

**OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION**

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**BEFORE THE
ILLINOIS COMMERCE COMMISSION**

ILLINOIS COMMERCE COMMISSION

2011 MAY 19 A 11:05

In The Matter of

Safari Communications, Inc.

Docket No. CHIEF CLERK'S OFFICE

11-0440

**Petition for Limited Designation as an
Eligible Telecommunications Carrier**

**PETITION FOR LIMITED DESIGNATION AS AN
ELIGIBLE TELECOMMUNICATIONS CARRIER**

COMES NOW Safari Communications, Inc. (Safari or the Company) and makes application to the Illinois Commerce Commission (Commission) for designation as an eligible telecommunications carrier (ETC). This application is made pursuant to 47 U.S.C. § 214(e)(1)-(2) and the rules and regulations of the Commission. The Company requests ETC designation throughout the wire centers within the non-rural exchanges of the State of Illinois (i.e., the non-rural certificated service territory of AT&T Illinois).

The Company seeks ETC designation in Illinois as a wireless carrier only for the purpose of receiving low-income universal support, i.e., Lifeline and Link-Up support. The Company does not make application for ETC designation to offer services supported by the federal universal service fund's high-cost program. The Company satisfies all of the statutory and regulatory requirements for designation as an ETC in the requested designated service area. As explained herein, the public interest would be served by granting this petition.

Safari is a Florida-formed corporation with its principal offices located at 4915 Dorothy Avenue, Sarasota, FL 34235. Exhibit A contains the Articles of Incorporation.

The following company contact information is provided to the Commission for complaints and/or billing dispute issues:

Safari Communications, Inc.
Tom Peltier
4915 Dorothy Ave.
Sarasota, FL 34235
941-685-3111

The Company is authorized to do business in the State of Illinois. See Exhibit B.

On March 29, 2011, the Company filed a verified application with the Commission, pursuant to Section 13-401 of the Public Utilities Act for a Certificate to become a Wireless Telecommunications Carrier in Illinois. See Docket No. 11-0298. As part of that proceeding, the Company has or will submit evidence that it has the technical, financial, and managerial resources and abilities to provide the services it will offer in Illinois.

The Company has pending applications in the following jurisdictions for ETC designation: Louisiana.

The Company has never been denied ETC designation by any regulatory authority. The Company does not have any pending actions against it by any regulatory authority.

III. The Company Shall Offer Required Services

Pursuant to 47 U.S.C. § 214(e)(1)(A) and 47 C.F.R. § 54.201(d)(1), the Company shall, throughout the service area for which designation is received, offer the services that are supported by Federal universal service support mechanisms defined in 47 C.F.R. § 54.101(a). These services are: 1) voice grade access to the public switched network; 2) local usage; 3) dual tone multi-frequency signaling or its functional equivalent; 4) single-party service or its functional equivalent; 5) access to emergency services; 6) access to operator services; 7) access to interexchange service; 8) access to directory assistance; and 9) toll limitation for qualifying low-income consumers. The Company will provide these required services.

IV. The Company Shall Use Its Own Facilities, Or a Combination of Its Own Facilities and Resale of Another Carrier's Services

Pursuant to 47 U.S.C. § 214(e)(1)(A) and 47 C.F.R. § 54.201(d)(1), the Company shall use its own facilities or a combination of its own facilities and resale of another carrier's services to offer the services that are supported by Federal universal service support mechanisms. The Company has entered into a capital lease agreement with a third party which enables the company to utilize a leased switch to provide one or more of the supported services that are supported by Federal universal service support mechanisms, and which will be used in combination with the network architecture being provided from an underlying wireless provider that the Company obtains at resale. The switching facility is located at 624 S. Grand Avenue, Los Angeles, CA inside a collocation space.

V. The Company Shall Provide Service Throughout the Designated Service Area

Pursuant to 47 U.S.C. § 214(e)(1) and 47 C.F.R. § 54.201(d), the Company shall offer the services that are supported by Federal universal service support mechanisms throughout the service area for which designation is received. In addition, the Company commits to provide service throughout its proposed designated service area to all customers making a reasonable request for service. See 47 C.F.R. § 54.202(a)(1)(i). The Company certifies that it will provide service on a timely basis to requesting customers within the Company's service area where the Company's network already passes the potential customer's premises. See 47 C.F.R. § 54.202(a)(1)(i)(A). The Company certifies that it will provide service within a reasonable period of time, if the potential customer is within the Company's licensed service area but outside its existing network coverage, if service can be provided at reasonable cost by: 1) modifying or replacing the requesting customer's equipment; 2) deploying a roof-mounted antenna or other equipment; 3) adjusting the nearest cell tower; 4) adjusting network or customer facilities; 5) reselling services from another carrier's facilities to provide service; or 6) employing, leasing or constructing an additional cell site, cell extender, repeater, or other similar equipment. See 47 C.F.R. § 54.202(a)(1)(i)(B).

