conduct the hearing in regard to this matter. Because the administrative law judge will not be making recommended findings of fact and conclusions of law, or issuing a recommended order, the person or persons who will be making the final administrative decision in regard to this matter (*i.e.*, the commission) must be in attendance at the hearing.

Please send all additional relevant documents in regard to this matter (correspondence, and other pleadings and documents) to the designated administrative law judge in care of the Office of Administrative Hearings, 1707 North 9th Street, Bismarck, North Dakota 58501-1882. I understand the hearing is scheduled for June 28, 2005, beginning at 9.00 a.m., in the Commission's Hearing Room of the State Capitol Building. Because the administrative law judge is requested to conduct the hearing only, the agency must give proper notice of the hearing.

Your request has been assigned OAH File No. 20050210. Please include this number on all future documents and correspondence filed for this matter with the Office of Administrative Hearings.

Sincerely,

Allen C. Hoberg
Director

ACH/eap

cc: Mr. Stan Efferding
VCI Company



Public Service Commission

State of North Dakota

COMMISSIONERS

Tony Clark, President
Susan E Wefald
Kevin Cramer

Executive Secretary
Illona A Jeffcoat-Sacco

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web www.psc.state.nd.us
e-mail ndpsc@state.nd.us
TDD 800-366-6888
Fax 701-328-2410
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May 26, 2005

Mr. Stan Efferding
VCI Company
3875 Steilacoom Blvd. SW #A
Lakewood, WA 98499

Re: Request for Court Reporter
Case No. PU-05-28
VCI Company
Designated Eligible Carrier
Application

Dear Mr. Efferding:

The hearing in the above case has been scheduled for June 28, 2005, beginning at 9 a.m. (CDT) in the Commission Hearing Room. The Commission will tape record the hearing. If VCI Company would like a court reporter present at the hearing it may do so, and may make its own arrangements. However, if VCI would like the Commission to arrange for a court reporter please notify the Commission in writing within ten days of receipt of this letter and our office will make the necessary arrangements.

VCI Company will pay all costs associated with the court-reporting service.

If you have any questions, please contact us.

Sincerely,

William W. Binek
Hearing Administrator



Public Service Commission
State of North Dakota

COMMISSIONERS

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May 26, 2005

Mr. Allen C. Hoberg
Office of Administrative Hearings
1707 North 9th Street, Lower Level
Bismarck, ND 58501

Re: Case No. PU-05-28
VCI Company
Designated Eligible Carrier
Application

Dear Mr. Hoberg:

Enclosed is a request for an administrative law judge in the above case. The Commission has scheduled a hearing for June 28, 2005, beginning at 9 a.m. (CDT) in the Commission's Hearing Room, 12th Floor, State Capitol, Bismarck. The administrative law judge will serve as a procedural law judge, a court reporter may be present, and the hearing will be tape recorded. A copy of the case is enclosed.

Please provide the Commission with a copy of any filings issued by your office in this matter.

If you have any questions, please contact me. Thank you.

Sincerely,

William W. Binek
William W. Binek (rs)
Hearing Administrator

/sls
Enclosure

c. Stan Efferding, VCI Company



REQUEST FOR ADMINISTRATIVE LAW JUDGE--APPEAL, APPLICATION, OR PETITION
 NORTH DAKOTA OFFICE OF ADMINISTRATIVE HEARINGS
 SFN 17819 (Rev 03-2001)

Name of Agency, Board, or Commission
 Public Service Commission

The above named agency, board, or commission requests designation of an administrative law judge from the Office of Administrative Hearings for the VCI Company Designated Eligible Carrier Application, Case No. PU-05-28 Hearing is set for June 28, 2005, at 9 a m in the Commission Hearing Room, 12th Floor, Bismarck, ND.

(e.g , application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in Title 49 _____ (North Dakota Century Code and/or North Dakota Administrative Code).

Please attach related documents and correspondence

The administrative action is more fully described as follows:

It requests designation of an administrative law judge (please check one)

- To conduct the hearing and issue recommended findings of fact, conclusions of law, and order.
- To serve as a procedural administrative law judge only (no recommended decision). The agency head will be present at the hearing as required by NDCC 54-57-04(6).
- To conduct the hearing, issue findings of fact, conclusions of law, and a final order.

PLEASE MAKE A REQUEST FOR AN ADMINISTRATIVE LAW JUDGE AT LEAST ONE MONTH BEFORE THE HEARING.

Please list parties, including the agency if it is a Party, and Representation [attorney (or other)] if known, or Agency Contact. (Attach separate list if necessary.)

AGENCY Public Service Commission	Address 600 E. Blvd. Ave., Dept. 408, Bismarck, ND	Telephone Number 328-2400
Representation William W Binek	Address Same as above	Telephone Number 328-4088
PARTY VCI Company (Attr: Stan Efferding)	Address 3875 Steilacoom Blvd. SW #A, Lakewood, WA 98499	Telephone Number 206-419-5948
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number

Additional Comments
 Hearing will be tape recorded.

(For agencies required to use OAH, notice of hearing will be issued by the administrative law judge, unless a procedural administrative law judge is requested. Other requesting agencies and agencies requesting a procedural administrative law judge should first contact OAH about scheduling a hearing. If notice has already been issued, attach a copy of the notice)

Typed or Printed Name and Title of Requesting Person William W Binek, Hearing Administrator	Date 5-26-05
Signature of Requesting Person X	Telephone Number 328-4088

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

VCI Company
Designated Eligible Carrier
Application

Case No. PU-05-28

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Sharon Helbling deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **25th day of May, 2005**, she deposited in the United States Mail, Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and each containing a photocopy of.

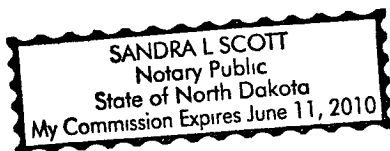
Notice of Hearing

The envelope was addressed as follows

Stan Efferding
VCI Company
3875 Steilacoom Blvd SW #A
Lakewood WA 98499
Cert. No. 7003 2260 0001 3517 9688

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this **25th day of May, 2005**.



SEAL

Sharon Helbling

Sandra L. Scott

Notary Public

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

VCI Company
Designated Eligible Carrier
Application

Case No. PU-05-28

AFFIDAVIT OF SERVICE BY ORDINARY MAIL OR E-MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Sharon Helbling deposes and says that:

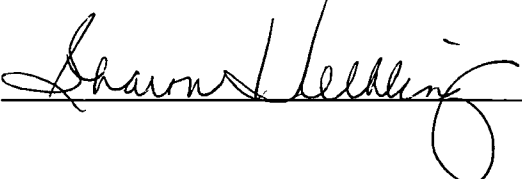
she is over the age of 18 years and not a party to this action and, on the **25th day of May, 2005**, she deposited in the United States Mail, Bismarck, North Dakota, envelopes by first class mail, fully prepaid, securely sealed, and e-mailed, each containing a photocopy of:

Notice of Hearing

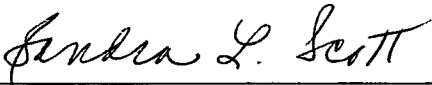
The envelopes were addressed as follows.

See Attached List

Each address shown is the respective addressee's last reasonably ascertainable post office address.

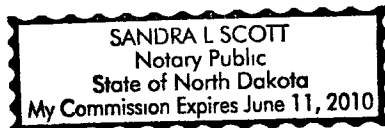


Subscribed and sworn to before me
this **25th day of May, 2005**



Notary Public

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Northbrook IL 60062

Granite Telecommunications LLC
234 Copeland St
Quincy MA 02169

Houlton Enterprises Inc
2201 W Bdwy Ste 1
Council Bluffs IA 51501

Julia Waysdorf
ICG Telecom Group Inc
161 Inverness Dr W
Englewood CO 80112

Ken Hanks
International Telcom Ltd
417 2nd Ave W
Seattle WA 98119

Intrado Communications Inc
1601 Dry Creek Dr
Longmont CO 80503-6493

David A. Huberman
Intrado Communications Inc
1601 Dry Creek Dr
Longmont CO 80503-6493

Nanette Edwards
ITC DELTACOM INC
7037 Old Madison Pike NW #400
Huntsville AL 35806-2107

KMC Telecom V Inc
1545 Rt 206
Bedminster NJ 07921

Myer Shark
Knollwood Place Apts #221
3630 Phillips Pkwy
St Louis Park MN 55426

Thomas K Crowe
Law Offices of Thomas K Crowe PC
1250 24th St NW Ste 300
Washington DC 20037

Level 3 Communications LLC
3555 Farnam St
Omaha NE 68131

Local Telcom Holdings LLC
485 Madison Ave 15th Fl
New York NY 10022-5803

Jan Lowe
Long Dist Consolidated Billing Co
145 S Livernois Rd #199
Rochester MI 48307-1837

Michel Murray
MCI
707 17th St Ste 3600
Denver CO 80202

MCImetro Access Transmission Services
707 17th ST Ste 3600
Denver CO 80202

McKenzie Consolidated Telecom LLC
P O Box 1408
Dickinson ND 58602-1408

McLeodUSA
P O Box 3177
Cedar Rapids IA 52406-3177

Midcontinent Communications
410 South Phillips Ave
Sioux Falls SD 57104

Minnesota Independent Equal Access Co.
10300 6th Ave N
Plymouth MN 55441

Mike Strand
MITS
PO Box 5237
Helena MT 59604-5237

Jim Arbury
National Multi Housing Council
1850 M St NW Ste 540
Washington DC 20036

