

COLLEEN R. JAMISON
JAMISON LAW, LLC

May 16, 2022

Lynn M. Retz, Executive Director
Kansas Corporation Commission
1500 SW Arrowhead Rd.
Topeka, KS 66604

RE: United Telephone Association, Inc.
Application to relinquish certificate of convenience and ETC designation in the South
Englewood, OK, exchange

Dear Ms. Retz:

Attached for filing please find United Telephone Association, Inc.'s application to relinquish its certificate of convenience and designation as an eligible telecommunications carrier in its South Englewood, Oklahoma exchange, application for an annual allocation of its KUSF support attributable to the exchange, and an application for approval of a modification to its tariff to remove references to the exchange. All applications are, of course, contingent upon appropriate regulatory approvals from both the Oklahoma Corporation Commission and the Federal Communications Commission.

If you have any questions, please let me know.

Sincerely,

JAMISON LAW, LLC

Colleen R. Jamison

Colleen R. Jamison

Att.

cc: Todd Houseman
Tony Lee

agreement, in exchange for consideration, Panhandle will acquire from United all customers being served within United's South Englewood, Oklahoma exchange, facilities currently serving these customers, and customer records needed to support the provision of these services. A map and metes and bounds description of the South Englewood, Oklahoma exchange is attached to this application as Exhibit A. United will continue to provide telecommunications services to all customers affected by this transaction pursuant to United's existing tariff until this agreement has received all necessary regulatory approvals.

3. United acquired the South Englewood, Oklahoma exchange from the now-defunct Ditch Valley Telephone Company, in Oklahoma in 1993, and the South Englewood, Oklahoma exchange has, since that time, been operated under a certificate of convenience pursuant to Kansas law. Additionally, the exchange has been governed by United's Kansas tariff, including United's Kansas rates and has been listed by United as a served exchange in United's tariff.

4. Panhandle has filed with the Oklahoma Corporation Commission an application to be granted a certificate of convenience in the South Englewood, Oklahoma exchange pursuant to the terms of the asset purchase agreement between United and Panhandle (see Exhibit B, attached).

5. 47 U.S.C. §214(e)(4) governs relinquishment of an ETC designation and states:

A State commission (or the Commission in the case of a common carrier designated under paragraph (6)) 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 (or the Commission in the case of a common carrier designated under paragraph (6)) of such relinquishment. Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State commission (or the Commission

in the case of a common carrier designated under paragraph (6)) shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunications carrier. The State commission (or the Commission in the case of a common carrier designated under paragraph (6)) shall establish a time, not to exceed one year after the State commission (or the Commission in the case of a common carrier designated under paragraph (6)) approves such relinquishment under this paragraph, within which such purchase or construction shall be completed.

6. Additionally, 47 C.F.R. 54.205, which also governs relinquishment of ETC designation states:

(a) 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.

(b) Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the state commission shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunications carrier. The state commission shall establish a time, not to exceed one year after the state commission approves such relinquishment under this section, within which such purchase or construction shall be completed.

7. By this application to relinquish its designation as an ETC in the South Englewood, Oklahoma, exchange, and by Panhandle's application to the Oklahoma Corporation Commission ("OCC") to be designated as an ETC in the South Englewood, Oklahoma, exchange (see Exhibit C, attached), United is providing the Commission with the advance notice required by 47 U.S.C. §214(e)(4) and 47 C.F.R. 54.405. United's application to relinquish its designation as an ETC in the South Englewood, Oklahoma exchange and Panhandle's application to the

OCC to be designated as an ETC in this exchange also ensures that all customers served by United as the relinquishing carrier shall continue to be served by Panhandle as the acquiring carrier.

8. United currently receives Kansas Universal Service Fund (“KUSF”) support as a rate of return regulated rural local exchange carrier. United’s level of receipt of KUSF support was most recently determined in Docket No. 20-UTAT-032-KSF and includes support for the South Englewood, Oklahoma, exchange. At Commission Staff’s request, United proposes an appropriate annual reduction of KUSF support paid to United allocated to the South Englewood, Oklahoma exchange once the exchange has been transferred to Panhandle. See Exhibit D, attached.

9. The South Englewood, Oklahoma exchange is listed in United’s local exchange tariff as an exchange to which United provides service. Attached as Exhibit E is United’s proposed tariff modification removing the South Englewood, Oklahoma, exchange as an exchange served by United.

WHEREFORE United Telephone Association, Inc. requests the Commission grant this application allowing United to relinquish its certificate of convenience in the South Englewood, Oklahoma, exchange, and to relinquish its designation as an eligible telecommunications carrier in the South Englewood, Oklahoma exchange, both applications and approval contingent upon the Oklahoma Corporation Commission granting Panhandle Telephone Cooperative, Inc.’s applications to the OCC to be granted a certificate of convenience and be designated as an eligible telecommunications carrier in the same exchange. United further requests the Commission reduce its annual KUSF support as allocated and reflected in Exhibit D, and United requests the Commission modify its tariff to reflect the transfer of the South Englewood,

Oklahoma, exchange, and for such other and further relief as the Commission deems just and equitable.

Respectfully submitted,

JAMISON LAW, LLC

Colleen R. Jamison

Colleen R. Jamison, KS Bar #16121
PO Box 128
Tecumseh, KS 66542
Ph: 785-226-3732
Ph: 785-331-8214
colleen.jamison@jamisonlaw.legal
Attorney for United Telephone Association,
Inc.

VERIFICATION

I, the undersigned, hereby certify under penalty of perjury pursuant to K.S.A. 53-601 that I am an attorney for United Telephone Association, Inc., and that the foregoing is true and correct. Executed on May 16, 2022.