VI. The Company Will Advertise

Pursuant to 47 U.S.C. § 214(e)(1)(B) and 47 C.F.R. § 54.201(d)(2), the Company shall advertise the availability of the services that are supported by Federal universal service support mechanisms and the charges for such services using media of general distribution. The Company may advertise, among other means, via newspaper, mail circular, and radio and target residential customers with its advertising efforts. The Company will advertise in accordance

with Commission rules. The Company will make a concerted effort to notify municipal, state, and federal governmental agencies whose clientele may likely benefit the most from having the Company designated as an ETC by the Commission. Exhibit C contains sample planned advertising.

VII. The Company Shall Make Available Lifeline and Link up Service

Pursuant to 47 C.F.R. § 54.405 and 47 C.F.R. § 54.411(d), the Company shall make available Lifeline and Link Up service to qualifying low-income consumers and publicize the availability of Lifeline and Link Up service in a manner reasonably designed to reach those likely to qualify for the service. The Company's proposed Lifeline and Link Up tariff is attached as Exhibit D.

VIII. Service Area for Which Designation Is Requested

The Company requests ETC designation throughout the wire centers within the non-rural exchanges of the State of Illinois (i.e., the non-rural service territory of AT&T Illinois).

IX. Emergency Situations

Pursuant to 47 C.F.R. § 54.202(a)(2), a carrier seeking ETC designation must demonstrate its ability to remain functional in emergency situations, including a demonstration that it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations.

Since the Company is providing service to its customers through the use of facilities obtained from other carriers, this arrangement allows the Company to provide to its customers the same ability to remain functional in emergency situations as currently provided by the carriers to their own customers, including access to a reasonable amount of back-up power to ensure functionality without an external power source, rerouting of traffic around damage facilities, and the capability of managing traffic spikes resulting from emergency situations.

X. Consumer Protection and Service Quality Standards

Pursuant to 47 C.F.R. § 54.202(a)(3), a carrier seeking ETC designation must demonstrate that it will satisfy applicable consumer protection and service quality standards. The Company commits to comply with the Cellular Telecommunications and Internet Association's Consumer Code for Wireless Service. In addition, the Company will abide by applicable regulations of the Commission.

XI. Designation of the Company as an ETC Is in the Public Interest

Competition furthers the goals of telecommunications service and provides the consumer with a greater choice of providers and service choices, which will in turn result in market-driven prices and quality. Granting the Company ETC status would advance principles of customer service by providing increased competition and is therefore in the public interest. In addition, as a wireless provider, the Company can often serve a larger local calling area than a traditional wireline provider and afford the customer the convenience of telephony mobility.

The designation of the Company as an ETC will offer Lifeline-eligible customers a greater choice of providers for accessing telecommunications services not available to such customers today and should likely expand participation of qualifying customers in the Lifeline program.

XII. 5-Year Plan

Pursuant to 47 C.F.R. § 54.202(a)(1)(ii), a carrier seeking ETC designation must submit a five-year plan that describes proposed improvements or upgrades to the Company's network on a wire center-by-wire center basis. Because the Company 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 plan is not required at this time.

XIII. Local Usage Plan

Pursuant to 47 C.F.R. § 54.202(a)(4), a carrier seeking ETC designation must demonstrate that it offers a local usage plan comparable to the one offered by the incumbent LEC in the service areas for which it seeks designation. The Company's offering of local usage plans will be comparable to or exceed the underlying ILEC plans. See Section XIV.

XIV. Summary of Offering

Lifeline

Lifeline is a component of one of four separate federal universal service fund mechanisms known as the "low-income support mechanism" and is defined in 47 C.F.R. § 54.401 as "a retail local service offering" "available only to qualified low-income consumers"

“for which qualifying low-income consumers pay reduced charges as a result of application of the Lifeline support amount” “that includes the services or functionalities enumerated in § 54.401(a)(1) through (a)(9)”, which the Company will use to “make available Lifeline service...to qualifying low-income consumers”.^[3] Under the Company’s wireless Lifeline plan, Safari Communications will provide qualified Lifeline customers who reside in the State of Illinois with 100 free minutes each month. Under this plan, any unused minutes will roll over to the next month. In addition, the Company will use all low-income universal service support to allow the Company to provide the service with no monthly recurring charge, thus ensuring that the consumer receives 100% of all universal service support funding for which the Company will seek reimbursement from the Universal Service Fund necessary to provide the free minutes of airtime above.