Dave Crothers
NDATC
Box 1144
Mandan ND 58554-1144

New Edge Network Inc
3000 Columbia House Blvd Ste 106
Vancouver WA 98661

Bob Edgerly
Nextel West Corp
2001 Edmund Halley Dr
Reston VA 20191

Carmine Russo
North Dakota Big Sky Telecom
374 Ansin Blvd
Hallandale FL 33009

Dave Dircks
North Dakota Long Distance Inc
P O Box 180
Devils Lake ND 58301-0180

NOW Communications Inc
711 S Tejon St Ste 201
Colorado Springs CO 80903

Brad Van Leur
OrbitCom Inc
1701 N Louise Ave
Sioux Falls SD 57107

Jeff Walker
Preferred Carrier Services Inc
14681 Midway Rd Ste 105
Dallas TX 75001

Premiere Network Services Inc
1510 N Hampton Rd Ste 120
DeSoto TX 75115

Scott Lee
Protel Advantage Inc
1308 Medora Rd
St. Paul MN 55118-1734

QuantumShift Communications Inc
88 Rowland Way Ste 200
Novato CA 94945-5000

Kristin L Smith
Qwest Corporation
1005 17th St Ste 200
Denver CO 80202

Dean Polkow
RCC Network Inc
PO Box 2000
Alexandria MN 56308-2000

Kimberly Nielson
RTC-1
Legal & External Affairs
7277 164th Ave NE
Redmond WA 98052

Arthur H Paquette
SNET America Inc
310 Orange St
North Haven CT 06510-1719

Tel Tech Inc
1300 W 57th St Ste G204
Sioux Falls SD 57108-2885

William Staycoff
Telcom Billing Services Inc
2989 Brookdale Dr
Brooklyn Park MN 55444

Telera Communications Inc
910 E Hamilton Ave Ste 200
Campbell CA 95008

Kathleen Kerr-Lawrence
Primus Telecommunications Inc
1700 Old Meadow Rd 3rd Fl
McLean VA 22102

Public Communications Services Inc
11859 Wilshire Blvd Ste 600
Los Angeles CA 90025

Qwest Corporation
1005 17th St Ste 200
Denver CO 80202

Melissa Thompson
Qwest Corporation
1005 17th St Ste 200
Denver CO 80202

Reliant Communications Inc
801 International Pkwy 5th Fl
Lake Mary FL 32746

ServiSense.com Inc
60 G1P O Box 689acier Dr #3000
Westwood MA 02090-0689

Harris Saele
T P C Inc
PO Box 180
Devils Lake ND 58301-0180

Jack Medaris
Telco Partners Inc
P O Box 807
Conshohocken PA 19428-0807

Al Bosch
Tele-Beep Company
PO Box 7072
Bismarck ND 58502-7072

Jonathan Marashlian
The Helein Law Group P C
8180 Greensboro Dr Ste 700
McLean VA 22102

T-Netix Inc
P O Box 701028
Dallas TX 75370-1028

Trinsic Communications Inc
601 S Harbour Island Blvd Ste 220
Tampa FL 33602-5925

Dennis Houston
Universal Network Services of ND
1572 North Batavia St Ste 1A
Orange CA 92867

VCI Company
3875 Steilacoom Blvd #A
Lakewood WA 98498

Doris Cooper
West River Long Distance Co.
101 W Main PO Box 467
Hazen ND 58545-0467

Carolyn Fodor
Winstar Communications
520 Broad St
Newark NJ 07102

XO Communications Services Inc
11111 Sunset Hills Rd
Reston VA 20190

Trans National Comm Internat'l Inc
2 Charlesgate West
Boston MA 02215

Christina Tygielski
Universal Access Inc
Sears Tower 233 S Wacker Dr Ste 600
Chicago IL 60606-6307

Val-Ed Joint Venture LLP/702
702 Main Ave
Moorhead MN 56560

David Armev
Verizon Communications
750 SH121 Bypass Ste 100
Louisville TX 75067

Western CLEC Corporation
3650 131st Ave SE #400
Bellevue WA 98006

WTC Competitive Services Inc
P O Box 270
Park River ND 58270-0270

Helbling, Sharon D.

From: Helbling, Sharon D
Sent: Wednesday, May 25, 2005 7 32 AM
To: ndna
Subject: Several Notices attached

Colleen Park
North Dakota Newspaper Association

Colleen,

Would you please have the attached Notice of Hearing (Case No. PU-05-28), and the attached Notices of Opportunity for Hearing (Case Nos. PU-05-229, PU-05-300, and PU-05-272) published as legal publications in the next issue of the ten daily North Dakota newspapers.

Please send the bill to the Public Service Commission along with a tear sheet for billing purposes.

If you have any questions, let me know.

Thank you.

Sharon Helbling
Public Utilities Division



5-24-05 5-24-05 5-24-05
of Opporouof Hearingof Opporou

APPROVED

DATE: 5-24-05
KMF

MOTION

May 24, 2005

**VCI Company
Designated Eligible Carrier
Application**

Case No. PU-05-28

I move the Commission issue a Notice of Hearing in the application of VCI Company d/b/a Vilaire for designation as an Eligible Telecommunications Carrier for receiving federal universal service support, Case No. PU-05-28.

JRL/sdh

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**VCI Company
Designated Eligible Carrier
Application**

Case No. PU-05-28

NOTICE OF HEARING

May 24, 2005

On January 18, 2005, VCI Company d/b/a Vilaire of Lakewood, WA filed a Petition for Designation as an Eligible Telecommunications Carrier (ETC) for receiving federal universal service support in the following North Dakota local exchanges currently served by Qwest Corporation: Belfield, Bismarck, Casselton, Dickinson, Fargo, Grand Forks, Emerado, Grafton Gardner, Hillsboro, Hatton, Jamestown, Kindred, Leonard, Larimore, Manvel, Minto, Mandan, Mayville, Northwood, Reynolds, Thompson, Valley City and Wahpeton.

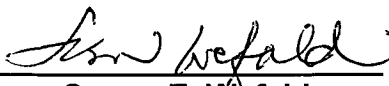
A public hearing has been scheduled for **June 28, 2005, at 9 a.m. in the Commission Hearing Room, 12th Floor, State Capitol, Bismarck, North Dakota.**

The issues to be considered in these matters are.


- 1 Qualification of the applicant under the Telecommunications Act of 1996, Section 214(e) for designation as an ETC eligible to receive federal universal service funding
2. Whether the Commission should order additional requirements for ETC designation recommended in the FCC's Report and Order released March 17, 2005 in CC Docket No. 96-45.
- 3 What ETC universal service support area should be designated

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials please notify Illona A. Jeffcoat-Sacco, Executive Secretary.

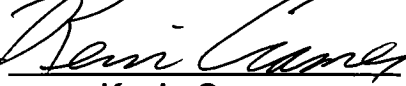
PUBLIC SERVICE COMMISSION



**Susan E. Wefald
Commissioner**



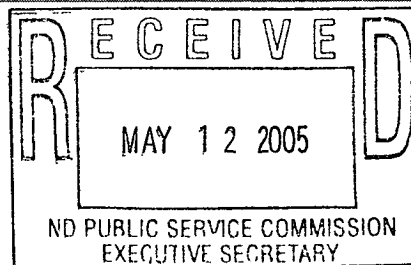
**Tony Clark
President**



**Kevin Cramer
Commissioner**

Scott, Sandi L.

From: Lein, Jerry R
Sent: Thursday, May 12, 2005 11 42 AM
To: Scott, Sandi L
Subject: FW



From: Vilaire [mailto:vilaire@comcast.net]
Sent: Tuesday, May 03, 2005 6:52 PM
To: Lein, Jerry R.
Cc: stanj@vcicompany.com
Subject: RE:

Hi Jerry,

I've read over the information you've provided and VCI is happy to address these issues at a hearing with the commission

I'll provide a brief response to each issue as I would respond at a hearing

USAC LETTER FROM PAM GALLANT

1. USAC letter from Pam Gallant suggests that the VCI price sheet indicates VCI would automatically block access to interexchange and operator services

Answer VCI price sheet does not suggest automatic blocking of access to interexchange and operator services VCI is required by law to offer the option to the customer and does so. VCI by experience realizes that our customers call to sign up for service from a payphone because they do not have service in their home and the reason provided for lack of service is outstanding bills with the local provider, the bulk of which consists of long distance that they used and could not pay for. Customers are eager to allow toll blocking in order to prevent their bills from growing beyond their ability to pay VCI specializes in providing customers all the options available to them to keep their bills low so they can afford their service every month and not be disconnected as in the past Having said that, toll blocking is an option and customers can elect to have access to toll services at no cost

