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January 9, 2009

# VIA ELECTRONIC FILING AND OVERNIGHT MAIL

filed electronically in docket office on 01/13/09

Honorable Jones, Chairman Attn: Sharla Dillon, Dockets Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243-9021 (615) 741-3939

Re:

Everycall Communications, Inc. d/b/a Local USA d/b/a All American Home Phone

**ETC** Designation

Dear Ms. Dillon:

Enclosed please find for filing an original and four (4) copies of Everycall Communications, Inc. d/b/a Local USA d/b/a All American Home Phone's Application for Designation as an Eligible Telecommunications Carrier. I have also enclosed a check in the amount of \$25.00 payable to the "Tennessee Regulatory Authority" for the filing fee and a CD-ROM containing an electronic copy of this filing.

I have also enclosed an extra copy of this letter to be date stamped and returned to me in the enclosed, self-addressed, postage prepaid envelope.

If you have any questions or if I may provide you with any additional information, please do not hesitate to contact me. Thank you.

Respectfully submitted,

Lance J.M. Steinhart

Attorney for Everycall Communications, Inc.

d/b/a Local USA

d/b/a All American Home Phone

Enclosures

cc: Mr. Steven Fenker

UNION PLANTERS BAN		010982
EVERYCALL COMMUNICATIONS, INC.  dba LOCAL USA AND ALL AMERICAN HOME PHONE 4315 BLUEBONNET BLVD., SUITE A BATON ROUGE, LA 70809-9643	<b>VK</b>	
PHONE: (225) 293-3332		2/23/2008
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#### BEFORE THE TENNESSEE PUBLIC SERVICE COMMISSON

APPLICATION OF	)	
EVERYCALL COMMUNICATIONS, INC.	)	
D/B/A LOCAL USA	)	
D/B/A ALL AMERICAN HOME PHONE	)	
FOR DESIGNATION AS AN ELIGIBLE	)	DOCKET NO.
TELECOMMUNICATIONS CARRIER	)	

# APPLICATION FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER

Everycall Communications, Inc. d/b/a Local USA d/b/a All American Home Phone ("Everycall" or the "Applicant"), pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended (the "Act") and Sections 54.101 through 54.207 of the Rules of the Federal Communications Commission ("FCC"),<sup>2</sup> and the rules and regulations of the Tennessee Public Service Commission (the "Commission"), hereby applies to the Commission for Designation as Eligible Telecommunications Carrier ("ETC") throughout the BellSouth an Telecommunications, Inc. d/b/a AT&T of Tennessee service territories (the "Designated Service Area") for the purpose of receiving federal universal service support. A list of each wire center which the Applicant is requesting ETC status in the State of Tennessee is attached hereto as Exhibit 1. The Applicant is seeking only low income support, and is not requesting high cost As demonstrated below, Everycall satisfies all of the statutory and regulatory requirements for designation as an ETC in the Designated Service Area. Furthermore, designation of Everycall as an ETC in the Designated Service Area will serve the public interest. Accordingly, Everycall respectfully requests that the Commission grant this Application.

<sup>&</sup>lt;sup>1</sup> 47 U.S.C. § 214(e)(2).

<sup>&</sup>lt;sup>2</sup> 47 C.F.R. §§ 54.101-54.207.

All correspondence, communications, pleadings, notices, orders and decisions relating to this Application should be addressed to:

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## I. Background

1. Everycall is an Louisiana Corporation<sup>3</sup>. A copy of the Applicant's Articles of Incorporation is on file with the Commission and incorporated herein by reference. The Applicant was granted a Certificate of Convenience and Necessity ("CCN") to Provide Competing Local Exchange Telecommunications Services Within the State of Tennessee in Case No. 08-00008 per Order issued on May 20, 2008. The principal office of the Applicant is located at 4315 Bluebonnet Blvd., Suite A, Baton Rouge, Louisiana 70809. The telephone number of the Applicant is (225) 293-3332. The Applicant will provide local exchange and exchange access services in the Designated Service Area using a combination of resale and unbundled network elements, or unbundled network equivalents obtained through agreements with AT&T of Tennessee that allow end-to-end switching and delivery of calls.

Everycall was incorporated in the State of Louisiana on November 20, 1997.