Colleen R. Jamison

Colleen R. Jamison

EXHIBIT A

MEETS AND BOUNDS OF UNITED TELEPHONE ASSOCIATION, INC EXCHANGE

Starting at a point on the Oklahoma and Kansas state line, beginning at the Northeast corner of Section 13, Township 29 North, Range 25 West; thence west along the Oklahoma and Kansas state line approximately 30 miles to a point where the Cimarron River intersects the Oklahoma and Kansas state line, at approximately the Northwest corner of the Southeast quarter of Section 7, Township 6 North, Range 25 East; thence following the Cimarron River in an East Southeast direction to a point at the Southeast corner of the Southeast quarter of Section 25, Township 6 North, Range 27 East; thence South approximately $2\frac{1}{2}$ miles to the Southeast corner of the Northeast quarter of Section 12, Township 5 North, Range 27 East; thence East $4\frac{1}{4}$ miles to the Southeast corner of the Northeast quarter of Section 11, Township 5 North, Range 28E; thence South approximately 5 miles to U. S. Highway 64; thence Southeasterly approximately $2\frac{3}{4}$ miles to a point on U. S. Highway 64 at the Southeast corner of the Southwest one fourth of Section 12, Township 27 North, Range 26 West; thence North 6 miles to the Northeast corner of the Northwest one fourth of Section 13, Township 28 North, Range 26 West; thence East $2\frac{1}{4}$ miles to the Southwest corner of the Southeast quarter of Section 8, Township 28 North, Range 25 West; thence North 2 miles to the Northwest corner of the Northeast one fourth, Section 5, Township 28 North, Range 25 West; thence East approximately $3\frac{3}{4}$ miles to a point on the Southeast corner of Section 36, Township 29, Range 25 West; thence North 4 miles to the place of beginning.

EXHIBIT B

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

APPLICATION OF PANHANDLE TELEPHONE)	
COOPERATIVE, INC. FOR A CERTIFICATE OF)	
PUBLIC CONVENIENCE AND NECESSITY TO)	CAUSE NO. PUD 202
PROVIDE FACILITIES-BASED AND RESOLD)	
LOCAL EXCHANGE AND INTEREXCHANGE)	
TELECOMMUNICATIONS SERVICES WITHIN)	
THE STATE OF OKLAHOMA)	

APPLICATION

COMES NOW, Panhandle Telephone Cooperative, Inc. ("Applicant") and respectfully requests that the Oklahoma Corporation Commission ("Commission") grant it a certificate of convenience and necessity ("CCN") for Applicant to provide local exchange, interexchange and data telecommunications services on a facilities-based and resold basis within the State of Oklahoma. Applicant is an incumbent local exchange telephone company and holds Certificates of Convenience and Necessity issued by the Commission to operate as a public telephone utility in several exchanges in and near the panhandle of Oklahoma including the exchange of Gate. In support of its application, Applicant states the following:

I. PARTIES

1) The Applicant is Panhandle Telephone Cooperative, Inc. Applicant's corporate headquarters are located at the following address:

603 S. Main Street, Guymon, OK 73942

2) All notices, pleadings and other correspondence regarding this Application should be directed to:

Ron Comingdeer & Dustin Murer
 COMINGDEER & MURER
 5400 N. Grand Blvd, Suite 102
 Oklahoma City, OK 73112
 Telephone: (405) 848-5534
 Fax: (405) 400-2429
hunter@comingdeerlaw.com
dustin.murer@comingdeerlaw.com

3) **Attachment 1** contains a written affirmation, signed before a Notary Public by Jana Wallace in her capacity as Chief Operating Officer of the Applicant, who has authority to bind the Applicant pursuant to OAC 165:55-3-1(d)(1)(C).

Pursuant to OAC 165:55-3-1(d)(2), the following requirements are discussed below, and documents are attached hereto and incorporated herein:

OAC 165:55-3-1(d)(2)(A): A copy of the Applicant's Amended Certificate of Incorporation.

See Exhibit A.

OAC 165:55-3-1(d)(2)(B): A copy of the Certificate of Good Standing, issued by Oklahoma's Secretary of State, to transact business in the State of Oklahoma.

See Exhibit B.

OAC 165:55-3-1(d)(2)(C): A copy of the Corporate Trade Name Report, issued by Oklahoma's Secretary of State, for each and every trade name utilized by the applicant.

Not Applicable

OAC 165:55-3-1(d)(2)(D) & 165:55-3-1(h): A copy of the third-party surety bond, surety bond or letter of credit if applicable, or a statement that the company will neither require nor accept customer deposits.

The Applicant will neither require nor accept customer deposits.

OAC 165:55-3-1(d)(2)(E): Financial statements

Applicant is an incumbent local exchange company (ILEC) that has filed numerous Annual Reports with the Commission and refers the Commission to those filings.

OAC 165:55-3-1(d)(2)(F): A brief description of Applicant's history of providing the requested telecommunications service, or other telecommunications services, in order to demonstrate its managerial experience.

Applicant is an ILEC that has been providing telecommunications services in Oklahoma under the jurisdiction of the Commission for over 65 years. The Applicant's current management team will operate and provide services to customers in accordance with the Commission's rules and regulations and the laws of the State of Oklahoma as it has its existing customers in the State of Oklahoma.

OAC 165:55-3-1(d)(2)(G): A description of the applicant's education and/or experience in providing telecommunications services in order to demonstrate its technical abilities.

See description under OAC 165:55-3-1(d)(2)(F) above.

OAC 165:55-3-1(d)(2)(H): The name, address and toll-free telephone number that an end-user may contact concerning repairs and maintenance, complaints, billing questions, refunds and any other customer service-related inquiries.

Cindy Quesenbury, Director of Customer, Member and Marketing Operations
603 S. Main Street, PO Box 1188, Guymon, OK 73942
Cindy.quesenbury@ptci.net
580-338-2556 (this number is toll free within Panhandle's service area)

OAC 165:55-3-1(d)(2)(I): The contact name, address and telephone number of the individual with overall responsibility for repairs and maintenance, complaints, billing questions, refunds, and any other customer service-related inquiries.

Jana Wallace, CEO
603 S. Main Street, PO Box 1188, Guymon, OK 73942
Jana.wallace@ptci.net
580-338-2556 (this number is toll free within Panhandle's service area)

OAC 165:55-3-1(d)(2)(J): The contact name, address and telephone number of the principal contact to be utilized by the Commission's Public Utility Division regarding any questions which are not related to customer service.