COMMISSIONER WEFALD's "REFERENCE" CHECK

1. Wyoming did not know if VCI is presently offering services in Wyoming

Answer VCI has over 5,000 lifeline customers in the state of Wyoming

2. Oregon said consumers who are no longer qualified to receive ETC funds are not taken off VCI's list.

Answer VCI recently met with Oregon because they have no accurate method to determine "real-time" if a customer is eligible or not Oregon acknowledged that they are at least 30 days behind in determining eligibility and the list they provide us of ineligible customers is inaccurate when provided to VCI and most customers re-qualify prior to the list being supplied to VCI VCI opted historically not to disconnect or raise rates on customers when the system is inaccurate and can cause low-income customers to have service wrongfully terminated or rates increased without justification What is not mentioned here is that VCI does this at their own expense since Oregon does not pay VCI for customers they say are ineligible while VCI keeps the lines discounted pending re-certification by the customer and updating of Oregon's TAP records to be consistent with the Human Resources dept

3. Oregon said they have received complaints of high rates

Answer VCI has LOWER rates for comparable service than the incumbent Other providers such as MCI and ATT have left the residential market for inability to provide affordable service VCI has more customers leave the

15 PU-05-28

Pages 3

5/16/2005

VCI's Response to Commissioner Wefalds
 request
 by Public Service Commission by Jerry Lein
 05/12/2005 CC Comm Legal Ilona Jerry

incumbent for VCI service than leaving VCI for the incumbent which is testimony to VCI being the preferred carrier for lifeline customers in Oregon and this fact holds true in all states VCI serves

4 Oregon said they have received complaints that VCI disconnect notice is too short

Answer VCI has adopted the MOST highly regulated rules regarding disconnection from the state of Washington as the policy and procedure in all states VCI, in compliance with Washington rules, provides every customer a bill at the beginning of the month that allows 15 days to pay After the 15 days has expired, VCI provides every customer a separate disconnection notice in the mail that allows 8 additional business days to pay before disconnection During those 8 business days, VCI calls each customer on at least 2 different occasions to notify of pending disconnect and tracks the times and responses of those calls This process well exceeds Oregon rules and/or any rules VCI has experienced in any state for which service is provided.

5 Oregon said there is no complaint process and that they do not regulate resellers

Answer Oregon DOES have a complaint process and the rules and laws in Oregon DO apply to VCI Having served over 15,000 customers in the state of Oregon, VCI has had 2 inquiries to the Oregon staff regarding VCI service Neither inquiry resulted in action against VCI for violations of any rule

6. Washington doesn't appear to have any concerns with VCI

7. USAC letter states that VCI claimed third tier support for IOWA without prior approval from Iowa The rule provides VCI to receive Tier III support provided VCI extends a discount to the consumer which VCI has done There has never been a formal process in Iowa to allow for this charge and thus VCI did not request a specific review of the rule After being notified by USAC of their requirement to have IOWA issue a separate ruling regarding tier III, VCI has since submitted a formal request for review which is now pending with the Iowa Commission

QUESTIONS

1. VCI does offer equal access to interexchange services and provides the letter submitted to ND by the FCC to every customer on every bill which exceeds any notification criterion provided to the consumer by any carrier in states that VCI services.
2. VCI allows customers to have access to long distance in accordance with the FCC rules VCI provides the customer with an option to accept or block toll
3. Regarding Tier III support and consideration of whether VCI should receive this support it is important to consider that in order for VCI to receive this \$1 75 tier III support, VCI must extend a company discount on the price of service to the customer of twice that amount or \$3 50 which means the customer will ultimately receive \$5 25 off of their bill in addition to the \$6 50 SLC charge waiver and the \$1 75 Tier II support for a grand total discount of \$13 50 VCI contends that this is an important discount for the consumer
4. Regarding new ETC requirements VCI already complies with the new requirements and will do so in the state of ND Specifically, VCI will require proof of income with the letter of authorization signed by the customer AND VCI will audit a statistically significant number of their customers yearly for ongoing eligibility certification

Sorry so long winded Jerry, but VCI is providing a valuable service and has a very devoted and grateful customer base that recognizes our efforts to increase participation in the lifeline program through mass media advertisements and retention of these customers service through cost control options for the consumer

Please contact me with any and all questions or concerns We are eager to visit and discuss this program with staff and the commission upon your invitation

Thank you,
Stan Efferding
206-419-5948

From: Lein, Jerry R. [mailto:jlein@state.nd.us]

5/16/2005

Sent: Tuesday, May 03, 2005 2:33 PM
To: vilair@comcast.net
Cc: Scott, Sandi L.
Subject:

Stanley Efferding, Secretary/Treasurer
VCI Company

Stan – Attached is the memo from Commissioner Wefald that we discussed over the phone along with a copy of a communication from USAC Thanks

Jerry Lein
701 328-1035



Public Service Commission
Receipt of Payment

Receipt# 6233

Received 5/4/2005 Check# 4270 for \$326 20
Subject Utility Valuation

Docket # PU-05-28

VCI Company
3875 Steilacoom Blvd. SW #A
Lakewood WA 98499

14 PU-05-28

Pages 1

Receipt# 6,233 \$326 20

by VCI Company

05/04/2005

Scott, Sandi L.

From: Lein, Jerry R.
Sent: Tuesday, May 03, 2005 4 33 PM
To: 'vilaire@comcast.net'
Cc: Scott, Sandi L.
Attachments: SCAN0331_000.pdf, PDF-Z6BPRb.pdf

Stanley Efferding, Secretary/Treasurer
VCI Company

Stan – Attached is the memo from Commissioner Wefald that we discussed over the phone along with a copy of a communication from USAC. Thanks

Jerry Lein
701 328-1035

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Commissioner Wefald's Memo and USCA's
correspondence e-mailed to VCI
by Public Service Commission

5/4/2005

05/04/2005

CC Comm Legal Ilona Jerry

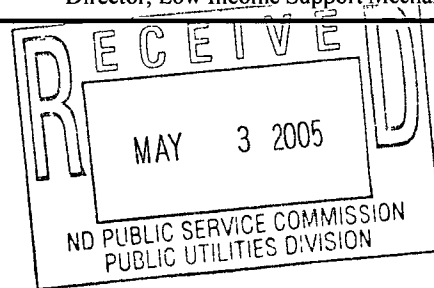


Universal Service Administrative Company
High Cost & Low Income Division

Pamela Gallant
Director, Low Income Support Mechanisms

April 28, 2005

Jerry Lein
North Dakota Public Service Commission
600 East Boulevard, Dept. 408
Bismarck, ND 58505-0480



Dear Mr. Lein:

I have attached the letter from VCI Company to the Universal Service Administrative Company (USAC) that sets out the conditions under which VCI Company's Lifeline customers can obtain access to interexchange and operator services. Before VCI Company could receive any federal Low Income support, the Federal Communications Commission (FCC) required VCI Company to agree to offer access to interexchange and operator services under the three methods set out in the letter and required the company to make all of its current and future customers aware of these ways of obtaining access to interexchange and operator services. The FCC specifically required VCI Company to sign a letter agreeing to these terms before the company could receive federal support in Washington, Oregon and Wyoming, and VCI Company has voluntarily agreed to meet these conditions in all the states in which it conducts business, as it states in the attached letter.

The FCC imposed these conditions on VCI Company because the company's price sheets indicated it would automatically block its customers from having access to interexchange and operator services. Under the FCC's rules, eligible telecommunications carriers must offer both access to operator services and access to interexchange services (47 C.F.R. §§ 54.101(a)(6)-(7), 54.101(b)).

Please do not hesitate to contact me if you need any additional information.

Sincerely,

Pamela Gallant
Director, Low Income Support Mechanisms
attachment

12 PU-05-28

Pages 2

Letter re conditions under which VCI's Lifeline customers can obtain access by Universal Service Administrative Co

05/03/2005

CC Comm Legal Ilona Jerry

VCI Company
3875 Steilacoom Blvd SW #A
Lakewood, Wa. 98499
206-419-5948
fax 253-475-6328

April 13, 2005

USAC
Universal Service Administrative Company
High Cost & Low Income Division
2120 L Street, N.W. Suite 600
Washington, DC 20037

Attn: Pamela Gallant, Director, Low Income

As directed, VCI Company will notify all current and future Iowa and Idaho customers, and all customers of all other states in which VCI conducts business, of the following 3 options.

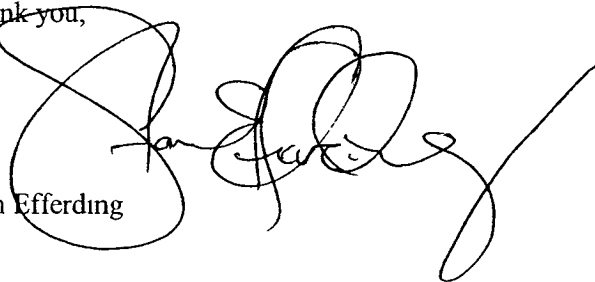
1. VCI will lift toll blocking, at no charge to the customer, if the customer establishes a direct relationship with an interexchange carrier. The interexchange carrier may require a service deposit, depending upon the customer's credit history, but VCI will not require a deposit for this option.
2. VCI will lift toll blocking, at no charge to the customer, even if the customer does not identify a presubscribed interexchange carrier, but VCI may require a service deposit, depending upon the customer's credit history. Customers must also be informed that, under this option they will not be able to place 1+ dialed toll calls.
3. VCI will lift toll blocking to operator services, at no charge to the customer, but VCI may require a service deposit, depending upon the customer's credit history.