In the event that all airtime has been used, Lifeline customers will have the capability of purchasing additional airtime replenishment cards for \$6.75 for 50 anytime minutes; \$10.13 for 75 anytime minutes; \$13.50 for 100 anytime minutes, and \$40.50 for 300 anytime minutes. The customer will be able to add additional minutes by calling into customer service. They can check the balance of their minutes from their phone.

The wireless plan will also include a free handset and the following Custom Calling features:

- (1) Caller ID;
- (2) Call Waiting;
- (3) Call Forwarding;
- (4) 3-Way Calling
- (5) Voicemail.

^[3] 47 C.F.R. §§ 54.401(a), 54.401(a)(1), 54.401 (a)(2), 54.401(a)(3), 54.405(a).

Wireless handsets will be delivered at no charge to qualifying customers, service will be activated, and the requisite number of minutes will be added upon certification of the customer for Lifeline and Link-Up.

Link Up

Like Lifeline, Link-Up is also a component of one of four separate federal universal service fund mechanisms known as the “low-income support mechanism”, and is defined in 47 C.F.R. § 54.411 as an “assistance program for qualifying low-income consumers, *which an eligible telecommunications carrier shall offer as part of its obligations set forth in §§ 54.101(a)(9) and 54.101(b)*”. Assistance is in the form of a “reduction in the carrier’s customary charge for commencing telecommunications service for a single telecommunications connection” and “shall be half of the customary charge or \$30.00, whichever is less”.¹⁸¹ Consistent with FCC requirements, Safari Communications will use Link-Up support to reduce the company’s “customary charge for commencing service” by “half of the customary charge...”, which will result in a reduction of the Company’s wireless activation charge by \$30.00.

Qualifying subscribers will have the option of receiving a waiver of the remaining activation charge pursuant to a company issued promotion. During the pendency of that promotion, there is no up-front connection charge applicable to qualifying Safari Communications’ customers.

¹⁸¹ 47 C.F.R. § 54.411(a)(1).

XV. Equal Access

Pursuant to 47 C.F.R. § 54.202(a)(5), the Company certifies that it may be required to provide equal access to long distance carriers in the event that no other ETC is providing equal access within the service area.

XVI. Consumer Certification

Consistent with 47 C.F.R. § 54.409, the Company obtains a consumer's signature on a document under penalty of perjury that the consumer receives benefits under an approved assistance program or that the consumers' household meets applicable income requirements; and that the consumer will notify the Company if the consumer ceases participation in a program or his income criteria exceeds approved thresholds. The Company shall obtain this certification annually and shall put in place quality control mechanisms to ensure that only eligible consumers are participating in Lifeline and Link Up.

XVII. Annual Reporting Requirements

The Company shall comply with all annual reporting requirements for designated ETCs listed in 47 C.F.R. § 54.209, as applicable.

XVIII. Conclusion

WHEREFORE, PREMISES CONSIDERED, the Company respectfully requests designation as an ETC for purposes of receiving federal universal service support, that the Commission grant this petition by order or minute action without a hearing within 90 days from the date of application, that the Commission send appropriate notice of the Final Order to the

Federal Communications Commission, and that the Commission issue such other orders as are deemed necessary in this matter.

Respectfully submitted,

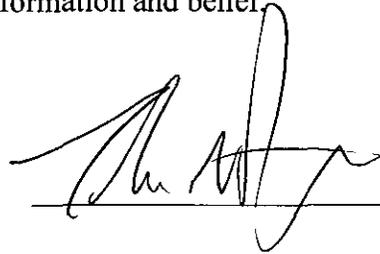
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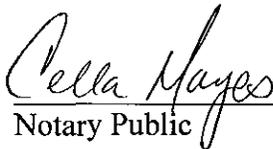
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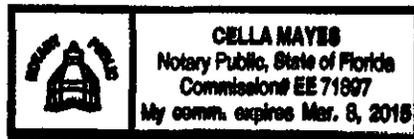
VERIFICATION

I, Tom Peltier, first being duly sworn, hereby state that I am President of Safari Communications, Inc., that I am authorized to make this verification on behalf of Safari Communications, Inc., that I have read the foregoing petition for limited designation as an eligible telecommunications carrier, that I have knowledge of the facts stated therein, and that the same are true and correct to the best of my knowledge, information and belief.



Subscribed and sworn before me this 16th day of May, 2011


Notary Public



LIST OF EXHIBITS

| | |
|------------------|---|
| Exhibit A | Articles of Incorporation |
| Exhibit B | Authorization to Conduct Business in the State of Illinois |
| Exhibit C | Sample Advertisement |
| Exhibit D | Lifeline and Link-Up Tariff |