Kelley Wells, Director of Regulatory Affairs
603 S. Main Street, PO Box 1188, Guymon, OK 73942
Kelley.wells@ptci.net
580-338-2556 (this number is toll free within Panhandle's service area)

OAC 165:55-3-1(d)(2)(K): A list of all other states, if any, where Applicant is authorized to operate, where Applicant has an application for authority pending, where a request for authorization has been denied or revoked:

Not Applicable

OAC 165:55-3-1(d)(2)(L): A complete set of proposed initial tariffs which include the terms and conditions of service and all rates and charges for each service classification in a format consistent with Subchapter 5 of OAC 165:55 or a statement that the Applicant will file tariffs pursuant to OAC 165:55-3-3.

Applicant will file tariffs pursuant to OAC 165:55-3-3.

OAC 165:55-3-1(d)(2)(M): A description of the Applicant's proposed service territory.

The proposed service territory will be the South Englewood exchange of United Telephone Association, Inc.

OAC 165:55-3-1(d)(2)(N): A description of the deposit and disconnection rules to be applied to end- users by the Applicant, all of which shall conform to Subchapters 9 and 11 of OAC 165:55 or a statement that the Applicant will neither require nor accept deposits.

The Company will neither require nor accept deposits. The disconnection rules that will be applicable to the customers within the South Englewood exchange will be those contained in PTCI's current approved tariff applicable to the customers located within its current Gate exchange.

OAC 165:55-3-1(d)(2)(O): A statement setting forth the accounting system to be utilized by the Applicant (the FCC-approved Uniform System of Accounts or another accounting system) and a Chart of Accounts.

Applicant will be using its accounting system currently being used for its incumbent local exchange operations.

OAC 165:55-3-1(d)(2)(P): A listing of the complete name(s), including any trade name(s), corporate or primary headquarters street address(es) and names/addresses of principal officers of any affiliates and/or subsidiaries providing telecommunications and/or other services to the entity making the application proposing to sell the requested telecommunications service to the public in the State of Oklahoma, unless otherwise ordered by the Commission.

**Panhandle Telecommunications Services, Inc.
603 S. Main Street, PO Box 1188, Guymon, OK 73942**

The principal officers of Panhandle Telecommunications Services, Inc. are the same as the principal officers of PTCI.

OAC 165:55-3-1(d)(2)(Q): An affirmation that the Applicant will maintain a record of complaints in a manner consistent with OAC 165:55-3-23.

Applicant will maintain a record of complaints in a manner consistent with OAC 165:55-3-23.

OAC 165:55-3-1(d)(2)(R): A copy of the Applicant's proposed letter of authorization to be used by the telecommunications service provider to obtain written authorization from an end-user to switch telecommunications service providers or a copy of the text of the proposed script of the verification.

Applicant is an ILEC and will use the forms on file with the Commission for customers within the South Englewood exchange.

OAC 165:55-3-1(d)(2)(S): A statement regarding whether the Applicant intends to utilize the services of a billing agent to issue bills to end-users.

Applicant will not utilize a third-party billing agent.

17 O.S. § 132 & OAC 165:55-3-2(2): The text of the Public Notice to be published once a week for two consecutive weeks in newspapers of general circulation in the State of Oklahoma where service will be provided.

See Exhibit C.

III. LEGAL AUTHORITY

The Commission has jurisdiction over this Application pursuant to Art. IX, Okla. Const., § 18, and 17 O.S. Supp. 1997 §131 *et seq.*, to the extent not preempted by the federal Telecommunications Act of 1996.

IV. RELIEF SOUGHT

WHEREFORE, Applicant respectfully requests that the Commission grant it a Certificate of Convenience and Necessity to provide local exchange, interexchange, and data telecommunications services on a facilities-based and resold basis throughout the current South Englewood exchange of United Telephone Association, Inc. in the counties of Harper and Beaver, State of Oklahoma, and all other relief that may be fair and reasonable under the premises.

Respectfully submitted,

Panhandle Telephone Cooperative, Inc.

By: s/ Dustin Murer
RON COMINGDEER, OBA #1835
DUSTIN R. MURER, OBA #30895
COMINGDEER & MURER
5400 N. Grand Blvd, Suite 102
Oklahoma City, OK 73112
Telephone: (405) 848-5534
Fax: (405) 400-2429
hunter@comingdeerlaw.com
Dustin.Murer@comingdeerlaw.com
Attorneys for
Panhandle Telephone Cooperative, Inc.

CERTIFICATE OF MAILING

On this 19th day of April, 2022, a true and correct copy of the foregoing was mailed, e-mailed or hand-delivered to:

Public Utility Division
Oklahoma Corporation Commission
2101 N. Lincoln Blvd.
Oklahoma City, OK 73105
Telecom@occ.ok.gov

Jeff Kline
Attorney
Public Utilities Division
Oklahoma Corporation Commission
Office of General Counsel
Jeff.Kline@occ.ok.gov

Office of Attorney General
313 N.E. 21st Street
Oklahoma City, OK 73105-4894
utility.regulation@oag.ok.gov

Oklahoma Municipal League
201 NE 23rd St.
Oklahoma City, OK 73105
nancee@oml.org

Association of County Commissioners of Oklahoma
429 NE 50th St., 3rd Floor
Oklahoma City, OK 73105
genew@okacco.com

Oklahoma State Department of Education
Office of Legal Services
2500 North Lincoln Boulevard
Oklahoma City, OK 73015
brad.clark@sde.ok.gov

s/ Dustin Murer
Dustin R. Murer
Comingdeer & Murer
5400 N. Grand Blvd, Suite 102
Oklahoma City, OK 73112
405-848-5534
dustin.murer@comingdeerlaw.com

ATTACHMENT 1

Affidavit of Jana Wallace, CEO of Panhandle Telephone Cooperative, Inc.