The above language, in its entirety, will be included on every customer bill run to satisfy the requirement of notifying existing and future customers in all states in which VCI conducts business.

Please contact me with any questions or concerns.

Thank you,

Stan Efferding

A handwritten signature in black ink, appearing to read 'Stan Efferding', is written over the printed name. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

To Commissioners Clark and Cramer
From Commissioner Wefald

After we had the informal hearing on the VCI Eligible Telecommunications Carrier application, I called a few of the states that VCI referred to in their application. (Jerry Lein sat in on the calls.) Since this is the first eligible carrier application that we have considered where the company is not already operating in our state, I wanted to do a "reference" check.

Wyoming - They have been granted an ETC designation in Wyoming. The staff member I talked to sent a copy of the Wyoming order from 2004 and did not know if the company is presently offering services in Wyoming.

Oregon – Oregon has its own state ETC fund which compliments the federal fund. Therefore, they do their own audits of companies for proper receipt of ETC funds. Demara Paris who works with the Oregon ETC fund said that consumers who are no longer qualified to receive ETC funds are not taken off VCI's list. It takes a lot of time to go after them and verify recording requirements. They said that they have received complaints that VCI's rates are high and their disconnect notice is so short. They cannot file a formal complaint of regular customer issues because they do not regulate resellers.

Washington – Washington has its own state ETC fund which compliments the federal fund. They had trouble with VCI for a year or two in regard to reporting requirements for their Washington ETC fund, but in 2005 things are much better. They said that once VCI learns the rules, they follow the rules.

USAC – VCI toll blocks all lifeline customers, and claims toll limitation support from USF for all these customers. Every VCI customer in the USAC system has toll blocking in place. (VCI receives reimbursement from USAC for toll blocking costs for each customer.) VCI has sent a letter to FCC spelling out how it intends to deal with toll blocking in the future. USAC is sending us a copy of this letter

USAC also said that in Iowa VCI claimed third tier support in first report to USAC even though Iowa Utilities Board has not yet approved third tier support. VCI is a newly designated ETC in Iowa.

Questions:

Does VCI offer equal access to interexchange services, a requirement of the Federal Act, if all customers have toll blocking in place?

The Federal Act defines toll blocking as "a service provided by carriers that lets consumers elect not to allow the completion of outgoing toll calls from their

telecommunications channel. (emphasis added.). Does VCI allow customers to have long distance access?

Have we already approved third tier funding for all ETC's? If not, do we want to approve the additional reduction of \$1.75 in the amount paid by consumers so that the additional federal Lifeline support in the amount of \$1.75 will be made available to VCI? Does the VCI tariff to be filed in North Dakota deal with third tier funding correctly?

The FCC approved new ETC requirements in February 2005, and their order was published in March 2005. The order encourages all states to implement these requirements so that there is a more predictable ETC process. Should the PSC consider requiring VCI to meet the requirements of the new ETC guidelines, since the PSC has not yet approved VCI's application? (see paragraph 58, March 17, 2005 FCC Order)

Suggestion:

Perhaps we should consider holding a formal hearing on this application so that VCI has a chance to answer these questions and the Commission has information on the record to consider these questions.

APPROVED

DATE: 4-20-05 MOTION

KMF April 20, 2005

VCI Company
Designated Eligible Carrier
Application

Case No PU-05-28

I move the Commission bill VCI Company for costs incurred to date in
Case No PU-05-28, VCI Company, Designated Eligible Carrier, Application



Public Service Commission

State of North Dakota

COMMISSIONERS

Tony Clark, President
Susan E. Wefald
Kevin Cramer

Executive Secretary
Ilona A. Jeffcoat-Sacco

600 E. Boulevard Ave. Dept 408
Bismarck, North Dakota 58505-0480
web: www.psc.state.nd.us
e-mail: ndpsc@state.nd.us
TDD: 800-366-6888
Fax: 701-328-2410
Phone: 701-328-2400

April 20, 2005

Stan Efferding
VCI Company
3875 Steilacoom Blvd SW #A
Lakewood WA 98499


RE Case No. PU-05-28
VCI Company
Designated Eligible Carrier
Application

Enclosed is a copy of the statement approved at the April 20, 2005 Public Service Commission meeting for the expenses incurred to date in Case No. PU-05-28.

Under N.D.C.C. 49-21-01.7, these expenses are billed through the Valuation Fund and must be paid for by the telecommunications company involved.

Please make your check payable to the *Public Service Commission*.

Sincerely,


Gloria Geiger
Admin Staff Officer
701-328-2401

Enc

Billing Statement

April 20, 2005

VCI Company
Designated Eligible Carrier
Application

Case No. PU-05-28

Bill To:

VCI Company... .. \$326.20

Expenses Incurred to Date:

Advertising Costs \$326.20

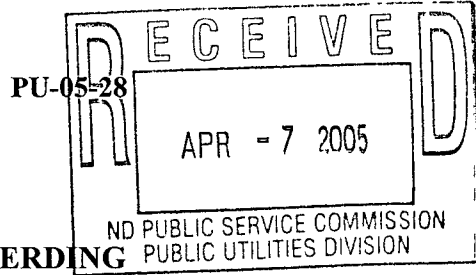
Send Payment and a Copy of this Statement To:

Public Service Commission
600 E Boulevard Ave Dept 408
Bismarck ND 58505-0480

Federal Tax ID 45-0309764

BEFORE THE NORTH DAKOTA PUBLIC SERVICE COMMISSION

**IN THE MATTER OF THE PETITION OF VCI)
COMPANY FOR DESIGNATION AS AN)
ELIGIBLE TELECOMMUNICATIONS)
CARRIER.)**



AFFIDAVIT OF STAN EFFERDING

STATE OF WASHINGTON)
) ss.
COUNTY OF PIERCE)

Stan Efferding, upon being first duly sworn according to law, under oath, deposes and states:

1. That I am Secretary/Treasurer for the Petitioner in the above-captioned case.
2. That VCI will offer the services that are supported by the federal universal service support mechanisms, and offer the services designated by the FCC for such federal support mechanisms for schools, libraries, and health care providers.
3. That VCI Lifeline and Link-Up offerings will meet the requirements established by the FCC and the North Dakota Lifeline Plan and Link Up Plan.
4. That VCI will advertise the availability of such services and the charges therefore using a media of general distribution which will include television advertisement, mailers, and bill inserts
5. That the above statements are true and accurate, based on my own personal knowledge and belief.

SIGNED this 6TH day of APRIL, 2005.

Stan Efferding

STAN EFFERDING

SUBSCRIBED AND SWORN to before me on April 6, 2005, by Stan Efferding.

Cynthia C. Sims
Notary Public

(Seal, if any)

My commission expires: 6-19-05



**North Dakota Public Service Commission
INFORMAL HEARING
April 6, 2005**

**VCI Company
Designated Eligible Carrier
Application**

**PU-05-28
Filed: 1/18/05**

Summary of Proposal: VCI Company (VCI) of Lakewood, WA has filed an application for designation as an Eligible Telecommunications Carrier in each of the Qwest exchange areas.

Procedural History: On January 18, 2005, the Commission issued a Notice of Opportunity for Hearing that provided until March 7, 2005 for receiving comments or hearing requests. No response has been received. On January 27, 2005 VCI filed clarifying amendments to its application and an affidavit.

Discussion: VCI was incorporated as a privately held Washington corporation on November 23, 2003. Prior to incorporation the company operated as a sole-proprietorship under the name of its current secretary/treasurer, Stanley Efferding d/b/a Vilaire or Vilaire Communications.

VCI was registered in North Dakota to resell interexchange and local services on September 22, 2004 in Case No. PU-04-464 and was issued a PC&N to provide facilities based local and interexchange service on November 18, 2004 in Case No. PU-04-465. At the time of its PC&N application VCI planned to provide local and toll services primarily to residential and low-income customers in Qwest exchanges. VCI now requests ETC designation for the purpose of providing local exchange service to Lifeline and Link Up customers. VCI reports that it has been designated as an ETC in Washington, Wyoming and Oregon.

To be designated as an eligible telecommunications carrier, a carrier must: (1) offer the services that are supported by federal universal service support mechanisms, and offer the services designated by the FCC for such federal support mechanisms for schools, libraries, and health care providers; and (2) advertise the availability of such services and the charges therefore using media of general distribution. The FCC's universal service rules can be viewed on the web at http://www.access.gpo.gov/nara/cfr/waisidx_04/47cfr54_04.html

For telecommunications customers, the services designated by the FCC for support by universal service support mechanisms include voice grade access to the public switched network, local usage, dual tone multi-frequency signaling or its functional equivalent, single-party service or its functional equivalent, access to emergency services, access to operator services, access to interexchange service, access to directory assistance and toll limitation for qualifying low-income consumers including Link Up under 54 CFR part 411 and Lifeline under 54 CFR part 405.

