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June 9, 2011

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JUN 10 2011

PUBLIC SERVICE COMMISSION

DARRELL NITSCHKE
EXECUTIVE SECRETARY & DIRECTOR
PUBLIC SERVICE COMMISSION
600 EAST BOULEVARD, DEPT 408
BISMARCK ND 58505-0480

RE: In the Matter of the Application for NEW CINGULAR WIRELESS PCS, LLC for Designation
as an Eligible Telecommunications Carrier
Docket No. PU-11-086
Our File No. 14048

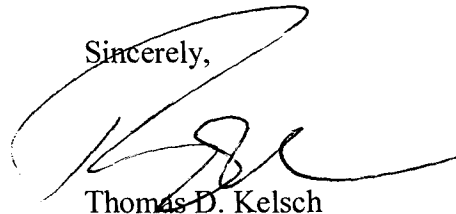
Dear Mr. Nitschke:

Enclosed for filing is an original and seven copies of an Affidavit of Hardmon Williams III with Affidavit of Service.

For your convenience, an electronic copy has also been sent to dnitschk@nd.gov.

If you have any questions, please feel free to contact me.

Sincerely,



Thomas D. Kelsch

TDK:mr

Encs

c: Betsy S. Granger



12 PU-11-86 Filed: 6/10/2011 Pages: 6
Affidavit of Hardmon Williams III

New Cingular Wireless PCS, LLC
Thomas D. Kelsch, Attorney

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA**

In the Matter of the Application of NEW) DOCKET NO. PU-11-086
CINGULAR WIRELESS PCS, LLC for)
Designation as an Eligible)
Telecommunications Carrier)

AFFIDAVIT OF HARDMON WILLIAMS III

I, Hardmon Williams III, do hereby declare as follows:

1. I serve as Vice President/General Manager for AT&T Mobility LLC, and its subsidiary New Cingular Wireless PCS, LLC (“AT&T Mobility”). My business address is 4300 Market Pointe Drive, Suite 350, Bloomington, Minnesota 55435.
2. In my capacity as Vice President/General Manager, I am an authorized representative of the Company and its subsidiary licensees. I declare that I have read and reviewed New Cingular Wireless PCS, LLC’s Application for Designation as an Eligible Telecommunications Carrier (“Application”) and believe that the facts stated therein are true and correct to the best of my knowledge, information, and belief.
3. AT&T Mobility requests designation as an Eligible Telecommunications Carrier (“ETC”) for the purpose of qualifying to obtain all available federal universal service support including, but not limited to, support for rural, insular and high costs areas, and for low-income customers, in each of the wire centers set forth Exhibit A attached to the Application (“ETC Designated Area”).
4. AT&T Mobility is a commercial mobile radio services (“CMRS”) licensee authorized by the Federal Communications Commission (“Commission”) to provide service within the ETC Designated Area.
5. As set forth below, AT&T Mobility meets all of the prerequisites to be designated as an ETC throughout the requested ETC Designated Area in the state of North Dakota.
6. First, AT&T Mobility is a “common carrier” as set forth in the Application.
7. Second, AT&T Mobility currently provides CMRS in the state of North Dakota and will provide all of the supported service specified in 47 C.F.R § 54.101(a)(1)-(9) in its requested ETC service areas. AT&T Mobility currently provides the nine supported services listed below its requested ETC service area, as described in the Application:
 - (a) Voice Grade Access.

- (b) Local Usage (see additional information below).
 - (c) Dual Tone Multi-Frequency Signaling or Its Function Equivalent
 - (d) Single-Party Service or its Functional Equivalent.
 - (e) Access to Emergency Service.
 - (f) Access to Operator Services.
 - (g) Access to Interexchange Service.
 - (h) Access to Directory Assistance.
 - (i) Toll Limitation Services.
8. Third, AT&T Mobility will provide the supported services using its own facilities or a combination of its own facilities and the resale of another carrier's service. AT&T Mobility will primarily utilize its own network infrastructure, which includes the same cell-sites (antennas, towers, and so forth), trunking, mobile switching, and interconnection facilities.
9. Fourth, pursuant to 47 C.F.R. §54.201(d) of the FCC's rules and NDAC §69-09-05-12(6)(b), AT&T Mobility will advertise the availability of, and charges for, its universal service qualified offerings using media of general distribution. AT&T Mobility generally advertises its services through various media, including television and radio, newspaper, and other print advertisements, as well as outdoor advertising, retail stores, direct marketing and the Internet. AT&T Mobility will also publicize the availability of Lifeline and Link-up benefits throughout the ETC Designated Area, primarily through print advertising, brochures in its stores, direct outreach, and the Internet.
- NDAC §69-09-05-12(6)(a) requires a full description of available services in the ETC's official telephone directory. AT&T Mobility does not publish a telephone directory. If this requirement is intended to apply to a CMRS provider, AT&T Mobility requests a permanent waiver from this requirement pursuant to NDAC §69-09-05-12(2)(c) and (d) as it does not produce a telephone directory.
10. Fifth, as an ETC, AT&T Mobility will offer Lifeline and Link Up telecommunications services to qualified low-income subscribers within the ETC Designated Area. The Lifeline Calling Plan that AT&T Mobility will offer in North Dakota is \$24.99 month before applicable Lifeline discounts (the discount is \$8.25 in non-tribal areas) and includes: 300 anytime minutes; 1000 night and weekend minutes; no additional long distance charge for calls to anywhere in the United States; and, no roaming charges for calls that originate in North Dakota, South Dakota and Minnesota.