ATTACHMENT 1

Affirmation

State of Oklahoma)
) ss.
County of Texas)

I, Jana Wallace, as Chief Executive Officer of Panhandle Telephone Cooperative, Inc. (Applicant), do hereby state that I have authority to bind Applicant, and affirm:

- A. That the information contained in the foregoing Application is true and correct;
- B. That the Applicant is familiar with and will comply with all federal and state laws, and the rules and orders of this Commission;
- C. That for each area or exchange(s) the Applicant proposes to service, the Applicant agrees to offer the provisioning of service to all end-users within that area or exchange(s) on a nondiscriminatory basis;
- D. That the Applicant understands the Commission's contempt authority;
- E. That, if and to the extent required, the Applicant will contribute to the Oklahoma Universal Service Fund pursuant to Okla. Admin. Code § 165:59;
- F. That, if and to the extent required, the Applicant will comply with the provisions of Okla. Admin. Code § 165:55-13-10.1 and will include a statement to this effect in its tariffs;
- G. That, if and to the extent required, prior to commencing the provision of local exchange service, Applicant will notify each Public Service Answering Point ("PSAP") within its service area that they will be providing service within the area served by the PSAP and each PSAP with contact information in case there are issues with the completion of calls by the customers of the Applicant. Applicant will comply with the requirements of 17 O.S. § 131 and will collect and disburse the E911/911 fee as required by 63 O.S. § 2814. Applicant will provide copies of such notices to the Commission within 30 days following Applicant's initial provisioning of local service;
- H. That, if and to the extent required, the Applicant understands that before it ceases, discontinues or curtails operations and/or service, it must file with the Commission and provide each affected customer, in the manner required by the Commission, notice of the intended action, and, to the extent required, must also provide notice to any E911 Database Management Service Provider, pursuant to Okla. Admin. Code § 165:55-15-5;

- I. That neither the Applicant, its owners (individuals and/or entities) or investors holding more than five (5) percent ownership, or companies, or officers and senior management are currently under investigation or involved in any pending or concluded investigations or litigation, either in this state or in another state or jurisdiction, for violation of any deceptive trade or consumer protection law or regulation related to the operation of a regulated industry;
- J. That neither Applicant, or its owners (individuals and/or entities) or investors holding more than five (5) percent ownership, or companies, or officers and senior management have been fined, found guilty, sanctioned or otherwise penalized, either in Oklahoma or in another state or jurisdiction, for violation of any consumer protection law or regulation related to the operation of a regulated industry;
- K. That Applicant currently receives state and federal universal service funds and will seek such funds in the future;
- L. The Applicant possesses the financial ability to provide any applicable local exchange telecommunications services in the state of Oklahoma; and
- M. That Applicant will maintain a record of complaints in a manner consistent with OAC 165:55-3-23.

Further, Affiant sayeth not.


Jami Wallace

Subscribed and sworn to before me this 14th day of April, 2022.


NOTARY PUBLIC

COMMISSION EXPIRES:

26 Oct 2025

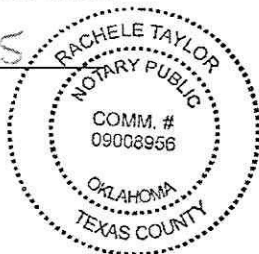


EXHIBIT A

Applicant's Certificate of Incorporation



SEAL OF THE STATE OF OKLAHOMA

CERTIFICATE OF INCORPORATION

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

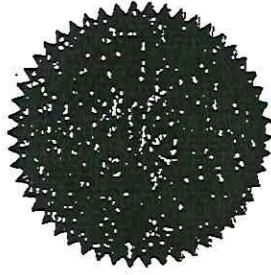
Whereas, Articles of Incorporation duly signed and verified of

PANHANDLE TELEPHONE CO-OP, INC.

have been filed in the office of the Secretary of State on the 11th day of NOVEMBER A.D., 1955, as provided by "The Laws of the State of Oklahoma."

Now Therefore, I, Andy Anderson, Secretary of State of the State of Oklahoma by virtue of the powers vested in me by law, do hereby issue this Certificate of Incorporation.

In Testimony Whereof, I hereunto set my hand and cause to be affixed the Great Seal of the State of Oklahoma.



Done at the City of Oklahoma City, this 11 day of November A.D., 1955

Andy Anderson
ASSISTANT SECRETARY OF STATE

Andy Anderson
SECRETARY OF STATE

220742

ARTICLES OF INCORPORATION

We, the undersigned incorporators, being natural persons who are residents of the area in which the principal operations of the cooperative are to be conducted, do hereby execute the following articles of incorporation pursuant to the Rural Telephone Cooperative Act (18 Okla. Stat. 438.1 et seq.):

ARTICLE 1

The name of the cooperative is Panhandle Telephone Co-op, Inc.

ARTICLE 2

The address of the principal office of the cooperative is Hooker, Oklahoma.

ARTICLE 3

The names and addresses of the incorporators are:

Wesley C. Sanders, Route 2, Boise City, Oklahoma
Carl Cline, Eva, Oklahoma
Carlile H. Brown, Griggs, Oklahoma
W. M. Deck, Balko, Oklahoma
Royce Mires, Route 2, Hooker, Oklahoma
Marion Peters, Beaver Star Route, Liberal, Kansas
W. A. Colvin, Balko, Oklahoma

ARTICLE 4

The names and addresses of the members of the Board of Trustees are:

Wesley C. Sanders, Route 2, Boise City, Oklahoma
Carl Cline, Eva, Oklahoma
Carlile H. Brown, Griggs, Oklahoma
W. M. Deck, Balko, Oklahoma
Royce Mires, Route 2, Hooker, Oklahoma
Marion Peters, Beaver Star Route, Liberal, Kansas
W. A. Colvin, Balko, Oklahoma

ARTICLE 5

The cooperative is formed for the purpose of furnishing telephone service in the widest practicable manner and to the widest practicable number of rural users of such service.

ARTICLE 6

The period of existence of the cooperative is fifty (50) years, the same to be subject to renewal upon the expiration of said term.

Dated this the 10th day of November, 1955.

Wesley C. Sanders
Wesley C. Sanders

Carl Cline
Carl Cline

Carlile H. Brown
Carlile H. Brown

W. M. Deck
W. M. Deck

Royce Mires
Royce Mires

Marion Peters
Marion Peters

W. A. Colvin
W. A. Colvin

State of Oklahoma }
County of Beaver } ss.