For schools and libraries, the service designated by the FCC for support by universal support mechanisms include all items listed on the most recent annual

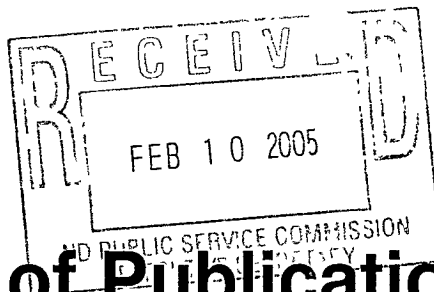
Eligible Services List of the Schools and Libraries Support Mechanism of the Universal Service Administrative Company dated October 5, 2004. http://www.sl.universalservice.org/data/pdf/EligibleServicesList_102704.pdf

For health care providers, the services supported by universal service support mechanisms include any telecommunications service that is used primarily for the provision of health care.

FCC study area waivers should not be needed because each of the Quest exchanges for which VCI seeks designation is already a separate study area.

Recommendation: VCI intends to file a revised affidavit to clarify; 1) its advertising plans, 2) that it will offer all designated schools, libraries and healthcare services, and 3) that its Lifeline and Link Up offerings will meet the requirements established by the FCC and the North Dakota Lifeline Plan and Link Up Plan. Assuming receipt of the affidavit, then I recommend approval.

Prepared by: Jerry Lein



Affidavit of Publication

Colleen Park, being duly sworn, state as follows:

1. I am the designated agent, under the provisions and for the purposes of, Section 31-04-06, NDCC, for the newspapers listed on the attached exhibits.
2. The newspapers listed on the exhibits published the advertisement of:
PSC, VCI Company PU-05-28, 1 time(s)
as required by law or ordinance.
3. All of the listed newspapers are legal newspapers in the State of North Dakota and, under the provisions of Section 46-05-01, NDCC, are qualified to publish any public notice or any matter required by law or ordinance to be printed or published in a newspaper in North Dakota.

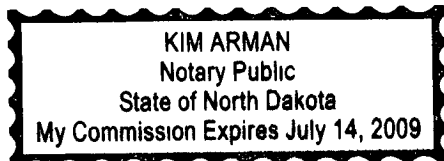
Signed: Colleen Park

State of ND

County of Burleigh

Subscribed and sworn to before me this 9 day of February 20 05.

Kim Arman





North Dakota Newspaper Association

1435 Interstate Loop
Bismarck, ND 58503-0567
Ph (701) 223-6397 • Fax (701) 223-8185

INVOICE

FEB 10

Order **20170-05021PP2** Invoice # **51001**

February 9, 2005

Attn: ILLONAA. JEFFCOAT-SACCO
PUBLIC SERVICE COMMISSION
600 E. BOULEVARD AVE.
STATE CAPITOL
BISMARCK, ND 58505

Voice 701-328-4076

Advertiser: **Public Utilities Division**

P O.#. **PU-05-28**

Amount Due **\$326.20**

Amount Paid

Please detach and return this portion with your payment

Public Utilities Division Invoice # 20170-05021PP2-51001 PO# PU-05-28

Ad Size	Rate Type	Rate	Total	Discount (%)	Caption	Page	Run Date
DAILY							
Bismarck Tribune (Bismarck ND)							
51 00	SPR2	0.64	32.64	0.00	VCI Company		02/02/05
Devils Lake Daily Journal (Devils Lake ND)							
52 00	SPR2	0.63	32.76	0.00	VCI Company		02/02/05
Dickinson Press (Dickinson ND)							
56 00	SPR2	0.57	31.92	0.00	VCI Company		02/02/05
Fargo, The Forum (Fargo ND)							
48 00	SPR2	0.71	34.08	0.00	VCI Company		02/07/05
Grand Forks Herald (Grand Forks ND)							
48 00	SPR2	0.69	33.12	0.00	VCI Company		02/03/05
Jamestown Sun (Jamestown ND)							
57 00	SPR2	0.54	30.78	0.00	VCI Company		02/02/05
Minot Daily News (Minot ND)							
59 00	SPR2	0.54	31.86	0.00	VCI Company		02/02/05
Valley City Times-Record (Valley City ND)							
51 00	SPR2	0.61	31.11	0.00	VCI Company		02/02/05
Wahpeton Daily News (Wahpeton ND)							
71 00	SPR2	0.51	36.21	0.00	VCI Company		02/02/05
Williston Herald (Williston ND)							
52 00	SPR2	0.61	31.72	0.00	VCI Company		02/02/05

Gross Advertising	326.20	Total Misc	0.00	Amount Paid	0.00
Agency Discount		Tax	0.00	Adjustments	0.00
Other Discount	0.00	Total Billed	326.20	Payment Date	
Service Charge	0.00	Unbilled	0.00	Balance Due	326.20

7

PU-05-28

Pages 1

Affidavit of Publication

by North Dakota Advertising Service, Inc

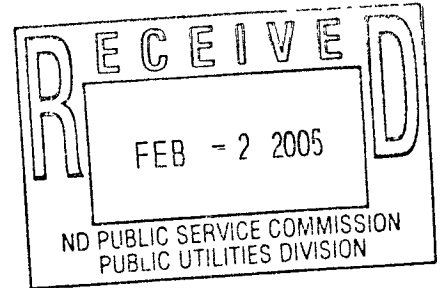
02/10/2005

CC Comm Legal Ilona Jerry

State Of North Dakota
Public Service Commission
Notice Of Opportunity For Hearing
Case No. PU-05-28
January 26, 2005

Bismarck	2-2
Devils Lake	2-2
Dickinson	2-2
Fargo	2-7
Grand Forks	2-3
Jamestown	2-2
Minot	2-2
Valley City	2-2
Wahpeton	2-2
Williston	2-2

VCI Company
3875 Steilacoom Blvd Sw Suite A
Lakewood, Washington 98498
Telephone: 800-923-8375
Facsimile: 253-475-6328
www.vcicompany.com



January 27, 2005

Illona Jeffcoat-Sacco, Executive Secretary
Public Service Commission of North Dakota
600 E Boulevard Ave , Dept 408
Bismarck, North Dakota 58505-0480

Re VCI Company – Revised Petition for Designation as an Eligible Telecommunications Carrier providing service to customers under the North Dakota Lifeline/Link-Up Telephone Assistance Program

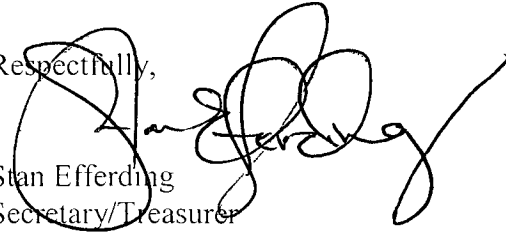
Dear Ms Jeffcoat-Sacco

VCI Company (“Applicant”) hereby submits the following correction to your requests for amendment to our Eligible Telecommunications Carrier Petition (“ETC”) Also, attached is an affirmative affidavit stating that VCI Company will provide necessary list of services required for ETC designation by the FCC Rules

- 1 Please add WAHPETON exchange to the list of petition proposed service areas
- 2 Please change FARGO-MOOREHEAD to just FARGO
- 3 Please change EMERADO RSC to just EMERADO
- 4 Please remove WEST FARGO exchange from the petition proposed service areas

If you need additional information, please feel free to contact me

Respectfully,


Stan Efferding
Secretary/Treasurer
206-419-5948
vilaire@comcast.net

6

PU-05-28

Pages 2

Correction amendments and Affidavit

by VCI Company by

02/02/2005

CC Comm Legal Illona Jerry

AFFIDAVIT OF SERVICE

In the matter of the Petition by VCI Company)
For Designation as an Eligible telecommunications)
Carrier providing service to customers under the)
North Dakota Universal Lifeline/Link-Up)
Telephone Service Program)

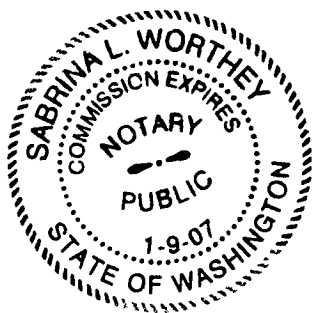
I, Stan Efferding, being first duly sworn on oath, deposes and states that VCI Company ("Applicant"), immediately upon the Commission's issuance of an Order approving VCI's petition, will provide all the necessary services supported by the Universal Service Fund under CFR §54 101, as adopted by the Federal Communications Commission ("FCC") on May 8, 1997 VCI already complies and will continue to comply will all FCC Rules including federal high cost support and will advertises the availability of its universal service offering throughout its ETC proposed service area through television advertisement daily and through its website at www.vcicompany.com

For an acknowledgement in an individual capacity

State of WA.
County of PIERCE

I certify that I know or have satisfactory evidence that STAN EFFERDING is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument and acknowledged to be (his/her) free and voluntary act for the uses and purpose mentioned in the instrument

Date 1/28/05



Sabrina L. Worthey
Signature

Personal Banker
Title

My appointment expires Jan 9, 2007

Stan Efferding
Secretary/Treasurer
VCI Company
206-419-5948

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

VCI Company
Designated Eligible Carrier
Application

Case No. PU-05-28

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Sharon Helbling deposes and says that

she is over the age of 18 years and not a party to this action and, on the **27th day of January, 2005**, she deposited in the United States Mail, Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and each containing a photocopy of

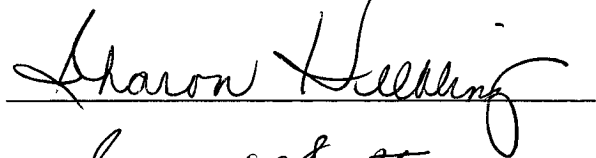
Notice of Opportunity for Hearing


The envelope was addressed as follows.