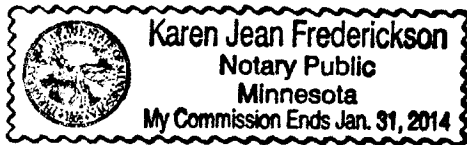
11. AT&T Mobility meets the additional eligibility criteria adopted by the Public Service Commission of the State of North Dakota.

- a) AT&T Mobility commits to provide service throughout the ETC Designated Area upon reasonable request. If a request is made by a potential customer within its existing network coverage, AT&T Mobility will provide service on a timely basis to that customer. If a potential customer requests service within AT&T Mobility's designated ETC service area, but outside its existing network coverage, AT&T Mobility will follow the six-step process specified in NDAC §69-09-05-12(3)(a).
- b) In accordance with NDAC §69-09-05-12(3)(b), the estimated amount of federal high cost support that AT&T expects to receive as well as how that support will be utilized for the provision, maintenance and upgrading of facilities and services for each study area in which it seeks to be designated as an ETC is attached to the Application as Confidential Exhibit E.
- c) AT&T Mobility is committed to remaining functional in emergency situations. As described in the Application, provisions for emergency situations include back-up batteries and generators at switches and at a majority of its cell sites, use of mobile cell sites, and ability to re-route traffic around damaged network facilities.
- d) AT&T Mobility will comply with the Cellular Telecommunications and Internet Association's (CTIA) Consumer Code for Wireless Service ("Code") as required by NDAC §69-09-05-12(3)(d).
- e) AT&T Mobility offers calling plans that provide customers local usage that is comparable to the incumbent local exchange company ("ILEC") when all of the additional features and functionalities and the inherent mobile nature of wireless service are taken into account. Currently, customers that choose the AT&T Nation[®] or the AT&T FamilyTalk[®] calling plans do not pay additional long distance charges for calls made within the United States Calling plans. The AT&T Nation[®] and AT&T FamilyTalk[®] calling plans also include numerous features at no additional charge, such as: Voicemail, Caller ID, Call Forwarding, Call Waiting, and Three-Way Calling. These calling plans include either unlimited nights and weekend minutes or generous night and weekend minute packages, and allow customers to Rollover[®] unused minutes for use in subsequent months. As such these calling plans provide customers with local usage that, when taking into account all of the additional benefits of AT&T Mobility's service offerings, are comparable to the ILEC's calling plans.
- f) AT&T Mobility acknowledges that pursuant to NDAC §69-09-05-12(3)(f), the Federal Communications Commission ("FCC") may require it to provide customers equal access to long distance service in the event that no other ETC is providing equal access within AT&T Mobility's ETC Designated Area.

12. Sixth, AT&T Mobility is not seeking designation for less than the entire study area located in North Dakota for a rural telephone company.
13. Seventh, AT&T Mobility will utilize the federal high-cost universal service support it receives only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. Confidential Exhibit E to the Application specifies in detail how AT&T Mobility plans to utilize the federal high-cost support that it will receive.
14. Eighth, AT&T Mobility will comply with all of the required annual reporting requirements associated with being an ETC.
15. Finally, designation of AT&T Mobility as an ETC in the ETC Designated Area will serve the public interest as described in the Application.

I hereby certify under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed on June 6, 2011.



A handwritten signature in black ink, appearing to read "H Williams III".

Hardmon Williams III
Vice President/General Manager
Minnesota/Northern Plains Market

Signed at Bloomington, Minnesota

Subscribed and sworn to before me
This 6th day of June, 2011.

A handwritten signature in black ink, appearing to read "Karen Jean Frederickson".
Notary Public

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA

In the Matter of the Application for NEW)
CINGULAR WIRELESS PCS, LLC for)
Designation as an Eligible)
Telecommunications Carrier)

Docket No. PU-11-086

CERTIFICATE OF SERVICE

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF MORTON)

LORI SPENCER, being first duly sworn, on oath, deposes and says: That she is a citizen of the United States, over the age of eighteen and not a party to the above-entitled action.

That on the 9 day of June, 2011, this affiant deposited in the United States Post Office at Mandan, North Dakota and/or electronically mailed a true and correct copy of the following document(s) in the above captioned action:

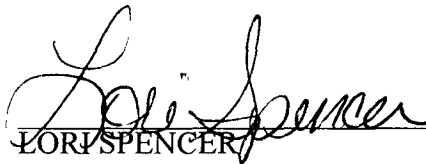
Affidavit of Hardmon Williams III

That a copy of the above document(s) was securely enclosed in an envelope with postage duly prepaid and/or electronically mailed and addressed as follows:

CYNTHIA J. MANHEIM
GENERAL ATTORNEY
AT&T SERVICES, INC.
PO BOX 97061
REDMOND WA 98073

BETSY S. GRANGER
GENERAL ATTORNEY
525 MARKET STREET
SAN FRANCISCO CA 94105

JOHN SISEMORE
DIRECTOR- EXTERNAL AFFAIRS
AT&T
208 S AKARD ST, SUITE 2532
DALLAS TX 75202


LORI SPENCER

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF MORTON)

The foregoing instrument was acknowledge before me this 9 day of June, 2011 by LORI SPENCER.


Notary Public, State of North Dakota