Before me, the undersigned, a Notary Public in and for said County and State, on this 10th day of November, 1955, personally appeared Wesley C. Sanders, Carl Cline, Carlile H. Brown, W. N. Deck, Royce Mires, Marion Peters and W. A. Colvin, to me known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

Arthur L. Sumner
Notary Public

(SEAL)

My commission expires Dec. 11, 1958

OFFICE OF THE SECRETARY OF STATE



CERTIFIED COPY OF ONE PARTICULAR
DOCUMENT

CERTIFICATE

I THE UNDERSIGNED, Secretary of State, of the State of Oklahoma do hereby certify that, to the date of this certificate, the attached is a true and correct copy of the document on file as described below of:

NAME OF ENTITY
PANHANDLE TELEPHONE COOPERATIVE INC.

DOCUMENT TYPE
Amended Certificate of Incorporation

DOCUMENT FILING DATE
April 07, 1995



IN TESTIMONY WHEREOF, I hereunto set my hand and affixed the Great Seal of the State of Oklahoma, done at the City of Oklahoma City, this 4th, day of April, 2022.

Secretary Of State

7 1 8 0 3 0 7 0 0 0 0

FEE: \$25.00

CHANGE OF DESIGNATION
OF
REGISTERED AGENT
AND/OR
LOCATION OF
REGISTERED OFFICE
(Oklahoma Corporation)

FILED
APR - 7 1995
OKLAHOMA SECRETARY
OF STATE

For Office Use Only

FILE IN DUPLICATE
PLEASE PRINT CLEARLY

PLEASE NOTE: This form MUST be filed with a letter from the Oklahoma Tax Commission stating the franchise tax has been paid by the corporation for the current fiscal year, with the exception of not for profit corporations.

TO: THE OKLAHOMA SECRETARY OF STATE, 101 State Capitol, Oklahoma City, OK 73105

CO 147477-1

1. The name of the Corporation is: **Panhandle Telephone Cooperative, Inc.**
2. The location of the registered office of this corporation is: **603 South Main Street, Guymon, Texas County, Oklahoma 73942**
3. The name of the registered agent at such address upon whom process against this corporation may be served is: **Ron Strecker**

IN WITNESS WHEREOF, said corporation has caused this certificate to be signed by its President and attested by its Secretary, this 23rd day of March, 1995.

Donald Heitschmidt
President Donald Heitschmidt

ATTEST:

Ben Paul Zimmerman
Secretary Ben Paul Zimmerman

RECEIVED
APR - 7 1995
OKLAHOMA SECRETARY
OF STATE

OKLAHOMA SECRETARY OF STATE

7 1 3 0 3 5 7 0 0 0 1



OKLAHOMA TAX COMMISSION

STATE OF OKLAHOMA

ROBERT E. ANDERSON, Chairman
ROBERT V. CULLISON, Vice-Chairman
DON KILPATRICK, Secretary-Member
March 29, 1995

2501 LINCOLN BLVD.
OKLAHOMA CITY, OKLAHOMA 73194

BUSINESS TAX
405/521-3161
FRX

WRIGHT, DALE & JETT
ATTN: BRYAN L. WRIGHT
P. O. BOX 591
GUYMON, OK 73942

RE: PANHANDLE TELEPHONE COOPERATIVE, INC.

TO WHOM IT MAY CONCERN:

The above referenced entity is a cooperative which is not required to file Franchise Tax; therefore, we do not issue a letter of good standing.

Sincerely,

OKLAHOMA TAX COMMISSION

A handwritten signature in cursive script that reads "W. E. Winters".

William E. Winters, Supervisor
Franchise Tax Section

7 1 8 0 3 5 7 0 0 0 2



OKLAHOMA SECRETARY OF STATE

2300 N. LINCOLN BLVD. ROOM 101
OKLAHOMA CITY, OK 73105-4897
405-521-3911
Fax # (405) 521-3771

Tom Cole
Secretary of State

Frank Keating
Governor

WRIGHT DALE JETT
P O BOX 591
GUYMON OK 73942 0591

CODE #: 202
AMOUNT: \$25.00

FOR OFFICE USE ONLY. DO NOT COPY!

EXHIBIT B

Certificate of Good Standing in
the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE



**CERTIFICATE OF GOOD STANDING
DOMESTIC FOR PROFIT COOPERATIVE**

I, THE UNDERSIGNED, Secretary of State of the State of Oklahoma, do hereby certify that I am, by the laws of said state, the custodian of the records of the state of Oklahoma relating to the right of certain business entities to transact business in this state and am the proper officer to execute this certificate.

I FURTHER CERTIFY that PANHANDLE TELEPHONE COOPERATIVE INC. whose registered agent is JANA WALLACE, with its registered office at 603 S MAIN ST GUYMON 73942 USA Oklahoma is a Domestic For Profit Cooperative duly organized and existing under and by virtue of the laws of the state of Oklahoma and is in good standing according to the records of this office. This certificate is not to be construed as an endorsement, recommendation or notice of approval of the entity's financial condition or business activities and practices. Such information is not available from this office.



IN TESTIMONY WHEREOF, I hereunto set my hand and affixed the Great Seal of the State of Oklahoma, done at the City of Oklahoma City, this 4th, day of April, 2022.

Bruce T. King

Secretary Of State

EXHIBIT C

See attached Public Notice

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

APPLICATION OF PANHANDLE TELEPHONE)	
COOPERATIVE, INC. FOR A CERTIFICATE OF)	
PUBLIC CONVENIENCE AND NECESSITY TO)	CAUSE NO. 202
PROVIDE FACILITIES-BASED AND RESOLD)	
LOCAL EXCHANGE AND INTEREXCHANGE)	
TELECOMMUNICATIONS SERVICES WITHIN)	
THE STATE OF OKLAHOMA)	

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY

NOTICE IS HEREBY GIVEN that Panhandle Telephone Cooperative, Inc., has filed an Application, pursuant to 17 O.S. § 131 *et seq.*, OAC 165:55, and OAC 165:56, seeking a Certificate of Convenience and Necessity authorizing it to provide local exchange, interexchange, and data telecommunications service on a facilities-based and resold basis within the South Englewood exchange of United Telephone Association, Inc.