Stan Efferding
VCI Company
3875 Steilacoom Blvd SW #A
Lakewood WA 98499
Cert. No. 7003 2260 0001 3517 9466

Each address shown is the respective addressee's last reasonably ascertainable post office address

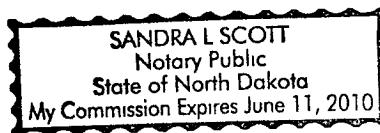
Subscribed and sworn to before me
this **27th day of January, 2005**.





Notary Public

SEAL



STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

VCI Company
Designated Eligible Carrier
Application

Case No. PU-05-28

AFFIDAVIT OF SERVICE BY ORDINARY MAIL OR E-MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Sharon Helbling deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **27th day of January, 2005**, she deposited in the United States Mail, Bismarck, North Dakota, envelopes by first class mail, fully prepaid, securely sealed, and e-mailed, each containing a photocopy of.

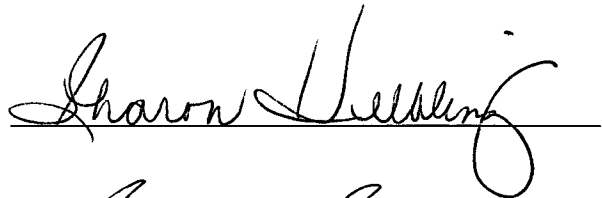
Notice of Opportunity for Hearing

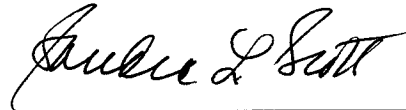
The envelopes were addressed as follows

See Attached List

Each address shown is the respective addressee's last reasonably ascertainable post office address

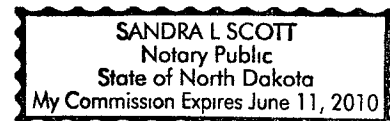
Subscribed and sworn to before me
this **27th day of January, 2005**





Notary Public

SEAL



mariep@telcogroupinc.com
Marie Pierre-Paul

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William Brudvik

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Minneapolis MN 55403-0343

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Bantz Gosh & Cremer LLC
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Glenn Richards
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Hazen ND 58545-0467

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Jennifer Sikes
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Ann Faught
Absaraka Co-op Tele Co
Absaraka ND 58002

Advanced Telcom Inc
19 Old Courthouse Sq
Santa Rosa CA 95404-4920

Kimberly Nielsen
AT&T Wireless
7277 164th Ave NE RTC-1
Redmond WA 98052

John Broten
Bell Atlantic Communications Inc
1320 N Court House Rd 9th Fl
Arlington VA 22201

BullsEye Telecom, Inc.
25900 Greenfield Rd Ste 330
Oak Park MI 48237

Scott Geston
Cable One of Fargo
P O Box 10624
Fargo ND 58106-0624

Robert Fallan
Coast International
14303 W 95th St
Lenexa KS 66215-5210

Computer Integrated Communications Inc
8502 Bells Mill Rd
Potomac MD 20854-4071

Consolidated Telcom
PO Box 1077
Dickinson ND 58601-1077

Patrick Summers
360networks (USA) inc
867 Coal Creek Cir Ste 160
Louisville CO 80027-4670

ACN Communications Services Inc
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Farmington Hills MI 48334

Arch Paging
11437 Valley View Rd
Eden Prairie MN 55344

Jack Medaris
Atlas Communications LTD
P O Box 807
Conshohocken PA 19428-0807

Budget Phone Inc
6901 W 70th St
Shreveport IL 71129

C12 Inc
200 Galleria Pkwy Ste 1200
Atlanta GA 30339

Citizens Telecomm Co of Minnesota
3 High Ridge Park
Stamford CT 06905

Beth Choroser
Comcast Business Communications Inc
1500 Market St
Philadelphia PA 19102

Consolidated Communications Networks
Inc
507 S Main
Dickinson ND 58601

Contact Communications
937 W Main St
Riverton WY 82501

Anthony Barrett
Covista Inc
4803 Hwy 58 N
Chatanooga TN 37416

D D D Calling Inc
6300 Richmond Ave Ste 304
Houston TX 77057

Keith Larson
Dakota Central Tele Coop
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Carrington ND 58421-0299

Keith Larson
Dakota Central Telecom I
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Carrington ND 58421-0299

William Jackson
Dakota Justice
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Dave Dircks
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Devils Lake ND 58301-0180

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Ellendale ND 58436-0069

Dickey Rural Services Inc
P O Box 69
Ellendale ND 58436

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New Haven CT 06511

Easton Telecom Services Inc
3046 Brecksville Rd #A
Richfield OH 44286-9399

Regulatory Dept
Essential.com Inc
5 Bragdon Ln Ste 200
Kennebunk ME 04043

Evercom Systems Inc
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Irving TX 75063-2824

Chere Heintzmann
Extend America Inc
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Bismarck ND 58504-5654

Dave Waters
Fairpoint Communications Solutions
521 E Morehead St Ste 250
Charlotte NC 28202-2695

Lawrence Freedman
Fleischman & Walsh
1919 Pennsylvania Ave NW Ste 600
Washington DC 20006-3420

France Telecom Corporate Solutions LLC
2300 Corporate Park Dr Mailstop SPO60
Herndon VA 20171

Global Tel*Link Corporation
2609 Cameron St
Mobile AL 36607-3104

GLOBCOM INCORPORATED
2100 Sanders Rd Ste 150
Northbrook IL 60062

Granite Telecommunications LLC
234 Copeland St
Quincy MA 02169

Griggs County Telephone Co
P O Box 506
Cooperstown ND 58425-0506

Houlton Enterprises Inc
2201 W Bdwy Ste 1
Council Bluffs IA 51501

Julia Waysdorf
ICG Telecom Group Inc
161 Inverness Dr W
Englewood CO 80112

Ken Hanks
International Telcom Ltd
417 2nd Ave W
Seattle WA 98119

David A. Huberman
Intrado Communications Inc
1601 Dry Creek Dr
Longmont CO 80503-6493

James Valley Coop Telephone Co
235 E 1st Ave
Groton SD 57445

Myer Shark
Knollwood Place Apts #221
3630 Phillips Pkwy
St Louis Park MN 55426

Level 3 Communications LLC
3555 Farnam St
Omaha NE 68131

Jan Lowe
Long Dist Consolidated Billing Co
145 S Livernois Rd #199
Rochester MI 48307-1837

Marilyn Foss
MCI WorldCom Inc
707 17th St Ste 3600
Denver CO 80202

MCImetro Access Transmission Services
707 17th ST Ste 3600
Denver CO 80202

HTC Services Inc
P O Box 55
Halstad MN 56548

Robert K Johnson
IdeaOne Telecom Group LLC
3239 39th St SW
Fargo ND 58104

Intrado Communications Inc
1601 Dry Creek Dr
Longmont CO 80503-6493

Nanette Edwards
ITC DELTACOM INC
7037 Old Madison Pike NW #400
Huntsville AL 35806-2107

KMC Telecom V Inc
1545 Rt 206
Bedminster NJ 07921

Thomas K Crowe
Law Offices of Thomas K Crowe PC
1250 24th St NW Ste 300
Washington DC 20037

Local Telcom Holdings LLC
485 Madison Ave 15th Fl
New York NY 10022-5803

Steven Katka
Loretel Systems Inc
13 E 4th Ave
Ada MN 56510

Michel Murray
MCI WorldCom Inc
707 17th St Ste 3600
Denver CO 80202

McKenzie Consolidated Telecom LLC
P O Box 1408
Dickinson ND 58602-1408

McLeodUSA
P O Box 3177
Cedar Rapids IA 52406-3177

Gordon Wilhelm
Midstate Communications Inc
PO Box 400
Stanley ND 58784-0400

Minnesota Independent Equal Access Corp
300 S Hwy 169
Minneapolis MN 55426

Jim Arbury
National Multi Housing Council
1850 M St NW Ste 540
Washington DC 20036

New Edge Network Inc
3000 Columbia House Blvd Ste 106
Vancouver WA 98661

Carmine Russo
North Dakota Big Sky Telecom
374 Ansin Blvd
Hallandale FL 33009

Steven Lysne
North Dakota Network Co
P O Box 2027
Minot ND 58702-2027

NOW Communications Inc
711 S Tejon St Ste 201
Colorado Springs CO 80903

Brad Van Leur
OrbitCom Inc
1701 N Louise Ave
Sioux Falls SD 57107

Premiere Network Services Inc
1510 N Hampton Rd Ste 120
DeSoto TX 75115

Midcontinent Communications
410 South Phillips Ave
Sioux Falls SD 57104

Mark Wilhelm
Midstate Telephone Co
PO Box 400
Stanley ND 58784-0400

Mike Strand
MITS
PO Box 5237
Helena MT 59604-5237

Dave Crothers
NDATC
Box 1144
Mandan ND 58554-1144

Bob Edgerly
Nextel West Corp
2001 Edmund Halley Dr
Reston VA 20191

Dave Dircks
North Dakota Long Distance Inc
P O Box 180
Devils Lake ND 58301-0180

Dave Dircks
North Dakota Telephone Company
PO Box 180
Devils Lake ND 58301-0180

Mary Buley
Onvoy Inc
300 South Highway 169
Minneapolis MN 55426

Jeff Walker
Preferred Carrier Services Inc
14681 Midway Rd Ste 105
Dallas TX 75001