- 2. As set forth in Section 214(e)(2) of the Act, the Commission "shall upon its own motion or upon request designate a common carrier that meets the requirements of [Section 214(e)(1)] as an eligible telecommunications carrier for a service area designated by the State commission." Upon designation as an ETC, the carrier shall be eligible to receive universal support in accordance with Section 254 of the Act.<sup>5</sup>
- 3. The requirements for designation as an ETC set forth in Section 214(e)(1) are that the carrier must:
  - (A) offer the services that are supported by Federal universal support mechanisms under section 254(c), either using its own facilities or a combination of its own facilities and resale of another carrier's services (including the services offered by another eligible telecommunications carrier); and
  - (B) advertise the availability of such services and the charges therefore using the media of general distribution.<sup>6</sup>

# II. Everycall Satisfies the Requirements for Designation as an ETC to Serve the Designated Service Area

- 4. Everycall is a common carrier as that term is defined in the Act.<sup>7</sup> The Applicant provides competitive local telecommunications services in the Designated Service Area pursuant to Case No. 08-00008 referenced above.
- 5. Everycall will offer all of the supported services enumerated under Section 254(c) using facilities obtained as UNEs, or the equivalents thereof. According to FCC Rules, facilities obtained as UNEs satisfy the requirement that an ETC provide the supported services using

<sup>&</sup>lt;sup>4</sup> 47 U.S.C. § 214(e)(2); see 47 C.F.R. § 54.201(b) (FCC Rules citing the Act's requirements).

<sup>&</sup>lt;sup>5</sup> 47 U.S.C. § 214(e)(1).

<sup>6</sup> Id.

See 47 U.S.C. § 153(10) ("the term 'common carrier' or 'carrier' means any person engaged as a common carrier for hire, in interstate or foreign communication by wire or radio or in interstate or foreign radio transmission of energy . . . .).

either its own facilities or a combination of its own facilities and resale of another carrier's services.<sup>8</sup> Accordingly, the Applicant satisfies the requirement set forth in Section 214(e)(1)(A).

- 6. The services that are supported by Federal universal support mechanisms under section 254(c) are enumerated in the rules of the Federal Communications Commission ("FCC") at 47 C.F.R. § 54.101(a)(1)-(9). These services are:
  - a) Voice grade access to the public switched network. "Voice grade access" is defined as a functionality that enables a user of telecommunications services to transmit voice communications, including signaling the network that the caller wishes to place a call, and to receive voice communications, including receiving a signal indicating there is an incoming call. For the purposes of this part, bandwidth for voice grade access should be, at a minimum, 300 to 3,000 Hertz;
  - b) Local usage. "Local usage" means an amount of minutes of use of exchange service, prescribed by the FCC, provided free of charge to end users;
  - c) Dual tone multi-frequency signaling or its functional equivalent. "Dual tone multi-frequency" (DTMF) is a method of signaling that facilitates the transportation of signaling through the network, shortening call set-up time;
  - d) Single-party service or its functional equivalent. "Single-party service" is telecommunications service that permits users to have exclusive use of a

Section 54.201(f) of the FCC's Rules states, "[f]or the purposes of this section, the term 'own facilities' includes, but is not limited to, facilities obtained as unbundled network elements pursuant to Part 51 of this chapter, provided that such facilities meet the definition of the term 'facilities' under this subpart." 47 C.F.R. § 54.201(f). The term "facilities" under Section 54.201 is defined as "any physical components of the telecommunications network that are used in the transmission or routing of the services that are designated for support pursuant to subpart B of this part." 47 C.F.R. § 54.201(e). Everycall's use of UNEs, including §251 loops, or equivalents thereof, commingled with § 271 elements provided pursuant to an agreement filed with the Commission pursuant to § 252, meets this definition of "facilities."

wireline subscriber loop or access line for each call placed, or, in the case of wireless telecommunications carriers, which use spectrum shared among users to provide service, a dedicated message path for the length of a user's particular transmission;

- e) Access to emergency services. "Access to emergency services" includes access to services, such as 911 and enhanced 911, provided by local governments or other public safety organizations. 911 is defined as a service that permits a telecommunications user, by dialing the three-digit code "911," to call emergency services through a Public Service Access Point (PSAP) operated by the local government. "Enhanced 911" is defined as 911 service that includes the ability to provide automatic numbering information (ANI), which enables the PSAP to call back if the call is disconnected, and automatic location information (ALI), which permits emergency service providers to identify the geographic location of the calling party. "Access to emergency services" includes access to 911 and enhanced 911 services to the extent the local government in an eligible carrier's service area has implemented 911 or enhanced 911 systems;
- f) Access to operator services. "Access to operator services" is defined as access to any automatic or live assistance to a consumer to arrange for billing or completion, or both, of a telephone call;

- g) Access to interexchange service. "Access to interexchange service" is defined as the use of the loop, as well as that portion of the switch that is paid for by the end user, or the functional equivalent of these network elements in the case of a wireless carrier, necessary to access an interexchange carrier's network;
- h) Access to directory assistance. "Access to directory assistance" is defined as access to a service that includes, but is not limited to, making available to customers, upon request, information contained in directory listings; and
- i) Toll limitation for qualifying low-income consumers.