NOTICE IS FURTHER GIVEN that any person desiring to file an objection to the Application must do so within thirty (30) days from the date of first publication of this Notice. Objections must be filed with the Court Clerk of the Oklahoma Corporation Commission, Jim Thorpe Office Building, 2101 North Lincoln Blvd., Oklahoma City, OK 73105, and served on the below counsel for Panhandle Telephone Cooperative, Inc. and on any intervenors. For more information, please contact the Court Clerk at (405) 521-2352 or CourtClerk@occ.ok.gov.

NOTICE IS FURTHER GIVEN that if no objections are timely filed, the Commission, without hearing, shall issue such orders and grant such relief, if any, as it deems fair, just, reasonable, and lawful in the premises, whether or not specifically requested in the Application.

NOTICE IS FURTHER GIVEN that additional information concerning this Cause may be obtained by contacting Ron Comingdeer, Comingdeer & Murer, 5400 N. Grand Blvd, Suite 102, Oklahoma City, Oklahoma 73112, (405) 848-5534, counsel for Panhandle Telephone Cooperative, Inc. or Jeff Kline, Attorney, Oklahoma Corporation Commission, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105, (405) 522-1010.

EXHIBIT C

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

APPLICATION OF PANHANDLE TELEPHONE)
COOPERATIVE, INC. FOR DESIGNATION AS AN) CAUSE NO. PUD 202
ELIGIBLE TELECOMMUNICATIONS CARRIER)
PURSUANT TO THE TELECOMMUNICATIONS)
ACT OF 1996)

**APPLICATION OF PANHANDLE TELEPHONE COOPERATIVE, INC.
FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER**

Panhandle Telephone Cooperative, Inc. ("Panhandle"), by its attorneys, hereby submits this Application for Designation as an Eligible Telecommunications Carrier ("ETC") pursuant to Section 214(e)(2) of the Telecommunications Act of 1934, as amended ("Act"), 47 U.S.C. § 214(e)(2), and Section 54.201 of the Federal Communications Commission's ("FCC") rules, 47 C.F.R. §54.201. Panhandle requests that it be designated as eligible to receive all available support from the federal universal service fund including, but not limited to, the federal universal service high-cost program (also known as the Connect America Fund) and low-income customers ("Lifeline") support throughout the geographic area specified in this Application. In support of this Application, the following is respectfully shown:

I. APPLICANT

Panhandle is an Oklahoma corporation providing telecommunications and broadband services to its customers in Oklahoma. Panhandle's business address is 603 S. Main Street, Guymon, Oklahoma 73942. Panhandle is an incumbent telephone company and holds Certificates of Convenience and Necessity issued by the Oklahoma Corporation Commission ("Commission") to operate as a telephone public utility in the Oklahoma exchanges of Adams, Balko, Beaver, Boise City, Bryans Corner, Eva, Felt-Wheelless, Floris, Forgan, Gate, Goodwell, Griggs, Guymon, Hardesty, Hooker, Kenton, Keyes, Laverne, Logan, Texhoma, Turpin, and Tyrone, all of which are primarily located in the panhandle of the State of Oklahoma. Panhandle was designated as an ETC

Panhandle Telephone Cooperative, Inc.'s Application for ETC Designation
Page 2 of 8

in Order No. 418436 within each of its exchanges. In this Application, Panhandle is requesting ETC designation in the South Englewood exchange of United Telephone Association, Inc. (“United”).

II. ALLEGATION OF FACTS

For Panhandle to receive the federal universal service high-cost program (also known as the Connect America Fund) funding and low-income customers (“Lifeline”) support throughout the geographic area specified in this Application, it must have ETC designation throughout the requested geographic area. ETC applications are governed by the requirements of 47 U.S.C § 214(e) and the FCC has adopted guidelines that it suggests that states consider when evaluating ETC applications.¹ While the FCC guidelines are not mandatory, they do provide an appropriate general framework for consideration of the issues raised in the ETC certification process. Panhandle currently meets all requirements under 47 U.S.C. § 214(e), and is committed to meeting all of the same requirements and relevant FCC guidelines for ETC applications throughout the requested geographic service area specified in this Application.

Further, in the FCC’s Third Report and Order, Further Report and Order and Order on Reconsideration (“Broadband Order”)² the FCC adopted reforms to make the FCC’s Lifeline program a key driver of the solution to the broadband affordability challenge. The Broadband Order took a variety of actions that work together to encourage more Lifeline providers to deliver supported broadband services as the transition from primarily supporting voice services to targeting support at modern broadband services takes place.

¹ 47 U.S.C § 214(e); Federal-State Joint Board on Universal Service, *Report and Order*, FCC Rcd 6371, 6396 (2005) (“*ETC Guidelines Order*”).

² Third Report and Order, Further Report and Order, and Order on Reconsideration, WC Docket No. 11-42, WC Docket No. 09-97, WC Docket No. 10-90, FCC 16-38.

Panhandle Telephone Cooperative, Inc.'s Application for ETC Designation
Page 3 of 8

A. Eligibility and Identification of the Service Area

Under Sections 214(e) and 254 of the Act and Article 9 Section 18 of the Oklahoma Constitution, the OCC is authorized to designate Panhandle as an ETC. Section 214(e)(2) of the Act requires state commissions to designate as an ETC, any common carrier that (i) offers services that are supported by federal universal service support mechanisms using its own facilities or a combination of its own facilities and resale of another carrier's services, and (ii) advertises the availability of and charges for such services, throughout the service area for which ETC status is sought. In its *USF/ICC Transformation Order*, the FCC modified its rules to support voice telephony service consisting of a reduced list of required functionalities.³ Further, in the Broadband Order, the FCC made broadband Internet access service ("BIAS") a supported service in the Lifeline program. As described more fully below, Panhandle provides the supported service and functionalities and will in accordance with the FCC's rules and order offer Lifeline supported broadband services in the areas wherein it seeks ETC designation in this Cause.

Panhandle is a common carrier as defined in 47 U.S.C. § 153(11), and is a telecommunications carrier as defined in 47 C.F.R § 54.5. Panhandle offers its services on a non-discriminatory basis to its customers and thus, is a common carrier.