Primus Telecommunications Inc
1700 Old Meadow Rd 3rd Fl
McLean VA 22102

Scott Lee
Protel Advantage Inc
1308 Medora Rd
St. Paul MN 55118-1734

Public Communications Services Inc
11859 Wilshire Blvd Ste 600
Los Angeles CA 90025

QuantumShift Communications Inc
88 Rowland Way Ste 200
Novato CA 94945-5000

Kristin L Smith
Qwest
1801 California St Ste 4700
Denver CO 80202

Melissa Thompson
Qwest Corporation
1801 California St 49th Fl
Denver CO 80202

Qwest Interprise America Inc
1801 California St 49th Fl
Denver CO 80202

Dean Polkow
RCC Network Inc
PO Box 2000
Alexandria MN 56308-2000

Reliant Communications Inc
801 International Pkwy 5th Fl
Lake Mary FL 32746

Kimberly Nielson
RTC-1
Legal & External Affairs
7277 164th Ave NE
Redmond WA 98052

Sandra Adams
NewPath Holdings Inc
4364 114th St
Des Moines IA 50322

ServiSense.com Inc
60 Glacier Dr #3000
Westwood MA 02090-1818

Arthur H Paquette
SNET America Inc
310 Orange St
North Haven CT 06510-1719

Andrew Jones
Sprint
6391 Sprint Pkwy
Overland Park KS 66251-6100

SRT Communications Inc
P O Box 2027
Minot ND 58702-2027

Randy Burckhard
SRT Communications Inc
P O Box 2027
Minot ND 58702-2027

Harris Saele
T P C Inc
PO Box 180
Devils Lake ND 58301-0180

Tel Tech Inc
1300 W 57th St Ste G204
Sioux Falls SD 57108-2885

Jack Medaris
Telco Partners Inc
P O Box 807
Conshohocken PA 19428-0807

William Staycoff
Telcom Billing Services Inc
2989 Brookdale Dr
Brooklyn Park MN 55444

Al Bosch
Tele-Beep Company
PO Box 7072
Bismarck ND 58502-7072

Telera Communications Inc
910 E Hamilton Ave Ste 200
Campbell CA 95008

Jonathan Marashlian
The Helein Law Group P C
8180 Greensboro Dr Ste 700
McLean VA 22102

T-Netix Inc
P O Box 701028
Dallas TX 75370-1028

Trans National Comm Internat'l Inc
2 Charlesgate West
Boston MA 02215

Trinsic Communications Inc
601 S Harbour Island Blvd Ste 220
Tampa FL 33602-5925

Kenneth Carlson
Turtle Mountain Communications
PO Box 729
Langdon ND 58249-0729

United Communications HUB Inc
10390 Commerce Ctr Dr Ste 250
Rancho CA 91730-5860

Kenneth Carlson
United Telephone Mut Aid Corp
P O Box 729
Langdon ND 58249-0729

Christina Tygielski
Universal Access Inc
Sears Tower 233 S Wacker Dr Ste 600
Chicago IL 60606-6307

Dennis Houston
Universal Network Services of ND
1572 North Batavia St Ste 1A
Orange CA 92867

Val-Ed Joint Venture LLP
702 Main Ave
Moorhead MN 56560

VCI Company
3875 Steilacoom Blvd #A
Lakewood WA 98498

Randy Houdek
Venture Communications Inc
PO Box 157
Highmore SD 57345-0157

David Armev
Verizon Communications
750 SH121 Bypass Ste 100
Louisville TX 75067

Molli Harper
Verizon Wireless
6350 E Crescent Pkwy Ste 200
Greenwood Village CO 80111

West River Coop Telephone Co
P O Box 39
Bison SD 57620-0039

Darrell Henderson
West River Coop Telephone Company
PO Box 39
Bison SD 57620-0039

Doris Cooper
West River Long Distance Co
PO Box 467
Hazen ND 58545-0467

Mick Grosz
West River Telecomm Coop
PO Box 467
Hazen ND 58545-0467

Western CLEC Corporation
3650 131st Ave SE #400
Bellevue WA 98006

Carolyn Fodor
Winstar Communications
21290 Melrose Ave
Southfield MI 48075-7901

WTC Competitive Services Inc
P O Box 129
Park River MN 56594

XO Communications Services Inc
11111 Sunset Hills Rd
Reston VA 20190

Helbling, Sharon D.

From: Helbling, Sharon D
Sent: Thursday, January 27, 2005 7:43 AM
To: ndna
Subject: Notice of Opportunity for Hearing, Case Nos PU-04-620, PU-05-7, PU-05-25 and PU-05-28

Colleen Park
North Dakota Newspaper Association

Colleen.

Please have the two attached Notices of Opportunity for Hearing published as legal publications in the next issue of the ten North Dakota daily newspapers, and run them as "news item only" articles as well.

Send the bill to the Public Service Commission, along with a tear sheet for billing purposes.

If you have any questions, let me know.

Thank you

Sharon Helbling
Public Utilities Division



**1-26-05 1.doc (40
of Opportu KB)**

MOTION

January 26, 2005

APPROVED

DATE: 1-26-05
KMP

**VCI Company
Designated Eligible Carrier
Application**

Case No. PU-05-28

I move the Commission issue a Notice of Opportunity for Hearing in the application of VCI Company d/b/a Vilaire for designation as an Eligible Telecommunications Carrier for receiving federal universal service support.

JRL/sdh

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**VCI Company
Designated Eligible Carrier
Application**

Case No. PU-05-28

NOTICE OF OPPORTUNITY FOR HEARING

January 26, 2005

On January 18, 2005, VCI Company d/b/a Vilaire of Lakewood, WA filed a Petition for Designation as an Eligible Telecommunications Carrier (ETC) for receiving federal universal service support in the following North Dakota local exchanges currently served by Qwest Corporation: Belfield, Bismarck, Casselton, Dickinson, Fargo, Grand Forks, Emerado, Grafton Gardner, Hillsboro, Hatton, Jamestown, Kindred, Leonard, Larimore, Manvel, Minto, Mandan, Mayville, Northwood, Reynolds, Thompson, Valley City and Wahpeton.

The issues to be considered in these matters are:

1. Qualification of the applicant under the Telecommunications Act of 1996, Section 214(e) for designation as an ETC eligible to receive federal universal service funding.
2. What ETC universal service support area should be designated.

Those interested are invited to comment on the application in writing. Persons desiring a hearing must file a written request identifying their interest in the proceeding and the reasons for requesting a hearing. Comments and requests for hearings must be received by **March 7, 2005**. If deemed appropriate, the Commission can determine the matter without hearings.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials please notify Illona A. Jeffcoat-Sacco, Executive Secretary.

PUBLIC SERVICE COMMISSION



**Susan E. Wefald
Commissioner**

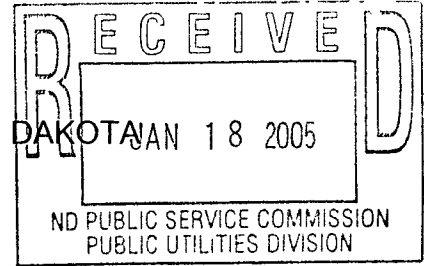


**Tony Clark
President**



**Kevin Cramer
Commissioner**

BEFORE THE
PUBLIC UTILITY COMMISSION OF NORTH DAKOTA



In the Matter of the Petition of VCI Company)
For Designation as an Eligible)
Telecommunications Carrier Providing Service)
To Customers under the North Dakota)
Lifeline/Link-Up Telephone Assistance Program)

Docket No: _____

**Petition for Designation
As An Eligible Telecommunications Carrier**

VCI Company ("Petitioner"), a registered NORTH DAKOTA competitive telecommunications provider providing wireline services primarily through the leasing of Unbundled Network Elements (UNE's), petitions the NORTH DAKOTA Public Utilities Commission ("Commission") for an Order designating it this Petition for Designation as an Eligible Telecommunications Carrier ("Petition") for purpose of providing local exchange service to NORTH DAKOTA residents qualifying for the NORTH DAKOTA Lifeline/Link-Up Telephone Assistance Program ("LITAP"). Petitioner provides the following information in support of its Petition

1. Petitioner's Service and Contact Information

The name and address of the Petitioner is VCI Company dba Vilaire, 3875 Steilacoom Blvd SW #A, Lakewood, WA 98499 Petitioner is a registered competitive carrier in the State of NORTH DAKOTA.

The name and title of the office or representative of Petitioner (VCI) authorizing this Petition is Stanley Efferding, Secretary/Treasurer whose signature appears at the end of this Petition.

