

BEFORE THE TENNESSEE PUBLIC SERVICE COMMISSION

In the matter of Petition of AT&T Tennessee)
for Order Confirming Relinquishment)
Of Eligible Telecommunications Carrier)
Designation Throughout the State)
Docket No. 21-00115

**PETITION OF AT&T TENNESSEE FOR ORDER CONFIRMING RELINQUISHMENT
OF ELIGIBLE TELECOMMUNICATIONS CARRIER DESIGNATION
THROUGHOUT THE STATE**

Pursuant to 47 U.S.C. § 214(e)(4) and 47 C.F.R. § 54.205, AT&T Tennessee¹ respectfully requests that the Public Service Commission of Tennessee (“Commission”) enter an Order confirming relinquishment of its remaining Eligible Telecommunications Carrier (“ETC”) designation throughout the State of Tennessee effective February 15, 2022 (the “effective date”). As explained below, only 132 customers receive Lifeline discounts from AT&T Tennessee, and each of these 132 customers can elect either to continue receiving services from AT&T Tennessee without any Lifeline discount or to receive services from at least 5 (and up to 6) other Commission-designated ETCs, subject to any Lifeline discounts that are available under federal or state law. AT&T Tennessee’s relinquishment, therefore, complies with applicable law, and AT&T Tennessee respectfully requests an Order confirming this relinquishment by November 30, 2021, so it can provide its affected customers with ample notice prior to the relinquishment effective date.²

¹ BellSouth Telecommunications, LLC d/b/a AT&T Tennessee

² As of the date this Petition was filed with the Commission, three other state commissions (Georgia, North Carolina, and South Carolina) have voted unanimously to enter an order confirming AT&T’s relinquishment of its eligible telecommunications carrier designation throughout those states, and written orders are forthcoming.

I. BACKGROUND AND SUMMARY

In 2017, the Commission entered an Order confirming AT&T Tennessee's relinquishment of its ETC designation for the portions of its service territory in Tennessee in which it was no longer receiving support from the Federal Communications Commission's ("FCC's") Connect America Fund Phase II ("CAF II") program³ (which comprised about 91% of AT&T Tennessee's service territory in the State). AT&T Tennessee has remained an ETC in the approximately 9% of its service territory in which it participates in the FCC's CAF II program, but after December 31, 2021, AT&T Tennessee will no longer receive CAF II support for providing any service to any customers anywhere in Tennessee. Accordingly, and consistent with the Commission's 2017 Relinquishment Order, AT&T Tennessee elects to relinquish its remaining ETC designation in all areas in the State ("relinquishment area."). Upon this relinquishment, AT&T Tennessee no longer will be an ETC in any portion of the State of Tennessee.

Only 132 customers in the relinquishment area receive Lifeline discounts from AT&T Tennessee. As was the case in 2017, upon entry of the requested Order, each of these 132 AT&T Tennessee customers can elect either to continue receiving services from AT&T Tennessee without any Lifeline discount or to receive services from at least 5 (and up to 6) other Commission-designated ETCs, subject to any Lifeline discounts that are available under federal or state law.

Federal law allows AT&T Tennessee to relinquish its remaining ETC designation because, as described below, the relinquishment area is served by at least one (and in fact, many more than one) other ETC(s). To be clear, *by this Petition AT&T Tennessee is not discontinuing any legacy voice service that a non-ETC like AT&T Tennessee is required to provide under applicable law.* AT&T Tennessee will continue to offer and provide legacy voice service and will continue to

³ Order Confirming AT&T Tennessee's Relinquishment of its Eligible Telecommunications Carrier Designation in Specified Areas, Docket No. 16-00123 (March 24, 2017). ("2017 Relinquishment Order").

comply with applicable service obligations in all of its service territory in Tennessee, unless and until it separately obtains any necessary permission to stop providing such services.

II. PETITION

1. AT&T Tennessee is an incumbent local exchange carrier (“ILEC”) in the State. On December 17, 1997, the Commission granted AT&T Tennessee’s request, pursuant to 47 U.S.C. § 214(e)(1), for designation as an ETC within its ILEC service area.⁴

2. In 2017, the Commission granted AT&T Tennessee’s request to relinquish its ETC designation for areas in the State where it was not participating in CAF II.⁵

3. Historically, AT&T Tennessee as an ETC was eligible to receive federal universal service funding in accordance with 47 U.S.C. § 254, in exchange for which it was required to offer supported services pursuant to 47 C.F.R. § 54.201(d) and meet the obligations associated with the universal service programs in which it participated.⁶ Since its inception, federal universal service funding has included federal “high cost” support to deploy and maintain networks in rural and other high-cost areas, as well as reimbursement from the federal Lifeline Assistance Program (“Lifeline”) for offering local telecommunications services to eligible low-income consumers at discounted prices.

