

APPROVED

DATE: 12-17-08
[Signature]

MOTION

December 17, 2008

**VCI Company
Designated Eligible Carrier
Cancellation / Application**

Case No. PU-08-886

I move the Commission permit VCI Company to relinquish its designation as an eligible telecommunications carrier as approved by the Commission in Case No. PU-05-28 in its designated service area, Case No. PU-08-886.

PJF

Memo

To: Commissioners Wefald, Cramer, and Clark
From: Patrick Fahn
CC: Legal
Date: December 15, 2008
Re: Case No. PU-08-886: VCI Company ETC designation

VCI Company has asked the FCC for permission to discontinue basic local exchange service in North Dakota. On November 17, 2008, VCI notified the NDPSC that it will discontinue local exchange service and has provided a notice of intent to relinquish eligible telecommunications carrier (ETC) designation.

I recommend the Commission permit VCI to relinquish its ETC designation and remind VCI to update its electronic registration to indicate it is discontinuing telecommunications services.

Background

Sec 214(e)(4) of the Telecommunications Act of 1996 states that a State commission shall permit an eligible telecommunications carrier to relinquish its designation in any area served by more than one ETC. Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State commission shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunications carrier. The State commission shall establish a time, not to exceed one year after the State commission approves such relinquishment under this paragraph, within which such purchase or construction shall be completed.

Under 49-21-01.7 (12) the NDPSC has power to designate telecommunications companies as eligible telecommunications carriers to receive universal service support under sections 214 and 254 of the federal act.

VCI states it has no North Dakota customers, therefore, there is no need to require assurances from the remaining ETCs or establish a time within which adequate facilities be purchased or constructed by remaining ETCs.