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November 12, 2014

Tom Day, Acting Executive Director  
Kansas Corporation Commission  
1500 SW Arrowhead Rd  
Topeka KS 66604

RE: Giant Communications, Inc.  
Application for Provisional Designation as an ETC

Dear Mr. Day:

Attached please find Giant Communications, Inc.'s application for provisional designation as an eligible telecommunications carrier in order to be able to participate in the Rural Broadband Experiment Funds bidding process. Being designated as an ETC is part of the requirements for participating in this bidding process.

Please note that "Attachment C" listing the exchanges in which Giant is requesting ETC designation is deemed confidential and that we are filing both a confidential and a public version of the application.

If you have any questions, please do not hesitate to contact me.

Cordially yours,

  
Colleen R. Jamison

cc: Diane Thompson

**BEFORE THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS**

In the Matter of the Application of Giant	)	
Communications, Inc. for Provisional	)	Docket No. 15-GCIT- <u>203</u> -ETC
Designation as an Eligible	)	
Telecommunications Carrier.	)	

**APPLICATION OF GIANT COMMUNICATIONS, INC.  
REQUESTING PROVISIONAL DESIGNATION  
AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER**

COMES NOW Giant Communications, Inc. (Giant), and for its application to the Commission to provisionally designate Giant as an eligible telecommunications carrier (ETC) states as follows:

1. Giant is a Kansas corporation organized under the laws of the State of Kansas and is registered with the Kansas Secretary of State's office to do business in Kansas and has a current status with that office of "Active and in Good Standing." See Exhibit A. Its principle place of business in Kansas is 418 W. 5<sup>th</sup> St., Holton, KS 66436.
2. In an order dated August 2, 1999, in Docket No. 00-GCIT-COC, the Commission granted Giant a certificate of convenience to provide local exchange and exchange access service Southwestern Bell and United Telephone areas in Kansas.
3. In this application, Giant is requesting that the Commission designate it as an ETC for purposes of participating in the Federal Communications Commission's Rural Broadband Experiment bid process. Giant's request for designation as an ETC is provisional in that if its bid for Rural Broadband Experiment Funds is unsuccessful, then Giant will relinquish its ETC status.
4. As noted by the Commission Staff in its report and recommendation attached to the Commission's January 2, 2013 Order Granting Designation as an Eligible Telecommunications

Carrier to LR Communications, Inc. d/b/a Mutual TeleCommunications, in Docket No.

13-LRCC-124-ETC, the services or functionalities that shall be supported by the federal universal service support mechanism are listed in 47 C.F.R. §54.101(a). The included services are: 1) voice grade access to the public switched network or its functional equivalent; 2) minutes of use for local service provided at no additional charge to end users; 3) 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 4) toll limitation services to qualifying low-income consumers.

5. Giant offers a full range of advanced telecommunications services to its Kansas customers and provides the services and functionalities supported by the federal universal service support mechanisms and required for designation as an ETC. Giant provides:

a. Voice grade access to the public switched network or its functional equivalent. Giant currently provides such access to customers and will continue to do so upon its designation as an ETC.

b. Minutes of use for local service at no additional charge. Giant's local rates include unlimited minutes of use for local service at no additional charge.

c. Access to emergency services. Giant's network provides access to 911, enhanced 911, and all other typically-available emergency services.

d. Toll limitation. Giant provides toll restriction services to qualifying low-income consumers.

6. In accordance with the requirements of 47 C.F.R. §54.201, Giant will advertise the availability of supported services throughout its designated service area using media of general distribution in a manner designed to reach those qualifying for service. Giant will use a full range

of media to advertise the availability of Lifeline benefits throughout its service area, as required by 47 C.F.R. 54.405(b).

7. In addition, Giant notes that this Commission, in its October 10, 2006 order in Docket No. 06-GIMT-446-GIT, adopted a requirement that all competitive ETCs advertise services in a meaningful way so as to ensure that all consumers will understand the competitive ETC's offerings. Giant will use the following in all advertisements:

As a designated telecommunications carrier eligible to receive universal service support, Giant Communications is proud to offer the Lifeline programs in the state of Kansas. We will provide discounts off service activation (if applicable) and on basic monthly service for residential customers who qualify for income-assisted programs. To determine if you qualify for Kansas Lifeline service, customers may call (888) 886-7956. For unresolved questions or complaints, you may contact the Kansas Corporation Commission, Office of Public Affairs and Consumer Protection.

