

**BEFORE THE  
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of W.A.T.C.H. TV )	
Company Petition for Designation as a High-Cost )	Case No. 18-1555-TP-UNC
Rural Competitive Eligible Telecommunications )	
Carrier )	

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**MOTION OF W.A.T.C.H. TV COMPANY FOR WAIVER OF STATE REQUIRED  
MILESTONE REPORTING**

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Pursuant to Ohio Adm. Code §§ 4901-1-12 and 4901:1-6-02(F), Applicant W.A.T.C.H. TV Company hereby seeks a waiver of Ohio Adm. Code § 4901:1-6-09(B)(2) and the corresponding requirement contained in Exhibit A of the Public Utilities Commission of Ohio (“Commission”) CETC Filing Form for state-required milestone reporting for the reasons set forth in the attached Memorandum in Support.

Respectfully submitted,

/s/William A. Adams

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## MEMORANDUM IN SUPPORT

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W.A.T.C.H. TV Company ("W.A.T.C.H."), pursuant to the Telecommunications Act of 1996, 47 U.S.C. § 214(e)(2) and the Rules of the Federal Communications Commission ("FCC") 47 C.F.R. § 54.201, requested that the Commission designate W.A.T.C.H. TV Company as an eligible telecommunications carrier ("ETC") under the provisions of Section 54.201(d) to receive federal universal service support. W.A.T.C.H. requested ETC designation in order to receive support from the federal Universal Service Fund ("USF"), including support through the FCC's high cost USF programs in order to receive funds pursuant to the FCC's Connect America Funds Phase II Auction (Auction 903). W.A.T.C.H. now is requesting a waiver of state required milestone reporting because there are specific service milestones W.A.T.C.H. must complete associated with Auction 903. Due to this FCC commitment, W.A.T.C.H. requests a waiver of all applicable state rules requiring reporting of annual plans and/or network deployment.

W.A.T.C.H. is well positioned to efficiently use federal Phase II Auction Order funding to expand its communications infrastructure and service offerings. It will be able to use federal Phase II Auction Order funding to effectively expand W.A.T.C.H.'s broadband and voice-enabled networks for the benefit of the residents in OH, IL and IN. In addition, there are specific service milestones W.A.T.C.H. must complete paragraph 21 of the Phase II Auction Order Public Notice, as follows:

### D. Phase II Auction Deployment

21. In the *Phase II Auction Order*, the Commission [FCC] adopted service milestones for Phase II auction recipients. Specifically, Phase II auction recipients must complete construction and commercially offer service meeting the relevant public interest obligations to 40 percent of the requisite number of locations in a state by the end of the third year of funding authorization, an additional 20 percent in the subsequent years, and

100 percent by the end of the sixth year.<sup>1</sup> The total number of locations that a Phase II auction recipient is required to serve in each state is determined by adding the number of locations that the Connect America Cost Model (CAM) estimated for each eligible census block included in the recipient's winning bids in the state.<sup>2</sup>

Because of this FCC requirement, W.A.T.C.H. requests the waiver of all applicable state rules requiring reporting of annual plans and/or network deployment. In particular, Ohio Adm. Code § 4901:1-6-09(B)(2) and the CETC Application Form Exhibit A require the submission of a 5-year plan specifically detailing proposed improvements or up-grades on a wire-center basis and other related information. Because this requirement conflicts with the FCC requirement, W.A.T.C.H. seeks a waiver of the Commission requirement.

For these reasons, W.A.T.C.H. requests that the Commission grant this waiver request.

Respectfully submitted,

/s/William A. Adams

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<sup>1</sup> See *Phase II Auction Order*, 31 FCC Rcd at 5964, paras. 40-41.

<sup>2</sup> See CostQuest Associates, Inc., Connect America Cost Model: Model Methodology 12-15 (Dec. 22, 2014), <https://transition.fcc.gov/wcb/CAM%20v.4.2%20Methodology.pdf> ([CAM Methodology](#)).

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Summary: Motion of W.A.T.C.H. TV Company for Waiver of State Required Milestone  
Reporting electronically filed by Mr. William A. Adams on behalf of W.A.T.C.H. TV Company