- 7. Upon Designation as an ETC, Everycall will participate in, and offer, LifeLine and Link-Up programs to qualifying low-income consumers and publicize the availability of Lifeline and Link-Up services in a manner reasonably designed to reach those likely to qualify for those services, as required by FCC Rules. The FCC has concluded that even pure resellers may qualify as an ETC and properly use universal service support for the purposes for which it was intended by offering reduced price Lifeline service. <sup>10</sup>
- 8. Everycall will advertise the availability of the above-referenced services and the charges for those services in the Designated Service Area using media of general distribution, as required by FCC Rules.<sup>11</sup>

## III. Area for Which ETC Certfication Is Requested

9. Everycall has served and will continue to serve the exchanges where it leases UNEs or resells the services of the non-rural telephone companies in the state of Tennessee. Everycall does not seek Designation as an ETC in any areas served by rural telephone companies.

## IV. Granting Everycall's Application Will Serve the Public Interest

10. Congress requires that the Commission grant competitive ETC applications in non-rural areas. 12 No specific public interest test is mentioned, as is the case for areas served by

<sup>9</sup> See 47 C.F.R. §§ 54.401-54.417; 54.405(b)& 54.411(d)...

See Federal-State Joint Board on Universal Service, Petition of Tracfone Wireless, Inc., 20 FCC Rcd 15095 (2005) (finding that because Lifeline support is customer-specific and is directly reflected in the price that the eligible customer pays, it is impossible for any carrier to receive a double recovery of the support).

<sup>&</sup>lt;sup>11</sup> See 47 C.F.R. §§ 54.201(d)(2).

<sup>&</sup>lt;sup>12</sup> See 47 U.S.C. 214(e)(2).

rural telephone companies.<sup>13</sup> Thus, the Act provides that the Commission "shall" designate Everycall as an ETC upon finding that the Applicant meets the nine-point list of services and that it agrees to advertise the supported services throughout the Designated Service Area. Notwithstanding, the designation of Everycall as an ETC will serve the public interest.

- 11. Everycall will announce and advertise telecommunications services as an ETC where it provides service in its Designated Service Area in Tennessee and will publicize the availability of Lifeline and Link-Up services in a manner reasonably designed to reach those likely to qualify for those services. Accordingly, more low-income Tennessee residents will be made aware of the opportunities afforded to them under the Lifeline and Link-Up programs and will be able to take advantage of those opportunities by subscribing to Everycall's service.
  - 12. Everycall will provide universal service as an ETC in all of its Designated Service Area.
  - 13. Everycall is willing to accept carrier of last resort obligations throughout the universal service areas in which Everycall is designated as an ETC by the Commission.
- 14. Everycall is aware that it may seek USF funding only with respect to those customers that it serves through the use of its own facilities (including unbundled network elements or equivalent facilities).
  - 15. Everycall will provide equal access to interexchange service.
- 16. Under FCC guidelines, an ETC Applicant must submit a five-year plan that describes with specificity proposed improvements or upgrades to the applicant's network on a wire center-by-wire center basis throughout its proposed Designated Service Area. The only circumstance warranting deviation from this requirement is where an applicant's requested ETC serving territory would qualify it to receive no "high cost" USF support, but only "low income"

<sup>13</sup> See Id.

USF support. Because Everycall seeks ETC designation solely for purposes of reimbursement for provision of subsidized Lifeline and Link-Up services to eligible customers, submission of a Five-Year Network Improvement Plan is not required at this time. Since Lifeline support is designed to reduce the monthly cost of telecommunications services for eligible consumers, and is distributed on a per-customer basis and is directly reflected in the price that the eligible customer pays, it is assured that all support received by the carrier is used to provide Lifeline services to consumers, thus promoting Lifeline and the availability of telephone service to low income users, which is clearly in the public interest.

17. Applicant offers a local usage plan comparable to the one offered by the incumbent LEC in the service areas for which it seeks designation.

- 18. Under FCC guidelines, an ETC Applicant must demonstrate that it will satisfy applicable consumer protection and service quality standards. 47 CFR §54.202(a)(3); see In the Matter of Federal-State Joint Board on Universal Service, Report and Order, CC Dkt. No. 96-45, 20 FCC Rcd 6371, para. 28 (2005) (FCC ETC Order). Applicant will satisfy all such standards. As part of its certification requirements for providing local exchange services, Applicant must abide by the service quality and consumer protection rules. In addition, Applicant commits to reporting information on consumer complaints per 1,000 lines on an annual basis consistent with the FCC ETC Order. Applicant in general commits to satisfying all such applicable state and federal requirements related to consumer protection and service quality standards.
- 19. Under FCC guidelines, an ETC Applicant must demonstrate its ability to remain functional in emergency situations. 47 CFR §54.202(a)(2); see FCC ETC Order at para. 25. Applicant provides to its customers the same ability to remain functional in emergency situations as currently provided by the ILECs to their own customers, including access to a reasonable amount of back-up power, rerouting of traffic around damaged facilities, and the capability of managing traffic spikes resulting from emergency situations.
- 20. Under FCC guidelines, an ETC Applicant must commit to provide service throughout its proposed designated service area to all customers making a reasonable request for service. FCC ETC Order at Para 22; 47 CFR §54.202(a)(1)(i). Applicant commits to provide service throughout its proposed ETC-designated service area to all customers making a reasonable request for service.

21. Applicant has petitions for ETC status pending in States of Alabama, Florida, Georgia, Kentucky, Mississippi, Louisiana, North Carolina and South Carolina.

# V. Relief Requested

For the foregoing reasons, Everycall respectfully requests that the Commission grant its application and designate the Applicant as an ETC for the Designated Service Area.

Respectfully submitted

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Attorney for Everycall Communications, Inc. d/b/a Local USA d/b/a All American Home Phone

# Exhibit 1 Wire Centers

Exhibit E		
Company	RateCenter	Switch
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	FORK RIDGE	MDBOKYMADS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	ETOWAH	ETWHTNMTRS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	DECATUR	DCTRTNMTRS5
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	BENTON	BNTNTNMTRS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	CHATTNOOGA	CHTGTNHTDS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	SURGOINSVL	SRVLTNMADS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	SWEETWATER	SWTWTNMTDS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	MADISONVL	MDVITNMTDS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	SODDYDAISY	SDDSTNMARS5
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	SPRINGCITY	SPCYTNMTRS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	COPPERBSIN	CRHLTNCBRS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	BULLS GAP	BLGPTNMARS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	CHATTNOOGA	CHTGTNNSDS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	WHITWELL	WHWLTNMARS5
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	CHATTNOOGA	CHTGTNDTDS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	SNEEDVILLE	SNVLTNMARS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	ATHENS	ATHNTNMADS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	DAYTON	DYTNTNMADS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	CHARLESTON	CHTNTNMTRS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	JELLICO	JLLCTNMARS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	CHATTNOOGA	CHTGTNNSDS1
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	CHATTNOOGA	CHTGTNSEDS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	SO PITTSBG	SPBGTNMARS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	CHATTNOOGA	CHTGTNMVDS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	CHATTNOOGA	CHTGTNRODS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	CHATTNOOGA	CHTGTNRBDS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	CHATTNOOGA	CHTGTNSMRS5
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	LAFOLLETTE	LFLTTNMADS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	ROGERSVL	RRVLTNMADS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	JASPER	JSPRTNMTDS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	CHATTNOOGA	CHTGTNBRDS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	GEORGETOWN	CLEVTNMADS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	WATERTOWN	WTTWTNMARS5
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	EAGLEVILLE	EAVLTNMARS5
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	NASHVILLE	NSVLTNAARS5
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	PORTLAND	PTLDTNMARS5
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	NASHVILLE	NSVLTNCDRS5
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	NASHVILLE	NSVLTNWMDS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	HARTSVILLE	HTVLTNMARS5
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	SPRINGFLD	SPFDTNMADS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	TRIUNE	TRINTNMARS5
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	NASHVILLE	NSVLTNAPDS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	NASHVILLE	NSVLTNMT84T
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	GALLATIN	GALLTNMADS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	SMYRNA	SMYRTNMADS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	LEBANON	LBNNTNMADS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	GREENBRIER	GNBRTNMARS5
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	NASHVILLE	NSVLTNINCG0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	CRSPLORLND	CRPLTNMARS0
BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL	NASHVILLE	NSVLTNBWDS0
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**NASHVILLE** WHITEHOUSE **NASHVILLE ADMSCDARHL NASHVILLE CARTHAGE NASHVILLE** DICKSON **PLEASANTVW FRANKLIN NASHVILLE** CHARLOTTE **ASHLAND CY FRANKLIN FAIRVIEW HENDERSNVL NASHVILLE OLDHICKORY GOODLETSVL NASHVILLE** NASHVILLE **NASHVILLE MURFREESBO NASHVILLE NASHVILLE** KINGSTNSPG **NASHVILLE BOLIVAR GREENFIELD** MICHIE **TIPTONVL RIDGELY** DYERSBURG **MCKENZIE MIDDLETON** SO FULTON **TROY** HORNBEAK CAMDEN **BIG SANDY** NEWBERN **RIPLEY PARIS** SELMER **GLEASON BOLIVAR BELLS DYER** MILAN **HENNING** KENTON

**BROWNSVL** 

**NSVLTNBHRS5** WHHSTNMARS0 **NSVLTNBVDS0** ACHLTNMTRS0 **NSVLTNHHRS5 CRTHTNMARS5 NSVLTNMTDS0 DKSNTNMTDS0** PSVWTNMTRS0 **FKLNTNCCRS5 NSVLTNMTDS3** CHRLTNMTDS0 ASCYTNMADS0 FKLNTNMADS0 FRVWTNMTRS5 HDVLTNMADS0 NSVLTNCHDS0 **OLHCTNMARS5 GDVLTNMARS0 NSVLTNMCDS0** NSVLTNWCDS0 NSVLTNMTDS1 MRBOTNMADS0 **NSVLTNSTDS0 NSVLTNDODS0** WHBLTNMTDS0 **NSVLTNUNDS0 BLVRTNMADS1 GNFDTNMTDS0** CRNTMSMADS2 **TPVLTNMARS0** RDGLTNMARS5 DYBGTNMADS0 MCKNTNMARS0 MDTNTNMADS0 FLTNKYMADS0 **TROYTNMTRS5** HRNBTNMTRS5 CMDNTNMADS0 **BGSNTNMARS0** NWBRTNMARS5 RPLYTNMADS0 PARSTNMADS1 SLMRTNMTDS0 **GLSNTNMARS0 BLVRTNMADS0 BLLSTNMARS0** DYERTNMTRS0 MILNTNMARS0 **HNNGTNMARS5** KNTNTNMARS5 **BWVLTNMADS1** 

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**MEDINA GIBSON** HUMBOLDT **HALLS** TRENTON **UNION CITY** SAVANNAH **BETHEL SPG** LEXINGTON **JACKSON CEDARGROVE JACKSON HENDERSON** WESTSWEETW **BENTCREEK ROCKWOOD** LAKE CITY **OLIVER SPG GATLINBURG MARYVILLE** LOUDON CLINTON **JEFFERSNCY DANDRIDGE NORRIS** CHESTNUTHI **KNOXVILLE KNOXVILLE** WHITE PINE KNOXVILLE KINGSTON **KNOXVILLE GREENBACK** HARRIMAN **SEVIERVL** KNOXVILLE SOLWAY MASCOT **KNOXVILLE KNOXVILLE LENOIRCITY MAYNARDVL BEAN STATN MARYVILLE** WESTWHITEV **MEMPHIS MEMPHIS SOMERVILLE** COVINGTON **MEMPHIS MEMPHIS MEMPHIS** 

MEDNTNMADS0 GBSNTNMTRS0 HMBLTNMADS1 **HLLSTNMTRS5** TRTNTNMADS0 **UNCYTNMADS0** SVNHTNMTDS0 **BTSPTNMARS0** LXTNTNMADS1 JCSNTNNSDS0 **HNTGTNMADS0** JCSNTNMADS0 HNSNTNMTRS0 SWTWTNMTRS0 HRFRTNMARS0 **RKWDTNMADS0** LKCYTNMADS0 **OLSPTNMARS0** GTBGTNMTDS0 TWNSTNMARS5 LODNTNMARS5 **CLTNTNMADS0** JFCYTNMADS1 **DNRGTNMADS0** NRRSTNMARS0 NWPTTNMTDS0 KNVLTNMADS0 **KNVLTNYHCG0** WHPITNMADS0 KNVLTNFCDS0 KGTNTNMTDS0 KNVLTNWHDS0 **GRNBTNMARS5** HIMNTNMADS0 SVVLTNMTDS0 KNVLTNBEDS0 OKRGTNMTDS0 MSCTTNMTDS0 KNVLTNMADS1 MAVLTNMADS0 LNCYTNMADS0 MYVLTNMARS0 MRTWTNMADS0 FIVLTNMARS5 WHVLTNMTRS0 MMPHTNELBB0 MMPHTNFRDS0 SOVLTNMTDS0 CVTNTNMTDS1 MMPHTNCTDS0 MMPHTNMTDS0 **MMPHTNMACG1** 

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BELLSOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL FLINTVILLE WINCHESTER CULLEOKA

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State of Louisiana	)		
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County of East Baton Rouge	)		
VERIFI	ICATION OF APPLICANT		
Designation as an Eligible Telecommuthe State of Tennessee, verify that base	erycall Communications, Inc., the applicant for unications Carrier from the Public Service Commission of ed on information and belief, I have knowledge of the on, and I declare that they are true and correct.		
	Bli let		
•	pats, President		
Everycall Communications, Inc.			
	Notary Public in the State and County above named, this 2008.		
(Notary Seal)	Signature of person authorized to administer oath)		
My Commission Expires: 621 th	Life AMY O. MARTINEZ BARROLL #24857		

#### 3.7 Lifeline Program

#### A. General

- (i) The Lifeline program is designed to increase the availability of telecommunications services to low income subscribers by providing a credit to monthly recurring local service for qualifying residential subscribers. Basic terms and conditions are in compliance with the FCC's Order on Universal Service in CC Docket No. 97-157, which adopts the Federal-State Joint Board's recommendation in CC Docket No. 96-45, which complies with the Telecommunications Act of 1996. Specific terms and conditions are as prescribed by the Tennessee Regulatory Authority and are as set forth in this tariff.
- (ii) Lifeline is supported by the federal universal service support mechanism.
- (iii) Federal baseline support of eight dollars and twenty-five cents (\$8.25) is available for each Lifeline service and is passed through to the subscriber. An additional three dollars and fifty cents (\$3.50) credit is provided by the Company. Supplemental federal support of one dollar and seventy-five cents (\$1.75), matching one half of the Company contribution, will also be passed along to the Lifeline subscriber. The total Lifeline credit available to an eligible customer in Tennessee is thirteen dollars and fifty cents (\$13.50). The amount of credit will not exceed the charge for local service, which includes the access line, the Subscriber Line Charge and local usage.

### B. Regulations

- (i) General
  - (a) Customers eligible under the Lifeline program are also eligible for connection assistance under the Link-Up program.
  - (b) One low income credit is available per household and is applicable to the primary residential connection only. The named subscriber must be a current recipient of any of the low income assistance programs identified in Section B(ii)(a) following.
  - (c) A Lifeline customer may subscribe to any local service offering available to other residential customers. Since the Lifeline credit is applicable to the primary residential connection only, it may not be applied to multiple lines in a package for local service.
  - (d) Toll blocking, if elected, will be provided at no charge to the Lifeline subscriber.
  - (e) No deposit will be required of a Lifeline customer who subscribes to toll blocking. If a Lifeline customer removes toll blocking prior to establishing an acceptable credit history, a deposit may be required. When applicable, advance payments will not exceed the connection and local service charges for one month.
  - (f) Neither the Federal Universal Service Charge nor the Tennessee Intrastate Universal Service Surcharge will be billed to Lifeline customers.

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#### 3.7 <u>Lifeline Program (Cont'd.)</u>

- B. Regulations (Cont'd.)
  - (i) General (Cont'd.)
    - (g) A Lifeline subscriber's local service will not be disconnected for non-payment of regulated toll charges. Local service may be denied for non-payment of local calls in accordance with Section 2. Access to toll service may be denied for non-payment of regulated tolls. A Lifeline subscriber's request for reconnection of local service will not be denied if the service was previously denied for non-payment of toll charges.
    - (h) At no time shall a customer's Lifeline rate go below zero.