Section 214(e)(2) of the Act provides that ETC designations shall be made for a service area designated by the state commission. That rule further states that upon request and consistent with the public interest, convenience, and necessity, the State commission may, in the case of an area served by a rural telephone company, and shall, in the case of all other areas, designate more than one common carrier as an eligible telecommunications carrier for a service area designated by the

³ *USF/ICC Transformation Order*, ¶78; 47 C.F.R. § 54.101(a).

Panhandle Telephone Cooperative, Inc.'s Application for ETC Designation
Page 4 of 8

State commission, so long as each additional requesting carrier meets the requirements of Section 214(e)(1). Section 214(e)(5) of the Act provides that the service area shall be a geographic area established by the state commission. For non-rural service areas, or areas served by price cap carriers, there are no restrictions on how a state commission defines the service area for purposes of designating a competitive ETC. Panhandle is seeking ETC designation in this Cause in order to receive all federal universal service fund support including, but not limited to, the federal universal service high-cost program (also known as the Connect America Fund) and low-income customers ("Lifeline") support throughout the geographic area and/or census blocks located in the South Englewood exchange of United Telephone Association, Inc.

Granting this ETC Application is in the public interest. Panhandle would be one of a few ETCs in the South Englewood exchange. Further, ETC designation will further benefit this exchange as Panhandle intends to build out a fiber network in the South Englewood exchange. This is an upgrade from the existing copper network which currently serves customers in this exchange. In addition to improved voice services, Panhandle's fiber network will enable broadband speeds of up to 1Gbps/1Gbps.

The FCC has adopted only minimal rules to govern the state ETC designation process, and those rules essentially implement the provisions of Section 214(e).⁴ In addition, state commissions cannot base their ETC designation decisions on the technology used by the applicant, and instead must rely on the specific statutory criteria in reaching a determination.⁵

⁴ See 47 C.F.R. § 54.201.

⁵ 47 C.F.R. § 54.201(h).

Panhandle Telephone Cooperative, Inc.'s Application for ETC Designation
Page 5 of 8

B. Supported Services Provided by Applicant

Panhandle will offer the services designated for support under 47 C.F.R. § 54.101(a) using its own facilities and/or resale of another carrier's services. Specifically, Panhandle will offer voice telephony service that will provide voice grade access to the public switched network or its functional equivalent; minutes of use for local service provided at no additional charge to end users; access to the emergency services provided by local government or other public safety organizations, such as 911 and enhanced 911, to the extent the local government in an eligible carrier's service area has implemented 911 or enhanced 911 systems; and toll limitation services to qualifying low-income consumers as provided in 47 CFR §54.400. Further, Panhandle will offer BIAS with the capability to transmit data to and receive data by wire or radio from all or substantially all Internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up service. Panhandle intends to upgrade the network in this exchange by installing fiber to provide customers broadband speeds of at least 1 Gbps/1Gbps. Under Section 214(e) and the FCC's guidelines, an ETC must provide the services supported by the universal service program throughout its designated service area 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). The FCC guidelines provide that an ETC must "commit" to provide service "on a timely basis" to customers passed by the ETC's facilities; and to provide service "within a reasonable timeframe" to customers who are not passed by the ETC's facilities "if service can be provided at reasonable cost [.]" Panhandle will offer the supported services in conformance with the FCC guidelines.

Panhandle Telephone Cooperative, Inc.'s Application for ETC Designation
Page 6 of 8

C. Advertising Availability of Universal Service

Pursuant to 47 C.F.R. Section 54 .201 Panhandle plans to advertise the availability of the supported services throughout its service area by media of general distribution. The methods of advertising utilized may include newspaper, magazine, radio, direct mailings, public exhibits and displays, bill inserts, and Internet advertisements.

III. LEGAL AUTHORITY

The OCC has the legal authority to grant the relief requested by Applicant pursuant to 47 U.S.C. § 214(e); 47 C.F.R. Part 54, subpart C; and Art. IX, Sec. 18, et seq., of the Oklahoma Constitution.

IV. RELIEF REQUESTED

For the reasons set forth above, and pursuant to 47 U.S.C. § 214(e), Panhandle requests that the OCC issue an Order designating it as an ETC, as set forth herein, eligible to receive all available support from the federal universal service fund including, but not limited to, the federal universal service high-cost program (also known as the Connect America Fund) and low-income customers (“Lifeline”) support throughout the geographic area specified in this Application. and that the Commission enter its Order at the earliest possible date and such other relief as the Commission may deem proper in the premises.

Respectfully Submitted,

Panhandle Telephone Cooperative, Inc.

Panhandle Telephone Cooperative, Inc.'s Application for ETC Designation
Page 7 of 8

By: s/ Dustin Murer
RON COMINGDEER, OBA #1835
DUSTIN R. MURER, OBA #30895
COMINGDEER & MURER
5400 N. Grand Blvd. Ste. 102
Oklahoma City, OK 73112
Telephone: (405) 848-5534
Fax: (405) 843-5688
hunter@comingdeerlaw.com
dustin.murer@comingdeerlaw.com
Attorneys for Panhandle Telephone Cooperative,
Inc.

CERTIFICATE OF MAILING

On this 19th day of April, 2022, a true and correct copy of the foregoing was mailed, emailed or hand-delivered to:

Public Utility Division
Oklahoma Corporation Commission
2101 N. Lincoln Blvd.
Oklahoma City, OK 73105
telecom@occ.ok.gov

Jeff Kline, Attorney
Public Utilities Division
Judicial and Legislative Services
jeff.kline@occ.ok.gov

Office of Attorney General
313 NE 21st Street
Oklahoma City, OK 73105
utilityregulation@oag.ok.gov

s/ Dustin Murer
Dustin R. Murer
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Oklahoma City, OK 73112
405-848-5534
dustin.murer@comingdeerlaw.com

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

APPLICATION OF PANHANDLE TELEPHONE)
COOPERATIVE, INC. FOR DESIGNATION AS AN) CAUSE NO. PUD 202
ELIGIBLE TELECOMMUNICATIONS CARRIER)
PURSUANT TO THE TELECOMMUNICATIONS)
ACT OF 1996)

AFFIDAVIT

COUNTY OF TEXAS)
) **ss.**
STATE OF OKLAHOMA)

I, Jana Wallace being duly sworn, state that I am the Chief Executive Officer for Panhandle Telephone Cooperative, Inc. ("Panhandle").


