GOVERNMENT OF THE VIRGIN ISLANDS
OF THE UNITED STATES

Public Services Commission

IN RE:	)	
	)	Docket No. 670
AT&T MOBILITY USVI PETITION FOR	)	Order No. 51/2018
ELIGIBLE TELECOMMUNICATIONS CARRIER	)	
DESIGNATION IN THE U.S. VIRGIN ISLANDS	)	
	)	

ORDER

WHEREAS, on July 17, 2018, the Virgin Islands Public Services Commission (hereinafter "Commission" or "PSC") received a Petition from AT&T Mobility USVI, Inc. (hereinafter "AT&T") requesting designation as an Eligible Telecommunications Carrier (hereinafter "ETC") in the United States Virgin Islands, for the purposes of participating in Stage 1 of the Federal Communications Commission's (hereinafter "FCC") Connect USVI Fund; and

WHEREAS, on August 7, 2018, the Federal Communications Commission released a public notice regarding Stage 1 restoration funding for the Uniedo a Puerto Rico Fund and the Connect USVI Fund allocations; and

WHEREAS, on August 8, 2018, the Commission received the Report and Recommendations from its Technical Consultant, Georgetown Consulting Group (hereinafter "GCG"); and

WHEREAS, on August 21, 2018, the Commission met in regular session at its office on St. Thomas and at the Virgin Islands Port Authority Conference Room on St. Croix, United States Virgin Islands; and

WHEREAS, after review and deliberation, the Commission voted to **GRANT** AT&T ETC designation to include the following recommendations provided by GCG;

NOW THEREFORE, the Commission finds and **ORDERS** that, AT&T's Petition for Designation as an Eligible Telecommunications Carrier in the United States Virgin Islands is **GRANTED on the following findings, terms and conditions:**

1. The Commission finds that AT&T has met all of the statutory and regulatory conditions for designation as an unrestricted ETC;
2. The Commission finds that granting the unrestricted ETC designation is in the public interest;

3. The ETC Designation shall encompass the entire territorial area of the USVI within the scope of the authority of the USVI PSC as it exists today or may come to exist in the future;
4. The ETC Designation shall require the ETC Designee to provide voice and other supported services as a common carrier and comply with all common carrier obligation required under independent territorial law and federal law as it exists today or may come to exist in the future;
5. The ETC Designation requires the ETC Designee to comply with all applicable network reliability, network security, and applicable service quality standards required under independent territorial law and federal law as it exists today or may come to exist in the future;
6. The ETC Designee must file copies of any FCC awards of Stage 2 Connect USVI funds with the PSC.
7. The ETC Designation requires the ETC Designee to comply with any obligations imposed on the ETC Designee under independent territorial law and federal law as it currently exists or may come to exist in the future.
8. AT&T's petition is subject to the following conditions:
    a. The Company must comply with the FCC's USF reporting requirements and provide a copy of any FCC reports to the PSC.
    b. By August 1, 2019, and August 1 of every year thereafter for which the Company receives federal USF under the Connect USVI fund or any other high-cost program, the Company must file a report with the PSC showing the use of funds during the previous calendar year. This report must provide the total USF received and identify the specific projects that were funded by USF together with the amounts expended, the localities served, the start and completion dates of each project, the status of the project if not completed and the number of subscribers affected.
    c. Records supporting the FCC and PSC reports must be retained for ten years.
    d. Within 30 days of approval of the ETC designation, the Company must provide a plan to the PSC to implement a Lifeline program. This plan should include the pricing, terms and conditions for BIAS, a description of proposed outreach and a commitment to comply with the FCC's rules on Lifeline enrollment, certification and verification. The Company must also provide to the PSC a copy of its petition to the FCC to waive the speed standard for its Lifeline BIAS offering and a copy of any FCC response.

9. The ETC designation is for an indefinite period of time. The Company must formally request relinquishment of its ETC designation if it no longer wishes to participate in the federal USF program per 47 CFR 54.205. However, the Company is subject to any penalties and forfeitures that may be imposed by the FCC if the Company files for relinquishment in less than one year from the date the ETC designation is granted.

So Ordered.

For the Commission,

Date: **September 5, 2018**

Raymond J. Williams, Chair