

Service Date: January 27, 1998

DEPARTMENT OF PUBLIC SERVICE REGULATION  
BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MONTANA

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IN THE MATTER of the Request of PTI	)	UTILITY DIVISION
Communications For Designation as an	)	
Eligible Telecommunications Carrier,	)	DOCKET D96.2.18
	and	
IN THE MATTER of the Request of	)	ORDER NO. 6005b
Montana Telephone Association Member	)	
Companies For Designations as Eligible	)	
Telecommunications Carriers,	)	
	and	
IN THE MATTER of the Request of	)	
Montana Independent Telecommunications	)	
Systems, Inc., On Behalf of Its Regulated	)	
Members For Designations as Eligible	)	
Telecommunications Carriers,	)	
	and	
IN THE MATTER of the Request of	)	
Ronan Telephone Company For Designation	)	
as an Eligible Telecommunications Carrier,	)	
	and	
IN THE MATTER of the Request of	)	
Hot Springs Telephone Company For Designation	)	
as an Eligible Telecommunications Carrier,	)	
	and	
IN THE MATTER of the Request of RT	)	
Communications, Inc. For Designation as an	)	
Eligible Telecommunications Carrier.	)	

ORDER DESIGNATING RT COMMUNICATIONS, INC.  
AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER

Congress enacted 47 U.S.C. § 214(e)(2) on February 8, 1996, requiring state commissions to confer eligible carrier status to telecommunications companies which meet certain criteria

adopted by the Federal Communications Commission (FCC). On December 10, 1997, the Montana Public Service Commission (Commission) designated incumbent local exchange carriers (LECs) operating in Montana as "eligible telecommunications carriers" (ETCs) for purposes of federal universal service support in Order No.6005a. In Order No. 6005a, the Commission also waived the requirement of toll control for all companies with the eligible carrier status.

In addition to Montana ILECs, the Commission designated one South Dakota carrier and one Wyoming carrier as eligible carriers for their Montana subscribers being served from South Dakota and Wyoming exchanges. Subsequently, RT Communications, Inc., another Wyoming ILEC, requested this Commission to designate it as a Montana ETC for its Montana subscribers. On December 22, 1997, RT Communications, Inc. filed a copy of a Notice and Order issued by the Wyoming Public Service Commission which designates it as an ETC for the service territory for which it holds a Certificate of Public Convenience and Necessity issued by the Wyoming commission. This order does not cover the Montana portion of the Hulett, Wyoming exchange in RT Communications, Inc.'s service area. RT Communications, Inc. provides service to 14 Montana customers in the Hulett exchange. The Commission takes administrative notice of the Notice and Order in Docket No. 70015-TA-97-11, issued on September 2, 1997 by the Wyoming Public Service Commission.

The Commission has waived the requirement to provide toll control in Montana. RT Communications, Inc. requests a waiver of the toll control requirement and also requests a waiver of the requirement to provide single-party service, representing that it provides single-party service to seven of its 14 Montana subscribers. Of the remaining seven subscribers, five

subscribe to multi-party service by choice and two by necessity due to the rural nature of its Montana service area and the exorbitant cost of upgrade. RT Communications, Inc. has not yet completed upgrades necessary to eliminate multi-party service throughout its service territory.

The Wyoming commission, stating that it is aware of RT Communications, Inc.'s "construction plans which will result in the upgrading of the exchanges which the Company purchased from U S WEST Communications," made an express finding that "exceptional circumstances" exist which warrant the granting of a waiver of the single-party service requirement through December 31, 1999. This Commission adopts the finding of the Wyoming Public Service Commission that "exceptional circumstances" exist which warrant this waiver for its Montana area as well. A copy of the Wyoming order is attached to this Order as Attachment "A".

THEREFORE, based upon the foregoing, IT IS ORDERED

- 1) that RT Communications, Inc. is granted a waiver of the toll control portion of the toll limitation requirement for receipt of federal universal service support as discussed in Order No. 6005a;
- 2) that RT Communications, Inc. is granted a waiver of the single-party service requirement through December 31, 1999;
- 3) that RT Communications, Inc. is designated as an eligible telecommunications carrier, pursuant to the provisions of 47 U.S.C. § 214(e)(2) and 69-3-840, MCA, for the Montana portion of its Hulett, Wyoming service area; and
- 4) RT Communications, Inc. shall file the Montana self-certification form no later than December 31, 1997.

DONE AND DATED this 22nd day of December, 1997.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

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DAVE FISHER, Chairman

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NANCY MCCAFFREE, Vice Chair

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BOB ANDERSON, Commissioner

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DANNY OBERG, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision.  
A motion to reconsider must be filed within ten (10) days. See ARM 38.2.4806.