I hereby state and affirm the following:

1. Panhandle is an incumbent telephone company and holds Certificates of Convenience and Necessity issued by the Oklahoma Corporation Commission ("Commission") to operate as a telephone public utility in the exchanges of Adams, Balko, Beaver, Boise City, Bryans Corner, Eva, Felt-Wheelless, Floris, Forgan, Gate, Goodwell, Griggs, Guymon, Hardesty, Hooker, Kenton, Keyes, Laverne, Logan, Texoma, Turpin, and Tyrone.
2. Panhandle was designated as an ETC in Order No. 418436 within each of the exchanges listed above.
3. Panhandle acknowledges that a carrier must obtain designation as an Eligible Telecommunications Carrier ("ETC") from the Commission in order to be eligible to receive support from the federal Universal Service Fund, pursuant to 47 U.S.C. § 151 et seq. and 47 U.S.C. § 214(e)(1).
4. Panhandle is seeking designation as an ETC in the certain census blocks within the exchange of South Englewood in Beaver and Harper County, State of Oklahoma.
5. I hereby affirm that every statement made in the Application filed in this Cause is true and correct to the best of my knowledge.
6. Panhandle is a common carrier for purposes of obtaining ETC designation under 47 U.S.C. § 214(e)(1).
7. Panhandle will offer voice telephony service and broadband service as those services are defined in 47 C.F.R. § 54.101(a).
8. Panhandle will provide the supported services throughout the area requested for designation in accordance with 47 C.F.R. § 54.201(d).

Affidavit in PUD 202
Page 2 of 2

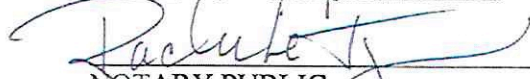
9. Panhandle will advertise the availability of the supported services and the charges therefore in accordance with 47 C.F.R. § 54.201(d)(2).
10. Panhandle affirms that the supported services will be provided using Panhandle's own facilities or a combination of its own facilities and resale of another carrier's services in accordance with 47 C.F.R. § 54.201(d)(1).
11. Panhandle will comply with the service requirements applicable to the support it receives in accordance with 47 C.F.R. § 54.202(a)(1)(i).
12. Panhandle, where applicable, will comply with OAC 165:55-23-11, to include the minimum service standards detailed at 47 C.F.R. § 54.408(b)(3).
13. Panhandle affirms compliance with OAC 165:55-23-2, where applicable.
14. Panhandle affirms that all enrollments in the Lifeline program will be performed in compliance with all requirements for the Lifeline program, including but not limited to, those applicable to the verification of identity, address and eligibility of Lifeline subscribers.
15. Panhandle affirms that it has the ability to remain functional in emergency situations; that it has a reasonable amount of back-up power to ensure functionality without an external power source; that it is able to reroute traffic around damaged facilities; and that it is capable of managing traffic spikes resulting from emergency situations.

Further, Affiant sayeth not.



Jana Wallace

Subscribed and sworn to before me this 14th day of April, 2022.



NOTARY PUBLIC

COMMISSION EXPIRES:

26 Oct 2025



EXHIBIT D

United Telephone Association, Inc.
South Englewood, OK - KUSF Allocation

	2021
1 Total Access Lines	3,807
2 South Englewood Access Lines	<u>40</u>
3	
4 Allocation %	<u>1.05%</u>
5	
6 2021 KUSF	<u>\$1,372,915</u>
7	
8 Allocated KUSF for South Englewood	<u><u>\$14,425</u></u>

LOCAL EXCHANGE SERVICES

A. LOCAL ACCESS

1. General. This service includes all charges for telecommunications service provided by the Company, other than those charges covered under a special contract between and subscriber and the Company; and directory advertising charges. In addition, the Company will add applicable Federal excise, franchise and sales taxes to each monthly bill as a separate charge.
2. Rates for Local Access Service, Per Month. These rates cover the provision of network access to a local customer location. The following rates apply to all subscribers within the Telephone Company's exchanges, which include Ashland, Cimarron, Copeland, Englewood, Ensign, Ford-Kingsdown, Hanston, Ingalls, Montezuma, and Spearville. (T)

One-Party Residence Access	\$19.50
One-Party Business Access	\$19.50

For the \$19.50 per month, customers will receive unlimited interexchange local calling. Residence and business customers will receive up to 180 toll free minutes of regional calling from any United Telephone Association exchange to any other United Telephone Association exchange. Additionally, the regional calling area consists of the following exchanges in (1) Golden Belt Telephone Association, (2) Pioneer Communications, (3) Southwestern Bell Telephone Company, and (4) Sunflower Telephone Company: (2) Big Bog, (3) Bucklin, (1) Burdett, (3) Coldwater, (2) Coolidge, (2) Deerfield, (3) Dodge City, (3) Fowler, (3) Garden City, (2) Hugoton, (3) Holcomb, (4) Jetmore, (4) Marienthal, (3) Meade, (3) Minneola, (2) Moscow, (3) Plains, (3) Protection, (2) Richfield, (2) Rolla, (2) Ryus, (2) Satanta, (3) Scott City, (3) Sublette, (2) Syracuse, (4) Tribune, and (2) Ulysses.

In place of the \$19.50 per month charge, residence and business customers have an option to Purchase additional regional minutes for the following rates:

Regional Calling Area:

0-360 regional minutes	\$27.60
0-600 regional minutes	\$38.40

Rates for Regional Calling Area usage exceeding the applicable block of time is \$0.065 per minute.

Public and semipublic telephone service (Paystation) will not receive regional calling minutes as a part of the local service.

If a customer has multiple lines billed on one statement, the customer will receive a regional calling area block time for each line. The time of the blocks will be groups; usage of the blocks will be groups. Usage of the total block of time can be used by any of the lines.

ISSUED:

EFFECTIVE:

By: Todd Houseman, General Manager
United Telephone Association, Inc.
Dodge City, Kansas