4. In 2015, the FCC started disbursing high cost universal service support to AT&T Tennessee pursuant to a new approach.⁷ For price cap carriers like AT&T, the restructured program, referred to as CAF II, provided funding by census blocks rather than by larger areas such as wire centers or service areas. Price cap carriers that accepted model-based CAF II funding were

⁴ See Order, Docket No. 97-00888 (December 17, 1997).

⁵ See fn 2 above.

⁶ See 47 U.S.C. § 214(e)(1).

⁷ See generally Report and Order, *Connect America Fund*, 29 FCC Rcd. 15644 (2014); Report and Order and Further Notice of Proposed Rulemaking, *Connect America Fund*, 26 FCC Rcd. 17663 (2011) (subsequent history omitted).

obligated to: (a) remain an ETC in the CAF II Census Blocks; and (b) offer the Lifeline discount to eligible customers who reside in CAF II Census Blocks. CAF II funding support was provided to carriers for six years with the option to extend support for a seventh year. AT&T accepted CAF II support in Tennessee⁸ and elected to receive a seventh year of support, so it will receive CAF II support through December 31, 2021.⁹

5. Subsequently, the FCC replaced the model-based CAF II support program with the Rural Digital Opportunity Fund (“RDOF”).¹⁰ The Phase I auction for the RDOF started on October 29, 2020 and concluded on November 25, 2020.¹¹ AT&T did not participate in the RDOF Phase I auction and, therefore, will no longer be receiving federal high cost universal service support in Tennessee under CAF II, RDOF, or any other program, after December 31, 2021.

A. SCOPE OF AT&T TENNESSEE’S RELINQUISHMENT

6. Because AT&T Tennessee will no longer be receiving any federal high cost universal service support in Tennessee, and because all 132 AT&T Tennessee Lifeline customers in the relinquishment area can elect either to continue receiving services from AT&T Tennessee without any Lifeline discount or to receive services from at least 5 (and up to 6) other Commission-designated ETCs (subject to any Lifeline discounts that are available under federal or state law)¹², AT&T Tennessee seeks an order confirming relinquishment of its remaining ETC designation in

⁸ See August 27, 2015 Letter from James Cicconi in FCC Docket No. 10-90.

⁹ See Letter from Susanna Biancheri, AT&T, to Marlene Dortch, FCC, WC Docket No. 10-90 (filed Sept. 23, 2020) (accepting a seventh year of CAF II support in Georgia and seventeen other states).

¹⁰ See generally, Report and Order, *Rural Digital Opportunity Fund*, 35 FCC Rcd 686 (2020).

¹¹ See, e.g., *Rural Digital Opportunity Fund Phase I Auction (Auction 904) Closes, Winning Bidders Announced*, FCC Form 683 Due January 29, 2021, Public Notice, DA 20-1422 (rel. Dec. 7, 2020).

¹² Subject to limited exceptions, the federal voice Lifeline discount is currently scheduled to be reduced to \$0 on December 1, 2021. As the requested relinquishment effective date is February 15, 2022, the federal voice Lifeline discount will already have been removed from AT&T Tennessee’s few remaining Lifeline customers prior to the relinquishment effective date. AT&T Tennessee also will no longer have an obligation to provide a Lifeline discount on broadband internet access service after December 31, 2021. However, customers that are eligible will still be able to receive the temporary Emergency Broadband Benefit for qualifying broadband plans. Consistent with previous changes to the federal Lifeline discount, AT&T will provide ample notice to affected customers.

all areas of the State. Upon this relinquishment, AT&T Tennessee no longer will be an ETC in any portion of the State of Tennessee.

7. By this Petition, AT&T Tennessee is *not* discontinuing any legacy voice service that a non-ETC like AT&T Tennessee is required to provide under applicable law. AT&T Tennessee will continue to offer and provide legacy voice service and will continue to comply with applicable service obligations in all of its service territory in the State, unless and until it separately obtains any necessary permission to stop providing such services.

B. LEGAL STANDARD

8. In 47 U.S.C. § 214(e)(2) and (4) and 47 C.F.R. § 54.205, Congress and the FCC delegated authority to state commissions to designate carriers as ETCs and permit carriers to relinquish their ETC designation. The standard for relinquishing an ETC designation is set forth in 47 U.S.C. § 214(e)(4), which states, in pertinent part:

A State commission...shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. An eligible telecommunications carrier that seeks to relinquish its eligible telecommunications carrier designation for an area served by more than one eligible telecommunications carrier shall give advance notice to the State commission...of such relinquishment.

(Emphasis added). The law does not treat relinquishment of an ETC designation by an ILEC any differently than relinquishment by other designated ETC, *and the Commission has previously allowed relinquishment of ETC designations, including by AT&T Tennessee.*

C. AT&T TENNESSEE IS ENTITLED TO RELINQUISH ITS ETC DESIGNATION

9. AT&T Tennessee meets the standard for relinquishing its remaining ETC designation because, as set forth in **Exhibit A**,¹³ all portions of the relinquishment area have at

¹³ In Exhibit A, AT&T Tennessee has attempted in good faith to include all wire centers in which it, in whole or in part, remains an ETC per the Commission's 2017 Relinquishment Order. That said, and to be clear, upon this relinquishment, AT&T Tennessee no longer will be an ETC in any portion of the State of Tennessee.

least 5 other ETCs (and in some instances, 6 other ETCs) designated and approved by the Commission. To AT&T's knowledge, each of these providers remains designated an ETC in the areas designated in **Exhibit A**. As a designated ETC, each of these providers is obligated to provide applicable service upon reasonable request to eligible customers in the areas for which it obtained its ETC designation, and many consumers are already receiving those services from these other ETCs.

10. As of the date this Petition was filed with the Commission, three other state commissions (Georgia, North Carolina, and South Carolina) have voted unanimously to enter an order confirming AT&T's relinquishment of its eligible telecommunications carrier designation throughout those states, and written orders are forthcoming.

D. CUSTOMER NOTICE

11. AT&T Tennessee's Lifeline customers have already begun to receive bill page messages that advise customers that effective December 1, 2021, the Lifeline discount will be reduced to zero. If the FCC extends the Lifeline discount beyond December 1, 2021, AT&T Tennessee Lifeline customers will receive ample notice of the need to select another ETC in order to continue receiving any Lifeline benefit that is available under federal or state law. Among other things, at least 60 days prior to the relinquishment effective date, AT&T Tennessee will provide notice to each of its remaining affected Lifeline customers explaining that AT&T Tennessee will no longer offer any Lifeline benefit, and if the customer does not choose another provider, AT&T Tennessee's standard prices (including applicable surcharges, fees and taxes) will apply to the customer's existing AT&T Tennessee service. AT&T Tennessee also will send each remaining affected Lifeline customer a second notice and a bill message at least 15 days prior to the relinquishment date. All notices will inform each affected customer that (s)he can contact the

remaining ETCs in the area to discuss Lifeline benefits that may be offered by those ETCs, and all notices will inform affected customers how to contact the Universal Service Administrative Company (“USAC”) to obtain a list of other ETCs in the state. **Exhibit B** is a sample of the language of these notices.

12. To avoid customer confusion and assist with a smooth transition process, and consistent with the approach in AT&T Tennessee’s Petition that the Commission approved in 2017, AT&T Tennessee will stop enrolling Tennessee customers in the Lifeline program on December 1, 2011, or five (5) days after the Commission issues an Order, whichever is later.

III. REQUESTED ORDER DATE

13. AT&T Tennessee requests that the Commission issue an order granting this Petition as soon as possible, but no later than November 30, 2021, so that AT&T can provide ample notice to its Lifeline customers prior to the relinquishment effective date of February 15, 2022.

VIII. CONCLUSION

For the foregoing reasons, AT&T Tennessee respectfully requests that the Commission grant this Petition expeditiously and enter an order confirming AT&T Tennessee’s relinquishment of its ECT designation in all areas within the State of Tennessee, effective February 15, 2022.

Respectfully submitted, this 12th day of October, 2021.