The proposed effective date of designation of eligibility to receive Universal Service Support is immediately upon the Commission's issuance of an Order approving this Petition.

Petitioner's registration as a competitive local exchange carrier in Washington was approved in Docket No UT-021524 on December 10, 2002 Petitioner's application for Eligible Telecommunications Carrier Status in Washington was approved in Docket No. UT-033014 on April 23, 2003 Also approved as an ETC in Wyoming and Oregon.

2. Service to be Provided

- (a) Petitioner provides services supported by the Universal Service Fund under CFR §54.101, as adopted by the Federal Communications Commission ("FCC") on May 8, 1997, in Docket 96-45.
- (1) Voice grade access to the public switched network
 - (2) Local usage.
 - (3) Dual tone multi-frequency signaling or its functional equivalent.
 - (4) Single-party service or its functional equivalent.
 - (5) Access to emergency services. 'Access to emergency services' includes access to services, such as 911 and enhanced 911, provided by the local governments or other public safety organizations.
 - (6) Access to operator services.
 - (7) Access to interexchange services
 - (8) Access to directory assistance.
 - (9) Toll limitation for qualifying low-income consumers.
- (b) Petitioner provides these services primarily through the use of Unbundled Network Elements (UNE's) leased from Qwest Communications.

3 Service Area

The list of exchanges for which the Petitioner request designation as an Eligible Telecommunications Carrier (ETC) is set forth below. Petitioner is a competitive local exchange carrier (CLEC) authorized by the North Dakota Public Utilities Commission (NDPSC) to provide local exchange services in the exchanges of Qwest with Case No. PU-04-465. Petitioner request designation as an Eligible Telecommunications Carrier (ETC) in the following exchanges below. Petitioner will service each wire center through the use of Unbundled Network Elements leased from Qwest Communications.

BELFIELD
BISMARCK
CASSELTON
DICKINSON
FARGO-MOORHEAD
GRAND FORKS

EMERADO RSC
GRAFTON
GARDNER
HILLSBORO
HATTON
JAMESTOWN
KINDRED
LEONARD
LARIMORE
MANVEL
MINTO
MANDAN
MAYVILLE
NORTHWOOD
REYNOLDS
THOMPSON
VALLEY CITY
WEST FARGO

4 FCC Compliance

Petitioner is currently an ETC in the state of Washington, Oregon and Wyoming and complies with all FCC rules including federal high cost support and currently provides lifeline and linkup support to residents of tribal lands in areas approved for ETC status in Washington, Oregon and Wyoming. The following specific FCC rules and a detail of how Petitioner intends to comply are described below:

47 CFR 54.5 – terms and conditions

47 CFR 54.7 - Sec 54.7 Intended use of federal universal service support.

A carrier that receives federal universal service support shall use that support only for the provision, maintenance, and upgrading of Facilities and services for which the support is intended

Should Petitioner receive any federal universal service support, those monies would be used as intended by 47 CFR 54.7

47 CFR 54.101

Petitioner currently complies with all requirements of 47 CFR 54.101 in the state of Washington, Oregon and Wyoming as described above and was

obliged to prove compliance in order to be approved as a CLEC in the state of NORTH DAKOTA.

47 CFR 54.201

Petitioner complies with the definition of an ETC as required by 47 CFR 54.201 d (1) by servicing customers through the use of unbundled network elements (2) advertising in a media of general distribution as described in detail in this petition under 'advertising of services provided.'

47 CFR 54.203 - does not apply since Petitioner only services areas that are served by Qwest Corporation and therefore cannot be unserved areas.

47 CFR 54.205 - does not apply since Petitioner is not requesting to relinquish its ETC designation in areas served by more than one carrier.

47 CFR 54.207 - Petitioner will service all exchange service by Qwest Corporation in NORTH DAKOTA.

47 CFR 54.307 - Should Petitioner receive any high cost support from USAC, Vilaire would submit requests for support as required by 47 CFR 54.307.

47 CFR 54.313 - does not apply since it is a requirement of the state, not Petitioner.

47 CFR 54.400 - terms and definitions

47 CFR 54.401 - Petitioner already complies with these Federal Rules for service currently being provided in Washington, Oregon and Wyoming and will continue to do so in NORTH DAKOTA. Specifically, Petitioner will offer reduced charges to qualifying low income customers and provide toll limitation service and not charge deposits

5. Advertising of Services Provided

Petitioner advertises the availability of its universal service offering throughout its proposed ETC service area through television advertisement daily. The availability of Lifeline and Linkup information will also be listed on the Petitioner website at www.vcicompany.com

6. Service Quality Plan

Telephone Assistance Program (TAP) eligible customers will receive discounts in accordance with state and federal guidelines which will include lifeline and linkup discounts as well as state TAP discounts which together provide a waiver of all or part of the connection fee as well as a

waiver of toll blocking services, federal access charges and any state approved discounts

The customers in the service areas specified in this Petition which are currently served by the local exchange carrier, Qwest, are not receiving the high quality, reliable service to which they are entitled, nor has the local exchange carrier demonstrated an interest in improving the services it provides or offers to its customers.

7. Public Interest Statement

Petitioner (VCI) meets the requirements of both state and federal rules for designation as an eligible telecommunications carrier, Pursuant to 47 U.S.C. §214 (e), the Commission should designate Petitioner as an eligible telecommunications carrier. In so doing, the Commission will insure that the consumers in those areas have the opportunity to secure better and more reliable service at a rate equal or less than that which they are currently paying.

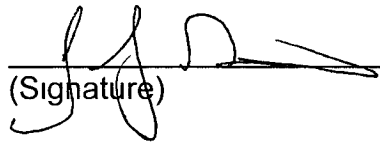
By granting ETC designation to Petitioner, will greatly benefit the people of NORTH DAKOTA who qualify by lowering their telephone bills and allowing more money for other needs of these citizens and their families.

For an acknowledgement in an individual capacity:

State of WA
County of PIERCE

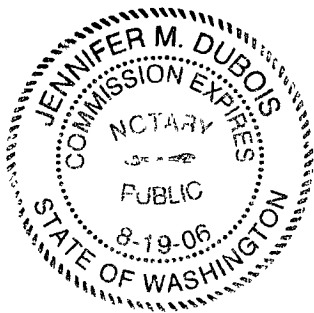
I certify that I know or have satisfactory evidence that STAN EFFERDING is the person who appeared who before me, and said person acknowledged that (he/she) signed this instrument and acknowledged to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

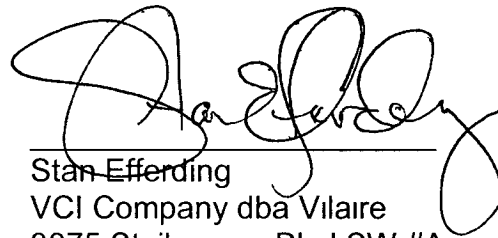
Date: 1/7/04


(Signature)

NOTARY
Title

My appointment expires 8-19-06





Stan Efferding
VCI Company dba Vilaire
3875 Steilacoom Blvd SW #A
Lakewood, WA. 98499
Telephone 206-419-5948
Facsimile: 253-475-6328

PU-05-28

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired
- Print your name and address on the reverse so that we can return the card to you
- Attach this card to the back of the mailpiece, or on the front if space permits

1 Article Addressed to

Stacey A Klingman
 V C S Company
 PO Box 89807 98907
 Lakewood WA 98499

2 Article Number
(Transfer from service label)

7004 2510 0004 8815 5293

PS Form 3811, August 2001

Domestic Return Receipt

2ACPRI-03-Z-0985

COMPLETE THIS SECTION ON DELIVERY

A Signature

X *Stacey A Klingman* Agent
 Addressee

B Received by (Printed Name)

Stacey A. Klingman 8/2/05

C Date of Delivery

D Is delivery address different from item 1? Yes
 if YES, enter delivery address below No

3 Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C O D

4 Restricted Delivery? (Extra Fee)

Yes

PU-05-28

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired
- Print your name and address on the reverse so that we can return the card to you
- Attach this card to the back of the mailpiece, or on the front if space permits

1 Article Addressed to:

Stan Efferding
 V C S Company
 3875 Steelacorn Old WA #A
 Lakewood WA 98499

2. Article Number
(Transfer from service label)

7003 2260 0001 3517 9688

PS Form 3811, August 2001

Domestic Return Receipt

2ACPRI-03-Z-0985

COMPLETE THIS SECTION ON DELIVERY

A Signature

X *Becky D Markham* Agent
 Addressee

B Received by (Printed Name)

Becky D. Markham 5-31-05

C Date of Delivery

D Is delivery address different from item 1? Yes
 if YES, enter delivery address below. No

3 Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4 Restricted Delivery? (Extra Fee)

Yes

PU-05-28

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1 Article Addressed to

Stan Efferding
 V C S Company
 3875 Steelacorn Old WA #A
 Lakewood WA 98499

COMPLETE THIS SECTION ON DELIVERY

A Signature

X *Olison L Smith* Agent
 Addressee

B Received by (Printed Name)

Olison L Smith 1-23-05

C Date of Delivery

D Is delivery address different from item 1? Yes
 If YES, enter delivery address below. No

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise