

# VCI Company

P.O. Box 98907  
Lakewood, WA 98496-8907  
Phone: (800) 923-8375  
Fax: (253) 475-6328

November ~~14~~<sup>15</sup>, 2008

RECEIVED

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

PUBLIC SERVICE COMMISSION

Re: VCI Company – Notice of Intention to Discontinue Local Exchange Service in North Dakota and Relinquish Eligible Telecommunications Carrier (“ETC”) Designation

Sir/Madam:

With this letter, VCI Company (“VCI”) notifies the North Dakota Public Service Commission (“Commission”), pursuant to N.D.A.C. 69-09-05-10, of its intention to discontinue providing local exchange service throughout its certificated service area, currently served by Qwest Corporation. VCI also notifies the Commission of its intention to relinquish its North Dakota ETC designation pursuant to the provisions of the Telecommunications Act of 1996<sup>1</sup> (“Act”) and the Federal Communications Commission’s rules (“Notice”).<sup>2</sup>

VCI recently filed a Section 63.71 Application with the FCC informing the FCC of its intention to withdraw from the telecommunications market. A copy of VCI’s Section 63.71 Application is attached hereto as Attachment A.

1. Discontinuance of Local Exchange Service and Cancellation of Bond for Prepayments

The Commission granted VCI Company a Certificate of Public Convenience and Necessity (“CPCN”) to provide competitive local exchange and interexchange services by order issued November 18, 2004 in Case No. PU-04-465. VCI also submitted an on-line registration pursuant to Commission rules promulgated after the CPCN was issued. Finally, for purposes of providing prepaid local exchange service, VCI obtained and filed with the Commission a \$25,000 bond.

VCI currently has no North Dakota customers. Thus, VCI requests a waiver of any customer notice requirements. Further, service commitments to its customers have been completed and VCI is not in possession of any outstanding prepayments or deposits with

<sup>1</sup> 47 USC Section 214(e)(4).

<sup>2</sup> 47 CFR Section 54.205.

respect to North Dakota intrastate service. Thus, VCI's bond need no longer remain in effect and VCI requests permission to cancel the bond.

2. Relinquishment of ETC Designation

The Commission designated VCI an ETC in North Dakota pursuant to order issued July 28, 2005 in Case No. PU-05-28. The provisions of the Act and the FCC's rules require a carrier seeking to relinquish its ETC designation to notify a state commission of its intention to do so. The Act and the FCC's rules further provide that a state commission shall permit an ETC to relinquish its designation in an area served by more than one ETC. Commission designated ETCs in Qwest Corporation's service area include: Qwest, Western Wireless Corporation and Midcontinent Communications. Thus, VCI should be permitted to relinquish its ETC designation in North Dakota.

3. Company Contact Information

Questions regarding this filing should be directed to:

Stanley Johnson  
President  
VCI Company  
P.O. Box 98907  
Lakewood, WA 98496-8907  
Telephone: (253) 973-2476  
Facsimile: (253) 475-6328

Stan Efferding  
Secretary/Treasurer  
VCI Company  
P.O. Box 98907  
Lakewood, WA 98496-8907  
Telephone: (206) 419-5948  
Facsimile: (253) 475-6328  
Electronic mail: [Vilaire@comcast.net](mailto:Vilaire@comcast.net)

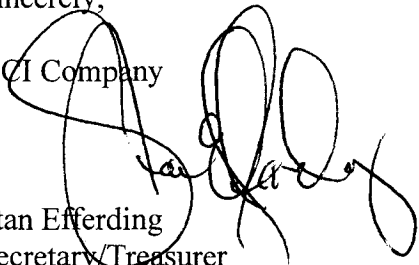
In conclusion, VCI believes that discontinuance of local exchange service is necessary and appropriate and in accordance with the Commission's rules. Relinquishment of VCI's ETC designation also is appropriate and is in accordance with the Act and the FCC's rules. Thus, the Commission should issue an order cancelling VCI's CPCN and tariff, permitting the cancellation of its bond for prepayments, and permitting VCI to relinquish its ETC designation. Because VCI no longer has customers in North Dakota, the public convenience and necessity will not be adversely affected by VCI's discontinuance of service or the relinquishment of its ETC designation.

An original and seven (7) copies of this Notice are enclosed for filing. Please date stamp and return the additional copy in the self-addressed, postage paid envelope provided for this purpose.

Sincerely,

VCI Company

Stan Efferding  
Secretary/Treasurer

A handwritten signature in black ink, appearing to read "Stan Efferding", is written over the printed name. The signature is highly stylized and cursive, with large loops and flourishes.

**ATTACHMENT A**

**VCI COMPANY SECTION 63.71 APPLICATION  
FILED WITH THE FCC**

Before the  
 FEDERAL COMMUNICATIONS COMMISSION  
 Washington, D.C.

In the Matter of )  
 Section 63.71 Application of )  
 VCI Company ) WC Docket No. \_\_\_\_\_  
 For Authority to Discontinue )  
 Local Exchange Service in )  
 California, Iowa, Louisiana, Michigan, )  
 Minnesota, Montana, New Mexico, )  
 North Dakota, South Dakota, Tennessee, )  
 Texas and Wyoming. )

SECTION 63.71 APPLICATION

Pursuant to Section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, and Section 214(a) of the Communications Act of 1934, as amended, VCI Company ("VCI") hereby files this Application to discontinue providing flat rate, basic local exchange service to residential customers throughout its service areas in the states listed below:

State	Service Area	Doing Business As
California	Pacific Bell Telephone Company d/b/a AT&T California, Verizon West Coast, Inc.	Vilaire
Iowa	Qwest Corporation	VCI Company
Louisiana	BellSouth Telecommunications, Inc. d/b/a AT&T Louisiana and AT&T Southeast	VCI Company
Michigan	Michigan Bell Telephone Company d/b/a AT&T Michigan	Vilaire Communications
Minnesota	Qwest Corporation	Vilaire Communication Company
Montana	Qwest Corporation	VCI Company
New Mexico	Qwest Corporation	VCI Company
North Dakota	Qwest Corporation	VCI Company
South Dakota	Qwest Corporation	VCI Company

<u>State (Cont'd)</u>	<u>Service Area (Cont'd)</u>	<u>Doing Business As</u>
Tennessee	BellSouth Telecommunications, Inc. d/b/a AT&T Tennessee	VCI Company
Texas	Southwestern Bell Telephone Co. d/b/a AT&T Texas	VCI Company
Wyoming	Qwest Corporation	VCI Company

Service will be discontinued upon approval of this Application by the Federal Communication Commission ("Commission"), and upon the approval of documentation filed with the regulatory bodies in these states, where such approval is required by rule or law.

In support of this Application, VCI submits the following information:

I. Description of Discontinuance

1. Name and Address of Carrier

VCI Company  
2228 S. 78<sup>th</sup> Street  
Tacoma, Washington 98409-9050

Correspondence and communications concerning this Application should be directed to:

Stanley Johnson, President  
VCI Company  
P.O. Box 98907  
Lakewood, Washington 98496-8907  
Telephone: 253.973.2476  
Facsimile: 253.475.6328  
Electronic mail: [stanj@vcicompany.com](mailto:stanj@vcicompany.com)

And to:

Stan Efferding  
Secretary/Treasurer  
VCI Company  
P.O. Box 98907  
Lakewood, Washington 98496-89807  
Telephone: 206.419.5948  
Facsimile: 253.475.6328  
Electronic mail: [vilaire@comcast.net](mailto:vilaire@comcast.net)

2. Date of Planned Service Discontinuance

The anticipated date for the discontinuance of local exchange services is upon approval of this application by the Commission, and the approval of requests for cancellations of certificates and tariffs, as well as notices of intention to relinquish ETC designation, where such approval is required by state regulatory commissions.