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Tennessee*

EXHIBIT A

AT&T Tennessee Lifeline Customers CETCs Designated in AT&T Tennessee's Current ETC Service Area

Wire Center CLLI	Exchange	No. of AT&T Lifeline Customers*	Designated CETCs**
ATHNTNMA	ATHENS	1	1, 2, 3, 5, 6, 7
BGSNTNMA	BIG SANDY	1	1, 3, 5, 6, 7
BLNCTNMT	BLANCHE	1	1, 3, 5, 6, 7
BLVRTNMA	BOLIVAR	1	1, 3, 4, 5, 6, 7
BNTNTNMT	BENTON	3	1, 2, 3, 5, 6, 7
BTSPNTMA	BETHEL SPRINGS	1	1, 3, 5, 6, 7
BWVLTNMA	BROWNSVILLE	2	1, 3, 4, 5, 6, 7
CHRLTNMT	CHARLOTTE	1	1, 3, 4, 5, 6, 7
CHTNTNMT	CHARLESTON	1	1, 2, 3, 5, 6, 7
CLDGTNMA	CUMBERLAND GAP	1	2, 3, 5, 6, 7
CLVLTNMA	CLARKSVILLE	1	1, 3, 5, 6, 7
CMCYTNMT	CUMBERLAND CITY	1	1, 3, 5, 6, 7
CMDNTNMA	CAMDEN	4	1, 3, 4, 5, 6, 7
CNVLTNMA	CENTERVILLE	2	1, 3, 5, 6, 7
CRPLTNMA	CROSS PLAINS-ORLINDA	1	1, 3, 5, 6, 7
CRHTNMA	CARTHAGE	1	1, 2, 3, 5, 6, 7
CVTNTNMT	COVINGTON	2	1, 3, 5, 6, 7
DCTRNTMT	DECATUR	5	1, 2, 3, 5, 6, 7
DKSNTNMT	DICKSON	1	1, 3, 5, 6, 7
DOVRTNMT	DOVER	2	1, 3, 5, 6, 7
ETWHTNMT	ETOWAH	1	1, 2, 3, 5, 6, 7
FYVLTNMA	FAYETTEVILLE	1	1, 3, 5, 6, 7
GDJTTNMA	GRAND JUNCTION	1	1, 3, 5, 6, 7
GDJTTNMA	LAGRANGE	1	1, 3, 5, 6, 7
GRNBTNMA	GREENBACK	1	1, 2, 3, 5, 6, 7
GTBGTNMT	GATLINBURG	1	1, 2, 3, 5, 6, 7
HHNWTNMA	HOHENWALD	7	1, 3, 5, 6, 7
HMBLTNMA	HUMBOLDT	1	1, 3, 4, 5, 6, 7
HNLDTNMA	HUNT LAND	1	1, 3, 5, 6, 7
HNSNTNMT	HENDERSON	7	1, 3, 4, 5, 6, 7
HNTGTNMA	HUNTINGDON	2	1, 3, 4, 5, 6, 7
HNTGTNMA	CEDAR GROVE	1	1, 3, 4, 5, 6, 7
HRFRTNMA	BENT CREEK	7	1, 2, 3, 5, 6, 7
HRNBTNMT	HORNBEAK	2	1, 3, 5, 6, 7
JCSNTNMA	JACKSON	3	1, 3, 5, 6, 7
JLLCTNMA	JELICO	5	1, 2, 3, 5, 6, 7
KNVLTNYH	KNOXVILLE	1	1, 2, 3, 5, 6, 7
LFLTNTNMA	LAFOLLETTE	2	1, 2, 3, 5, 6, 7
LODNTNMA	LOUDON	1	1, 2, 3, 5, 6, 7
LRBGTNMA	LAWRENCEBURG	4	1, 3, 5, 6, 7

* AT&T's Lifeline customer counts are as of June 2021.

** The numbers in this column correspond to the competitive eligible telecommunications carriers (CETCs) identified on the last page of this Exhibit.

EXHIBIT A

AT&T Tennessee Lifeline Customers CETCs Designated in AT&T Tennessee's Current ETC Service Area

Wire Center CLLI	Exchange	No. of AT&T Lifeline Customers*	Designated CETCs**
LXTNTNMA	LEXINGTON	3	1, 3, 4, 5, 6, 7
LYBGTNMT	LYNCHBURG	1	1, 3, 5, 6, 7
MCKNTNMA	MCKENZIE	1	1, 3, 5, 6, 7
MDTNTNMA	MIDDLETON	1	1, 3, 5, 6, 7
MDVITNMT	MADISONVILLE	1	1, 2, 3, 5, 6, 7
MEDNTNMA	MEDINA	1	1, 3, 5, 6, 7
MNPLTNMA	MT PLEASANT	1	1, 3, 5, 6, 7
NWPTTNMT	CHESTNUT HILL		1, 2, 3, 5, 6, 7
NWPTTNMT	NEWPORT	7	1, 2, 3, 5, 6, 7
PLSKTNMA	PULASKI	3	1, 3, 5, 6, 7
PLSKTNMA	ELKTON		1, 3, 5, 6, 7
PTBGTNMA	PETERSBURG	2	1, 3, 5, 6, 7
RKWDTNMA	ROCKWOOD	1	1, 2, 3, 5, 6, 7
RPLYTNMA	RIPLEY	1	1, 3, 4, 5, 6, 7
RRVLTNMA	ROGERSVILLE	2	1, 2, 3, 5, 6, 7
SLMRTNMT	SELMER	1	1, 3, 4, 5, 6, 7
SMTWTNMA	SUMMERTOWN	1	1, 3, 5, 6, 7
SOVLTNMT	SOMERVILLE	1	1, 3, 4, 5, 6, 7
SPCYTNMT	SPRING CITY	1	1, 2, 3, 5, 6, 7
SPFDTNMA	SPRINGFIELD	2	1, 3, 5, 6, 7
SVNHTNMT	SAVANNAH	5	1, 3, 4, 5, 6, 7
SVVLTNMT	SEVIERVILLE	2	1, 2, 3, 5, 6, 7
TROYTNMT	TROY	1	1, 3, 5, 6, 7
UNCYTNMA	UNION CITY	4	1, 3, 4, 5, 6, 7
VNLRTNMA	VANLEER	2	1, 3, 5, 6, 7
VNLRTNMA	WEST VANLEER		1, 3, 5, 6, 7
WHHSTNMA	WHITE HOUSE	1	1, 3, 5, 6, 7
WNCHTNMA	WINCHESTER	2	1, 3, 5, 6, 7
WTTWTNMA	WATERTOWN	1	1, 3, 5, 6, 7
Total		132	

* AT&T's Lifeline customer counts are as of June 2021.

** The numbers in this column correspond to the competitive eligible telecommunications carriers (CETCs) identified on the last page of this Exhibit.

EXHIBIT A

AT&T Tennessee Lifeline Customers
CETCs Designated in AT&T Tennessee's Current ETC Service Area

ID Code	CETC Name
1	BUDGET PREPAY, INC.
2	US Cellular Corp.
3	TracFone Wireless, Inc.
4	AENEAS COMMUNICATIONS, LLC
5	Virgin Mobile USA, L.P.
6	I-Wireless, LLC
7	TELE CIRCUIT NETWORK CORP

Exhibit B

Your Lifeline Benefit from AT&T Ends February 15, 2022

«FIRSTNAME» «LASTNAME»
«BILLINGADDRESS1» «BILLINGADDRESS2»
«BILLINGAPARTMENTNUMBER»
«BILLINGCITY», «BILLINGSTATE» «BILLINGZIP5»
«BILLINGZIP4»

Phone number ending in: <<XXXX>>

Hi «FIRSTNAME»,

AT&T will no longer provide you with a Lifeline benefit in Tennessee* as of February 15, 2022.

Your options:

- Keep your AT&T home phone service, billed at regular price, with all applicable taxes, surcharges, and fees. Or, choose from any of our other plans. Call us at 855.301.0355, and we'll be happy to help.
- Contact another company that provides service in your area to see if they offer a Lifeline benefit. You can contact the Universal Service Administrative Company (USAC) at **800.234.9473** or go to **www.lifelinesupport.org** and select **Companies Near Me** for a list of companies in your area.
- Here is a list of providers that may offer service and a Lifeline benefit in your area.**

[Insert list]

Thanks for choosing us,

AT&T

- * If you have received a notice to recertify your eligibility to continue receiving a Lifeline benefit from USAC, or if you receive such notice in the future, please disregard it as AT&T will no longer provide a Lifeline benefit in your area.
- ** This list identifies Eligible Telecommunications Carriers (ETCs) based on publicly available resources. AT&T does not make any representations or warranties regarding the accuracy of this publicly available information or the services these ETCs may offer. You will need to contact these ETCs to determine whether any Lifeline benefit is available at your location from any of them.