#### (ii) Eligibility

- (a) To be eligible for a Lifeline credit, a customer must be a current recipient of any one of the following low income assistance programs.
  - 1. Temporary Assistance to Needy Families (TAW), previously known as AFDC.
  - 2. Food Stamps
  - 3. Medicaid
- (b) All applications for service are subject to verification with the state agency responsible for administration of the qualifying program.

#### (iii) Certification

Issued:

- (a) Proof of eligibility in any of the qualifying low income assistance programs should be provided to the Company within 30 days of application for service. The Lifeline credit will not be established until proof of eligibility has been received by the Company. When eligibility documentation is provided, the Lifeline credit will be provided on a going forward basis.
- (b) The Company reserves the right to periodically audit its records, working in conjunction with the appropriate state agencies, for the purpose of determining continuing eligibility. Information obtained during such audit will be treated as confidential information to the extent required under State and Federal laws. The use or disclosure of information concerning enrollees will be limited to purposes directly connected with the administration of the Lifeline plan.
- (c) When a customer is determined to be ineligible as a result of an audit, the Company will contact the customer. If the customer cannot provide eligibility documentation within 60 calendar days, the Lifeline credit will be discontinued.

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Baton Rouge, Louisiana 70809

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#### 3.7 Lifeline Program (Cont'd.)

#### B. Regulations (Cont'd.)

- (iv) General
  - (a) Lifeline is provided as a monthly credit on the eligible residential subscriber's access line bill for local service.
  - (b) Service Charges in Section 4 are applicable for installing or changing Lifeline service.
  - (c) Link-Up connection assistance in Section 4 may be available for installing or relocating Lifeline service.
  - (d) The Service Change Charge in Section 4 is not applicable when existing service is converted intact to Lifeline.
- (v) The total Lifeline credit consists of one federal credit plus one (1) Company credit
  - (a) Federal credit

Monthly Credit

- 1. Temporary Assistance to Needy Families \$10.00
- 2. Food Stamps \$10.00
- 3. Medicaid \$10.00
- (b) Company credit
  - 1. All programs, one per Lifeline service \$ 3.50

#### 3.8 <u>Link-Up Tennessee</u>

#### A. General

- (i) Link-Up is a program designed to increase the availability of telecommunications services to low income subscribers by providing a credit to the non-recurring installation and service charges to qualifying residential subscribers. Basic terms and conditions are in compliance with the FCC's Order on Universal Service in CC Docket 97-157, which adopts the Federal-State Joint Board's recommendation in CC Docket 96-45, which complies with the Telecommunications Act of 1996. Specific terms and conditions are as prescribed by the Tennessee Regulatory Authority and are as set forth in this tariff.
- (ii) Link-Up is supported by the federal universal service support mechanism.
- (iii) A federal credit amount of fifty percent (50%) of the non-recurring charges for connection of service, up to a maximum of thirty dollars (\$30.00), is available to be passed through to the subscriber.

Issued:	

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#### 3.8 Link-Up Tennessee (Cont'd.)

#### B. Regulations

- (i) General
  - (a) Customers eligible under Link-Up are also eligible for monthly recurring assistance under the Lifeline program.
  - (b) Link-Up connection assistance is available per household and is applicable to the primary residential connection only.
  - (c) The Link-Up credit is available each time the customer installs or relocates the primary residential service.
  - (d) To receive the credit, proof of eligibility must be provided within 30 days after installation of service.
  - (e) The total tariffed charges for connecting service, including service and other installation charges, are considered in the credit calculation.

### (ii) Eligibility

- (a) To be eligible for a Link-Up credit, the named subscriber must be a current recipient of any of the following low income assistance programs:
  - 1. Temporary Assistance to Needy Families (TANF), previously known as AFDC
  - 2. Food Stamps
  - 3. Medicaid
- (b) All applications for service are subject to verification with the state agency responsible for administration of the qualifying program.

#### (iii) Certification

- (a) Proof of eligibility in any of the qualifying low income assistance programs should be provided to the Company within 30 days of application for service. The Link-Up credit will not be established until proof of eligibility has been received by the Company.
- (b) The use or disclosure of information concerning enrollees will be limited to purposes directly connected with the administration of the Link-Up plan.

#### C. Rates and Charges

Issued:

The federal credit available for a Link-Up connection is thirty dollars (\$30.00) maximum or fifty percent (50%) of the installation and service charges from this Tariff, whichever is less.

Kyle Coats, President	Effective:
EVERYCALL COMMUNICATIONS, INC.	
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