3. Points of Geographic Areas of Service Affected

By this Application, VCI seeks authority to discontinue the provision of basic local exchange service throughout its certificated service areas in each state listed above.

4. Brief Description of the Type of Service Affected

VCI provides flat rated, basic local exchange service permitting customers unlimited calling within the local calling area and ancillary services, such as toll limitation service.

5. Brief Description of the Dates and Methods of Notice to all Affected Customers

VCI requests a waiver of the notice requirement because it has no customers in any state.

6. Non-dominance of the Carrier with Respect to the Service to be Discontinued

VCI is non-dominant with respect to the services that it proposes to discontinue.

7. Service of this Application

In accordance with 47 C.F.R. § 63.71(a), VCI has filed a copy of this Application with each of the state regulatory commissions listed above, the governors of each such state, and the Secretary of Defense.

II. Circumstances of Discontinuance

Due to the economic recession, which has negatively affected VCI's business, VCI intends to exit the telecommunications industry. VCI no longer has customers in any state. Numerous competitive carriers have been certified to provide service in the Incumbent Local Exchange Company ("ILEC") service areas of each state VCI serves. Furthermore, the ILEC and other competitive carriers have been designated ETCs in the service areas VCI is exiting. Residential, flat rated, basic local exchange service, permitting unlimited calling within the customer's local service area, is a common service readily available in all ILEC service areas through the ILEC or competitive carriers. Thus, VCI's services are not unique or difficult for

customers to find elsewhere.

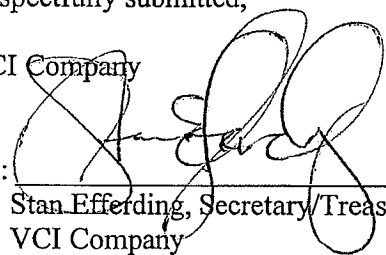
III. Conclusion

VCI believes that the proposed discontinuance of service in the above listed states is reasonable and necessary and that such discontinuance is not disruptive to the current or future public convenience and necessity. For the foregoing reasons, VCI respectfully requests, pursuant to Section 214(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 214(a), and Section 63.71 of the Commission's Rules, 47 C.F.R. § 63.71, that the Commission permit VCI to discontinue the provision of basic local exchange service in the above listed states.

Respectfully submitted,

VCI Company

By:



Stan Efferding, Secretary/Treasurer  
VCI Company  
2228 S. 78<sup>th</sup> Street  
Tacoma, Washington 98409-9050

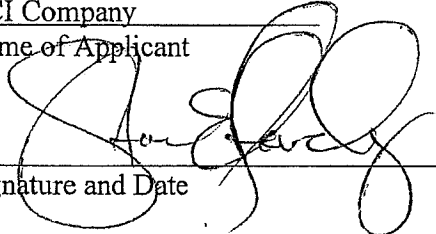
**Anti-Drug Abuse Act Certification**

Answer YES if all parties to the application are in compliance with Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862, the federal law which provides federal and state court judges the discretion to deny federal benefits to individuals convicted of offenses consisting of the distribution of controlled substances. For a definition of "party" for these purposes, see 47 C.F.R. Section 1.2002(b). See also Amendment of Part 1 of the Commission's Rules to Implement Section 5301 of the Anti-Drug Abuse Act of 1988, 6 FCC Rcd 7551, 57 Fed. Reg. 00186 (1991).

X \_\_\_\_\_ YES      NO \_\_\_\_\_

By checking yes, the applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. 862, or, in the case of a non-individual applicant (e.g., corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits that includes FCC benefits pursuant to that section. For the definition of a party for these purposes, see 47 C.F.R. Section 1.2002(b).