By mail: KCC – Consumer Protection  
1500 SW Arrowhead Rd  
Topeka, KS 66604  
By phone: (800) 662-0027 – toll free  
(785) 271-3140 – in Topeka  
By email: [public.affairs@kcc.ks.gov](mailto:public.affairs@kcc.ks.gov)  
Hearing or  
Speech  
Impaired: (800) 766-3777 – Kansas Relay Center

8. Giant submits that its designation as an ETC is in the public interest similar to those factors regarding the public interest enumerated by the FCC in its Virginia Cellular Order.

a. Benefits of Increased Competitive Choice. Giant intends to compete with the incumbent provider in its designated service area, offering consumers additional choices in the provision of telecommunications services.

b. Unique advantages of Giant's service offering. Giant offers a competitive alternative to the traditional wireline carrier in its service areas and will improve the community's

advanced telecommunications offerings.

c. Commitments made to high-quality telecommunications services. Giant currently provides extremely high-quality telecommunications services and its designation as an ETC and ability to bid for Rural Broadband Experiment funds will enable it to bring advanced services to its service areas.

d. Ability to provide supported services throughout the designated service area within a reasonable time frame. If it is a successful bidder Rural Broadband Experiment funds, Giant will quickly deploy the infrastructure necessary to accommodate service requests throughout its designated service area in a reasonable time frame.

e. Impact of multiple designations on the universal service fund. Because this application is provisional and service has not yet provided, nor funds received, it is unknown at this time what the impact on the universal service fund may be.

9. Giant provides the affidavit and declaration of Mark Wade, general manager, in support of this application, as Exhibit B.

10. Confidential Exhibit C is a list of the exchanges in which Giant is requesting the Commission designate it an ETC and the incumbent provider in that exchange.

WHEREFORE, Giant requests the Commission determine that, from the evidence contained in this application, it complies with the requirements to be designated an ETC for the purposes of bidding Rural Broadband Experiment funds from the federal universal service fund, and for such other and further relief as the Commission deems just and equitable.

Respectfully submitted,

JAMES M. CAPLINGER, CHARTERED



Colleen R. Jamison (#16121)

James M. Caplinger (#04738)

James J. Caplinger, Jr. (#11147)

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VERIFICATION


STATE OF KANSAS            )  
  ) ss:  
COUNTY OF SHAWNEE    )

I, Colleen R. Jamison, of lawful age, being first duly sworn upon her oath states:

That she is an attorney for Giant Communications, Inc., that she has read the above and foregoing Application, and upon information and belief, states that the matters therein appearing are true and correct.

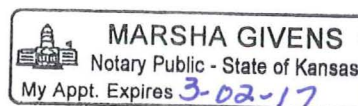
  
Colleen R. Jamison

SUBSCRIBED AND SWORN to before me this 12th day of November, 2014.

  
Notary Public

My Commission Expires:

March 2, 2017



**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Application was served by electronic mail this 12th day of November, 2014, to the following:

John R. Idoux, State Director Regulatory Affairs  
United Telephone Co. of Kansas d/b/a CenturyLink  
5454 W. 110th St.  
Overland Park, KS 66211-1204  
[john.idoux@centurylink.com](mailto:john.idoux@centurylink.com)

  
Colleen R. Jamison



## EXHIBIT A

**STATE OF KANSAS**  
**OFFICE OF**  
**SECRETARY OF STATE**  
**KRIS W. KOBACH**

I, KRIS W. KOBACH, Secretary of State of the state of Kansas, do hereby certify, that according to the records of this office.

Business Entity ID Number: 2440261

Entity Name: GIANT COMMUNICATIONS, INC.

Entity Type: DOM: FOR PROFIT CORPORATION

State of Organization: KS

Resident Agent: GENE MORRIS

Registered Office: 418 W. 5TH ST, HOLTON, KS 66436

was filed in this office on January 24, 1997, and is in good standing, having fully complied with all requirements of this office.

No information is available from this office regarding the financial condition, business activity or practices of this entity.



In testimony whereof I execute this certificate and affix the seal of the Secretary of State of the state of Kansas on this day of October 22, 2014

A handwritten signature in cursive script that reads "Kris W. Kobach".

**KRIS W. KOBACH**  
**SECRETARY OF STATE**

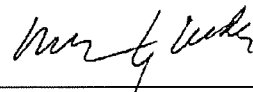
Certificate ID: 620302 - To verify the validity of this certificate please visit <https://www.kansas.gov/bess/flow/validate> and enter the certificate ID number.

## EXHIBIT B

## AFFIDAVIT OF MARK WADE

I, Mark Wade, of legal age, do declare the following, under penalty of perjury:

1. My name is Mark Wade, and I am Vice President of Operations of Giant Communications, Inc., and I am competent to make this affidavit on Giant's behalf supporting its application the Commission designate it an eligible telecommunications carrier in Kansas.
2. Giant offers and is able to provide, throughout its service territory, the services necessary to be designated an ETC.
3. Giant will provide customers with voice grade access to the public switched telephone network.
4. Giant offers unlimited local minutes of use at no additional charge.
5. Giant provides access to all emergency services.
6. Giant provides toll restriction services to qualifying low-income consumers.
7. I declare under penalty of perjury that I have read Giant Communications, Inc.'s application for designation as an ETC in the state of Kansas and that the contents of the Application are true and correct to the best of my information, knowledge and belief.



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Mark Wade, Vice President of Operations  
Giant Communications, Inc.

11/03/2014

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Date

EXHIBIT C

\*CONFIDENTIAL\*

## EXCHANGE LIST – ETC DESIGNATION

\*CONFIDENTIAL\*

Giant is seeking designation as an ETC in the following exchanges in northeast Kansas