I certify that the statements made in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

VCI Company  
Name of Applicant  
  
Signature and Date      11/11/08

Stan Efferding  
Printed Name of Person Signing

Secretary/Treasurer  
Title

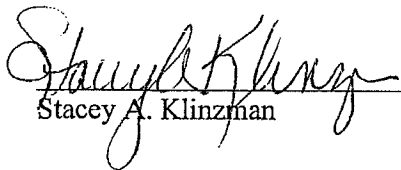
CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing Section 63.71 Application was served on the following individuals and entities on November 12, 2008. Service has been made by placing such copy in the United States mail, first class, postage prepaid, unless electronic service is permitted.

California Public Utilities Commission 505 Van Ness Ave. San Francisco, CA 94102-3298	Gov. Arnold Schwarzenegger State Capitol Building Sacramento, CA 95814	Iowa Utilities Board 350 Maple Street Des Moines, IA 50319-0069	Gov. Chet Culver Office of the Governor State Capitol Des Moines, IA 50319
Louisiana Public Service Commission PO Box 91154 Baton Rouge, LA 70821	Gov. Bobby Jindal Office of the Governor P.O. Box 94004 Baton Rouge, LA 70804-9004	Michigan Public Service Commission 6545 Mercantile Way Lansing, MI 48911-7721 (via electronic filing)	Gov. Jennifer M. Granholm P.O. Box 30013 Lansing, MI 48909
Minnesota Public Utilities Commission 121 Seventh Place East, Suite 350 St. Paul, MN 55101-2147 (via electronic filing)	Gov. Tim Pawlenty Office of the Governor 130 State Capitol 75 Rev. Dr. Martin Luther King Blvd. St. Paul, MN 55155	Montana Public Service Commission 1701 Prospect Avenue P.O. Box 202601 Helena, MT 59620-2601	Gov. Brian Schweitzer Office of the Governor P.O. Box 200801 State Capitol Helena, MT 59620-0801
New Mexico Public Regulation Commission 1120 Paseo de Peralta PERA Building Santa FE, NM 87501-1269	Gov. Bill Richardson State Capitol, 4 <sup>th</sup> Floor Santa Fe, NM 87501	North Dakota Public Service Commission 600 E. Boulevard Ave. Dept. 408 Bismarck, ND 58505-0480	Gov. John Hoeven State Capitol 600 East Boulevard Ave. , Dept. 101 Bismarck, ND 58505-0001
South Dakota Public Utilities Commission State Capitol 500 East Capitol Ave. Pierre, S.D. 57501-5070	Gov. Mike Rounds Office of the Governor 500 East Capitol Ave. Pierre, SD 57501	Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243	Gov. Phil Bredesen State Capitol Nashville, TN 37243-0001

CERTIFICATE OF SERVICE, Cont'd.

Public Utility Commission of Texas P.O. Box 13326 Austin, TX 78701 (via e-filing or U.S. mail)	Gov. Rick Perry Office of the Governor P.O. Box 12428 Austin, TX 78711	Wyoming Public Service Commission 2515 Warren Avenue Suite 300 Cheyenne, WY 82002	Gov. Dave Freudenthal State Capitol Bldg., Room 124 Cheyenne, WY 82002
Secretary of Defense, Attn. Special Assistant for Telecommunications, Pentagon, Washington, DC 20301	Qwest Corporation Director - Interconnection Compliance 1801 California Street, Suite 2410 Denver, CO 80202	Qwest Law Department Attention: Corporate Counsel - Interconnection 1801 California Street, Suite 4900 Denver, CO 80202	AT&T Local Service Specialist 600 North 19th Street, 10th floor Birmingham, AL 35203
Business Markets Attorney Suite 4300 675 West Peachtree Street Atlanta, GA 30375	Contract Management Attn: Notices Manager AT&T Inc. Four AT&T Plaza 311 S. Akard, 9th Floor Dallas, Texas 75202		

  
 \_\_\_\_\_  
 Stacey A. Klinzman